

**RESOLUTION NUMBER 6455**

***A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, TO VACATE A PORTION OF UNIMPROVED TRUMBLE ROAD BETWEEN ELLIS AVENUE AND VISTA ROAD, SUBJECT TO THE FINDINGS AND CONDITIONS NOTED HEREIN.***

**WHEREAS**, Section 8300 *et seq.* of the California Streets and Highways Code provides a procedure for the summary vacation of streets and public service easements by City Council resolution where the portion of the interest to be vacated is excess to the City's right-of-way needs and is no longer required for street or highway purposes; and

**WHEREAS**, the applicant submitted and initiated a Summary Street Vacation (Summary Street Vacation 23-05125) to vacate a portion of unimproved Trumble Road, between Ellis Avenue and Vista Street, herein described and depicted on Exhibits "A" and "B" (see attached Exhibits "A—Legal Description and Plat Map"); and

**WHEREAS**, it has been determined there are no in-place public utilities or easements located in the unimproved section of Trumble Road between Ellis Avenue and Vista Road that would be adversely affected by the summary street vacation; and

**WHEREAS**, the City Council has determined that the requested Summary Street Vacation is in the public interest and convenience as the portion of Trumble Road between Ellis Avenue and Vista Street is unimproved or constructed and has never been used as a public road; and

**WHEREAS**, the City Council has determined that the proposed Summary Street Vacation may be summarily vacated in accordance with California Streets and Highway Code Section 8333 in that the following findings of fact can be made: 1) the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation; 2) there are no public utilities located within the area to be vacated; and 3) there is no impact to circulation; and

**WHEREAS**, the City Council has determined that the Summary Street Vacation would be exempt from the California Environmental Quality Act ("CEQA") under Section 15061 (b)(3)(Common Sense Exemption) in that it can be seen with certainty that there is no possibility that the vacation can have an impact on the environment; and

**WHEREAS**, Section 66451 of the California Government Code (Subdivision Map Act) vests in the legislative bodies of local agencies the regulation and control of the design of the Summary Street Vacation; and

**WHEREAS**, Title 18 of the City of Perris Municipal Code (Subdivisions) implements the state Subdivision Map Act and authorizes the Council to take action on a Summary Street Vacation; and

**WHEREAS**, Chapter 19.54 of the City of Perris Municipal Code (Zoning Code, Authority and Review Procedures) authorizes the City to approve, conditionally approve, or deny requests for the Summary Street Vacation; and

**WHEREAS**, before acting, the City Council has heard, been presented with, and reviewed all of the information and data which constitutes the administrative record for the Summary Street Vacation, including all oral and written evidence presented to the City by members of the public and City staff during all meetings and hearings.

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

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

**Section 2.** The City Council finds and determines determined that the Summary Street Vacation is exempt from the California Environmental Quality Act ("CEQA") under Section 15061 (b)(3) (Common Sense Exemption) of the CEQA Guidelines in that it can be seen with certainty that there is no possibility that the vacation can have an impact on the environment. The City Council further finds and determines the Summary Street Vacation is categorically exempt under Section 1503 (Minor Land Alterations) of the CEQA Guidelines because the Summary Street Vacation will not result in a physical alteration or disturbance of soil, water, or vegetation and is consistent with applicable general plan designations. The City Council thus finds and determines that the City has complied with the California Environmental Quality Act and that City Council determinations reflect the independent judgment of the City Council.

**Section 3.** Based upon the information contained within the City Council submittal and the accompanying attachments, with respect to the Summary Street Vacation, the City Council hereby finds the following:

1. The Summary Vacation will not affect health, safety, and welfare.
2. The proposed Summary Vacation is in compliance with the Subdivision Map Act.
3. The Summary Street Vacation is in compliance with the applicable zoning ordinances.
4. The proposed Summary Street Vacation is consistent with the existing land uses, and zoning designations in the area.
5. The proposed Summary Street Vacation has been found to be consistent with City standards, ordinances, and policies.
6. The proposed Summary Street Vacation is consistent with the goals and objectives of the City's General Plan in that it promotes Goal IV of the General Plan Land Use Map and Goal II of the General Plan Circulation Element:

- i. Goal IV (Land Use Element): The Summary Street Vacation is consistent among all planning documents.
  - ii. Goal II (Circulation Element): The Summary Street Vacation contributes to a well-planned, designed, constructed and maintained street and highway system that facilitates the movement of vehicles and provides safe and convenient access to surrounding developments.
7. The Summary Street Vacation plan is safe, functional, and environmentally sensitive to surrounding properties.
8. The Summary Street Vacation is in accordance with California Streets and Highway Code Section 8330 in that the following finding of facts can be made a) the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation; b) there are no public utilities located within the area to be vacated; and c) there is no impact to circulation.

**Section 4.** The City Council hereby directs that a Notice of Exemption be filed with the County Clerk pursuant to Section 15062 of CEQA.

**Section 5.** All actions heretofore taken by the officers of the City with respect to such summary street vacations are hereby approved, confirmed and ratified, and the Mayor and City staff are hereby authorized and directed to take any and all actions which they or the City Attorney may deem necessary or advisable in order to effectuate the purpose and intent of this Resolution (including, without limitation, confirmation of satisfaction of any of the conditions to the effectiveness of the summary street vacation).

**Section 6.** 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 7.** The Mayor shall sign this Resolution and the City Clerk shall certify to the adoption of this Resolution.

***ADOPTED, SIGNED and APPROVED*** this 30<sup>th</sup> day of July 2024.

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Mayor, Michael Vargas

ATTEST:

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City Clerk, Nancy Salazar



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

I, **Nancy Salazar**, duly elected CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 6455 was duly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 30th day of July 2024, by the following vote:

AYES: NAVA, CORONA, RABB, ROGERS, VARGAS

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

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Nancy Salazar, City Clerk

Attachments:           1. Conditions of Approval (Engineering)  
                              2. Vicinity/Aerial Map  
                              3. Legal Description and Plat Map

Due to size attachments are on file in the City Clerk's Office or  
Development Services Department