

RESOLUTION NUMBER. 6588

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA ADOPTING MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM (MMRP) PREPARED FOR GENERAL PLAN AMENDMENT 24-05206, CODE AMENDMENT 24-05184, SPECIFIC PLAN AMENDMENTS 24-05207, AND ZONING MAP AMENDMENT 24-05184 IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, the City of Perris is a general law city within the State of California; and

WHEREAS, pursuant to the City's police power, as granted broadly under Article XI, Section 7 of the California Constitution, the City Council has the authority to enact and enforce ordinances and regulations for the public peace, health, safety, and welfare of the City and its residents; and

WHEREAS, the City's General Plan (General Plan 2030) was adopted in 2005 and consists of nine elements. These elements have been amended from time to time including Land Use Element (updated in 2016), Circulation Element (updated in 2022), Conservation Element (updated in 2008), Housing Element (updated in 2022), Noise Element (updated in 2016), Safety Element (updated in 2022), Open Space Element (updated in 2006), Healthy Community Element (updated in 2015), and Environmental Justice Element (updated in 2022); and

WHEREAS, Title 18 and Title 19 of the City of Perris Municipal Code contain the City's subdivision and zoning ordinances, respectively; and

WHEREAS, during the 6th Cycle Regional Housing Needs Allocation (RHNA), the City of Perris was assigned a total 7,805 units for the 2021-2029 planning period. This includes 2,030 very-low-income units, 1,127 low-income units, 1,274 moderate income units, and 3,374 above moderate income units; and

WHEREAS, on January 25, 2022, the City Council of the City of Perris adopted an update to the Housing Element to the General Plan for the 6th Cycle (2021-2029) RHNA. The Housing Element was certified by the California Department of Housing and Community Development (HCD) on August 17, 2022; and

WHEREAS, the City is accommodating its RHNA through the 12 Housing Opportunity Areas identified in the Housing Element, accessory dwelling units, and credits derived from the 5th Cycle Housing Element planning period (2013-2021); and

WHEREAS, the programs contained in the 6th Cycle Housing Element require amendments to the General Plan Land Use Element and Green Valley and Downtown Perris Specific Plans for consistency, and amendments to the City's Subdivision and Zoning Ordinances and Zoning Map. This includes instituting a new overlay zone to allow residential development in all of the Housing Opportunity Areas at densities up to 30 dwelling units per acre to implement the programs and policies of the Housing Element; and

WHEREAS, the action constitutes a “project” within the meaning of CEQA. An Initial Study was prepared pursuant to CEQA, Public Resources Code Section 21000 *et seq.*, CEQA Guidelines 15070, and the City of Perris’ local procedures for implementing CEQA, assessing the potential environmental impacts that might result from the project; and

WHEREAS, under CEQA and the State CEQA Guidelines (14 Cal. Code Regs. § 15000 *et seq.*), the City is the lead agency for the project, as it is the public agency with general governmental powers over the project; and

WHEREAS, based on the Initial Study, the City, as lead agency, determined that a Mitigated Negative Declaration (MND) should be prepared under CEQA. Accordingly, an MND and an included Mitigation Monitoring and Reporting Program (MMRP) for the MND, dated September 27, 2024 and attached hereto and incorporated herein by reference, were prepared for the project; and

WHEREAS, pursuant to Public Resources Code § 5097.94 and Public Resources Code §§ 21073 – 21084.3, the City mailed a public notice to all California Native American tribes provided by the Native American Heritage Commission and to other entities listed; and

WHEREAS, no California Native American tribe requested consultation; and

WHEREAS, all the requirements of CEQA and the State CEQA Guidelines have been satisfied with respect to preparation of the MND, which is sufficiently detailed so that all of the potentially significant environmental effects of the Project have been adequately evaluated. The MND finds and concludes that with the incorporation of the mitigation measures set forth in the MMRP, the project will not have any significant impacts on the environment; any potential impacts that may be significant absent mitigation are mitigated below a level of significance, including those pertaining to aesthetics, cultural, geologic, air quality impact, cumulative air quality impact, and cumulative traffic impacts; and

WHEREAS, the MND and MMRP prepared in connection with the project contain all the required contents pursuant to CEQA Guidelines Section 15071; and

WHEREAS, all of the findings and recommendations in this Resolution are based upon the entire administrative record; and

WHEREAS, the MND and MMRP were prepared in accordance with Sections 21000 through 21177 of the California Public Resources Code and the State CEQA Guidelines, including Sections 15070 *et seq.* thereof; and

