

RESOLUTION NUMBER 3548

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING NEGATIVE DECLARATION (2209) AND GENERAL PLAN AMENDMENT NO. 05-0225 TO CHANGE THE LAND USE DESIGNATION OF APPROXIMATELY 19 ACRES LOCATED ON THE NORTHWEST CORNER OF NUEVO ROAD AND EVANS ROAD, FROM "CC" COMMERCIAL COMMUNITY TO R-6,000 RESIDENTIAL, AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, an initial study has been prepared for General Plan Amendment 05-0225 and based upon the environmental information staff finds that the project could not have a significant effect on the environment because revisions in the project have been agreed to and made by the project proponent, therefore a Negative Declaration has been prepared; and

WHEREAS, the City Council of the City of Perris adopted a General Plan to guide development throughout the City and a Zoning Ordinance to implement the vision set forth in the General Plan; and

WHEREAS, State Law limits amendments to the Land Use Element to four times a year; howsoever, a number of changes may be made at one time; and

WHEREAS, this amendment constitutes the first time in 2006 that the City has amended the Land Use Element of the General Plan; and

WHEREAS, on December 7, 2005, the Planning Commission conducted duly noticed public hearings on the proposed project, considered testimony and materials in the staff report and accompanying documents, and recommended approval of the proposed project; and

WHEREAS, on January 31, 2006 the City Council conducted a duly noticed public hearing on the proposed project, considered testimony and materials in the staff reports, accompanying documents and exhibits; and

WHEREAS, the City Council considered and approved the Initial Study and Negative Declaration (2209) for the project, finding that these documents adequately addressed the impacts of the proposed project, were prepared in accordance with the California Environmental Quality Act, and reflected the independent judgment of the City; and

WHEREAS, all legal prerequisites for the adoption of this resolution have occurred;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Perris, California, as follows:

Section 1. The above recitals are all true and correct.

Section 2. The City Council has reviewed and considered the environmental documentation for the project prior to taking action on the applications. Based on the analysis contained in the Initial Study and the accompanying environmental information, the City Council finds that:

- A. There is no substantial evidence of potentially significant environmental impacts and a Mitigated Negative Declaration (2209) has been prepared.
- B. The City has complied with the California Environmental Quality Act (CEQA).
- C. Determinations of the Planning Commission reflect the independent judgment of the City.

Section 3. Based on the information contained within the Project Report and the accompanying attachments and exhibits, the City Council hereby finds that:

- A. General Plan Amendment 05-0225.
 - 1. All potentially significant environmental impacts can be mitigated to less than significant levels and a Mitigated Negative Declaration (2209) has been prepared, the City has complied with the California Environmental Quality Act (CEQA), determinations of the City Council reflect the independent judgment of the City.
 - 2. The proposed project is consistent with General Plan objectives, policies and programs.
 - 3. The proposed project will not adversely affect the public health, safety and welfare.

Section 4. The City Council hereby approves Negative Declaration (2209) and General Plan Amendment (GPA 05-0225), based on the information and findings presented in the staff report.

Section 5. The City Council declares that should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of

competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Resolution shall remain in full force and effect.

Section 6. The Mayor shall sign this resolution and the City Clerk shall certify to the passage and adoption of this Resolution.

ADOPTED, SIGNED and **APPROVED** this 31st day of January, 2006.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Margaret Rey

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Margaret Rey, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 3548 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 31st day of January, 2006, and that it was so adopted by the following called vote:

AYES: Rogers, Yarbrough, Landers, Motte, Busch
NOES:
ABSENT:
ABSTAIN:

City Clerk, Margaret Rey