

**RESOLUTION NUMBER 3825**

***A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A MITIGATED NEGATIVE DECLARATION 2227; TENTATIVE TRACT MAP 34260 (06-0017) TO SUBDIVIDE 3.06 ACRES OF VACANT LAND INTO 15 RESIDENTIAL LOTS WITH AN AVERAGE LOT SIZE OF 7,097 GROSS SQUARE FEET, LOCATED NORTH OF FLAME AVENUE, EAST OF MEDICAL CENTER DRIVE, WEST OF REDLANDS AVENUE, AND SOUTH OF ORANGE AVENUE; AND MAKING FINDINGS IN SUPPORT THEREOF***

**WHEREAS**, on February 17, 2006, the applicant applied for a Tentative Tract Map 34260 (06-0017) to subdivide 3.06 acres of vacant land into 15 lots for a single-family home residential subdivision in the MFR-14 zoning, located north of Flame Avenue, east of Medical Center Drive, west of Redlands Avenue, and south of Orange Avenue; 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**, on October 4, 2006, the Planning Commission conducted a duly noticed public hearing on the proposed project, considered testimony and materials in the staff report and accompanying documents, and recommended approval of the proposed project and conditions of approval, subject to the following amendments:

**Planning Conditions of Approval:**

- Condition 3, last sentence, was modified to read: Development of the premises, building elevations, colors and materials shall be subject to a “subsequent Administrative Development Plan Review”, rather than Development Plan Review through the City Planning Commission.
- Condition 7 was modified to cite Title “24” rather than Title 14.
- Condition 9 was modified to reference “avigation” easement rather than aviation easement.
- Condition 9.F.5 was modified to read: Any use involving the storage of “dangerous quantities of explosives or hazardous materials”, rather than explosives or flammable materials.
- Condition 10 was modified to reference “March Air Reserve Base” rather than March Inland Port Authority.

- Condition 16 was modified to reference “Development Services Department”, rather than Community Development Department; and sub-paragraphs c, d, and g were determined not to be applicable and were deleted.
- Condition 19 was modified to read: “Assessment Districts. The project shall be annexed into any assessment, community facilities, or similar district that provides funding for maintenance, services, or public improvements that benefit the project. The costs and benefits shall be described in the applicable district and annexation documents. The Developer shall complete all actions required to complete such annexation prior to the issuance of a certificate of occupancy. This condition shall apply only to districts existing at the time the Conditional Use Permit is approved. Such districts may include, but are not limited to, the following:
  - a) Landscape Maintenance District No. 1;
  - b) Flood Control Maintenance District No. 1 (may include Streets);
  - c) Maintenance District No. 84-1 (Street Lights and Traffic Signals);
  - d) North Perris Public Safety Community Facilities District (Police and Fire); and
  - e) Ramona Mobility Group District (Transportation Improvements)”,

rather than: Assessment Districts. Prior to recordation of the Final Map, the developer shall post an adequate maintenance performance bond to be retained by the City as required, and annex into the following maintenance districts:

- a) The North Perris Community Facilities Assessment District
  - b) The Landscape Maintenance District
  - c) The Street Lighting Maintenance District
  - d) The Flood Control Maintenance District.
- Condition 20 was modified to add: “The applicant shall pay Transportation Uniform Mitigation Fees (TUMF) in effect at the issuance of building permits”; to correct sequencing of the sub-paragraphs (a – e); and to delete last sub-paragraph regarding payment of park fees in compliance with Ordinance 953.
  - Condition 21.g was determined not to be applicable to the project and was deleted.

**WHEREAS**, on November 14, 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 Mitigated Negative Declaration (2227) 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, subject to mitigation, and a Mitigated Negative Declaration (2227) 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. The proposed project is consistent with General Plan objectives, policies and programs.
- B. The proposed project will not adversely affect the public health, safety and welfare.
- C. The proposed project will not adversely affect the environment.

**Section 4.** The City Council hereby adopts Negative Declaration (2227), Tentative Tract Map 34260 (06-0017) based on the information and findings presented in the staff report dated October 4, 2006.

**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 14<sup>th</sup> day of November, 2006.

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Mayor, Daryl R. Busch

ATTEST:

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City Clerk, Judy L. Haughney

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

I, Judy L. Haughney, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 3825 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 14<sup>th</sup> day of November, 2006, and that it was so adopted by the following called vote:

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

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City Clerk, Judy L. Haughney