WHEREAS, a notice of intent to adopt a mitigated negative declaration was provided on September 27, 2024, in accordance with CEQA Guidelines Section 15072, and the draft MND and MMRP were made available for public review from September 27, 2024 to October 28, 2024, in accordance with CEQA Guidelines Section 15073. The public comments received during the public review period did not warrant or result in any “substantial revision,” within the meaning of CEQA Guidelines Section 15073.5, to the MND or the MMRP. Although not required by CEQA, in the interests of thoroughness and transparency, responses to the public comments received have been included in the Final MND. No “substantial revision” of the MND or MMRP has been made in response to the comments or otherwise, and therefore no recirculation is required pursuant to

CEQA Guidelines Section 15073.5. The Final MND contains revisions to the Draft MND that merely clarify, amplify, or make insignificant modifications to the Draft MND under CEQA Guidelines Section 15073.5(c)(4) and therefore do not constitute a “substantial revision” that would require recirculation pursuant to CEQA Guidelines Section 15073.5. There is no substantial evidence in light of the whole record before the City, including the public comments received, that the project may have a significant effect on the environment which cannot be mitigated or avoided, and therefore no EIR is required pursuant to CEQA Guidelines Section 15073.5.

WHEREAS, on December 18, 2024, the Planning Commission conducted a duly noticed public hearing to consider a recommendation to the City Council on the project and the proposed MND and MMRP. At the conclusion of the hearing, and after considering the entire record before the City including all oral and written public testimony submitted by members of the public and City staff including materials in the agenda submittal and accompanying documents, the Planning Commission adopted Resolution No. 24-23, thereby recommending City Council adoption of the MND and MMRP; and

WHEREAS, on January 28, 2025, the City Council conducted a duly noticed public hearing to consider the project and the proposed MND and MMRP, at which time all interested persons were given full opportunity to be heard and to present evidence. Before taking action, the City Council has heard, been presented with, and reviewed all of the information and data which constitutes the administrative record for the approvals as mentioned earlier, including all oral and written evidence presented to the City during all project meetings and hearings; and

WHEREAS, all other legal prerequisites to adopting this Resolution have occurred.

NOW, THEREFORE, the City Council of the City of Perris does resolve as follows:

Section 1. The above recitals are all true and correct and are incorporated herein by reference as findings of fact.

Section 2. The City Council has reviewed and considered the whole administrative record, including the Initial Study, the draft and final MND and MMRP, all public comments received and any written responses prepared to such comments, the staff report, and all other materials and evidence submitted to the City relating to the project. The location or custodian of the documents or other material which constitute the record of proceedings upon which the Planning Commission’s recommendation is based is as follows: Development Services Department located at 135 North “D” Street, Perris, CA 92570, and the City’s website.

Section 3. The City Council finds as follows, after consideration of the MND/MMRP and on the basis of the whole administrative record:

A. The MND has been prepared and considered in compliance with CEQA and the State CEQA Guidelines and contains all the required contents pursuant to CEQA Guidelines Section 15071.

B. With the imposition of the mitigation measures set forth in the MMRP, there is no substantial evidence that the project will have a significant effect on the environment.

C. The MND reflects the independent judgment and analysis of the City as lead agency for the project.

D. The project will not result in a safety hazard or noise problem for persons using the March Air Reserve Base/Inland Port Airport or for persons residing or working in the project area.

Section 4. The City Council hereby adopts the MND and the included MMRP, which are attached hereto and incorporated herein by this reference as if set forth in full.

Section 5. If any subsection, subdivision, paragraph, sentence, clause or phrase of this Resolution or any part thereof is for any reason held to be unconstitutional or otherwise unenforceable, such decision shall not affect the validity of the remaining portion of this Resolution or any part thereof. The City Council hereby declares that it would have passed each subsection, subdivision, paragraph, sentence, clause, or phrase hereof, irrespective of the fact that any one or more subsection, subdivision, paragraph, sentence, clause, or phrase be declared unconstitutional or otherwise unenforceable.

Section 6. This Resolution shall take effect immediately upon its adoption.

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

ADOPTED, SIGNED, and APPROVED this 28th day of January 2025.

Mayor, Michael M. Vargas

ATTEST:

City Clerk, Nancy Salazar

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

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 6588 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held on the 28^h day of January 2025, by the following called a vote:

AYES: NAVA, CORONA, RABB, VALLEJO, VARGAS

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

City Clerk, Nancy Salazar

Attachments: - Initial Study and Mitigated Negative Declaration
 - Mitigation Monitoring and Reporting Program
 - Response to Comments

Due to the size of the documents, only the Resolution is included as a hard copy, the Attachments are available online at: <https://www.cityofperris.org/departments/development-services/planning/environmental-documents-for-public-review>

Or in the Development Services Department or the City Clerk's Office.