

ORDINANCE NUMBER 1216

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ZONE CHANGE 05-0191 TO CHANGE THE ZONING DESIGNATION OF THE PROJECT SITE FROM COMMERCIAL COMMUNITY TO LIGHT INDUSTRIAL, LOCATED ON THE NORTHWEST CORNER OF PERRIS BOULEVARD AND PERRY STREET; AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, the applicant has filed a General Plan Amendment 05-0190, Zone Change 05-0191, and Development Plan Review 05-0192 to change the land use and zoning designations of the project site from Community Commercial (CC) to Light Industrial (LI) and construct a 697,578-square-foot industrial building on a 36.72-acre vacant lot located on the northwest corner of Perris Boulevard and Perry Street; and

WHEREAS, an Initial Study and Notice of Preparation was prepared for the project and circulated to responsible agencies, interested groups and individuals for a 30-day review period ending June 2, 2006; and

WHEREAS, a public scoping meeting was held on June 7, 2006, at the City of Perris Council Chambers; and

WHEREAS, a Draft Environmental Impact Report (“Draft EIR”) for the Project was prepared and circulated on January 12, 2007, for a 45-day public review period that ended on February 25, 2007, pursuant to the California Environmental Quality Act (“CEQA”), Public Resources Code Section 21000, and State and Agency Guidelines adopted pursuant thereto; and

WHEREAS, the Draft EIR concluded Air Quality as the only potentially significant and unavoidable impact of the project, and a Statement of Overriding Considerations was prepared in accordance with Section 21081 of the State CEQA Guidelines; and

WHEREAS, a Final Environmental Impact Report (“FEIR”) for the Project (State Clearinghouse #2006041060) has been prepared pursuant to CEQA and the State CEQA Guidelines, and incorporates the Draft EIR with changes and revisions thereto, written Responses to Comments made during the CEQA review period, and the Mitigation and Monitoring Program; and

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

WHEREAS, the City Council considered and certified the Final Environmental Impact Report (State Clearinghouse #2006041060) and approved the Findings, Statement of Overriding Considerations and Mitigation Monitoring Program found within the attached

document entitled “Certification of the Final Environmental Impact Report, Findings, and Approvals for the Oakmont Industrial Building Project,” and 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, on March 20, 2007, the Planning Commission conducted a duly noticed public hearing on the proposed Zone Change, considered testimony and materials in the staff report and accompanying documents, and recommended approval of the proposed project; and

WHEREAS, said proposal is consistent with the General Plan, changing the zoning designation on the subject property from Commercial Community to Light Industrial; and

WHEREAS, on March 27, 2007, the City Council conducted a duly noticed public hearing on the proposed projects, considered testimony and materials in the staff reports, accompanying documents and exhibits; and

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

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

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

Section 2. The Final EIR for the Project is hereby certified and the “Certification of the Final Environmental Impact Report, Findings, and Approvals for the Oakmont Industrial Building Project”, which includes the Statement of Overriding Considerations and Mitigation and Monitoring Program for the project, is hereby incorporated in this Resolution by reference and adopted, based on the following:

- A. The Final EIR for the Project has been completed in compliance with CEQA and the State CEQA Guidelines;
- B. The information contained in the Final EIR for the Project provides an adequate assessment of the potentially significant impacts allowed by the Project;
- C. The Findings, Overriding Considerations, and Mitigation Monitoring Program contained in the document entitled “Certification of the Final Environmental Impact Report, Findings, and Approvals for the Oakmont Industrial Building Project” are supported by substantial evidence, in compliance with CEQA;

- D. The Findings required by CEQA Guidelines Section 15091 are made in that document entitled “Certification of the Final Environmental Impact Report, Findings, and Approvals for the Oakmont Industrial Building Project”, and the rationale and substantial evidence supporting the Findings are contained in the Final EIR, Administrative Record, and Statement of Overriding Considerations, each of which are incorporated into the entitled document; and
- E. The Mitigation Monitoring Program will result in the elimination of significant environmental impacts to the extent feasible, and the project requirements and Mitigation Measures contained therein are adopted and incorporated as Conditions of Approval.

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 use at the particular location is necessary and desirable to provide a service or facility which will contribute to the general well-being of the neighborhood and to the community.
- B. The proposed land use and design of development will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
- C. The granting of this permit will not adversely affect the public welfare and will be consistent with the City’s General Plan, and any other relevant plans of any governmental agency.

Section 4. The City Council hereby adopts Zone Change 05-0192, 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 Ordinance 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 Ordinance shall remain in full force and effect.

Section 6. The Mayor shall sign this Ordinance and the City Clerk shall certify to the passage and adoption of this Ordinance, and shall cause the same to be published and posted pursuant to the provisions of law in this regard, and this Ordinance shall take effect thirty days after its final passage.

ADOPTED, SIGNED and ***APPROVED*** this 10th day of March, 2007.

Mayor, Daryl R. Busch

ATTEST:

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 Ordinance Number 1216, introduced at a regular meeting of the City Council of the City of Perris held on the 27th day of March, 2007, was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 10th day of April, 2007, and that it was so adopted by the following called vote:

AYES: Motte, Rogers, Yarbrough, Landers, Busch

NOES:

ABSENT:

ABSTAIN:

City Clerk, Judy L. Haughney