

RESOLUTION NUMBER 4114

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING MITIGATED NEGATIVE DECLARATION (2244) AND TENTATIVE TRACT MAP (TTM) 33973 TO ALLOW THE SUBDIVISION OF A 153.7 ACRE SITE INTO 384 SINGLE-FAMILY RESIDENTIAL LOTS, LOCATED NORTH OF SAN JACINTO RIVER, WEST OF MCPHERSON ROAD, SOUTH OF ETHANAC ROAD, EAST OF SOPHIE STREET; AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, Tentative Tract Map (TTM) 33973 was filed by the applicant to allow the subdivision and development of the 153.7-acre site for 384 single family lots; and

WHEREAS, the proposed Tentative Tract Map (TTM) 33973 is consistent with the permitted land uses and applicable zoning regulations of the R-6000 zone in which the site is located; and

WHEREAS, an initial study has been prepared for Tentative Tract Map (TTM) 33973 and based upon the environmental information staff finds that the project could not have significant effects on the environment because mitigation measures applied to the project have been agreed to by the project proponent, therefore a Mitigated Negative Declaration (2244) has been prepared; and

WHEREAS, on February 6, 2008, the Planning Commission conducted 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, subject to the following amendments:

Planning Conditions of Approval:

- ◆ Condition 5: Change date of City Engineer conditions of approval to February 15, 2008;
- ◆ Condition 7: Change School District reference from “Menifee Union School District” to the “appropriate school district;”
- ◆ Condition 19: Add wording as follows: “Energy Conservation. To improve local air quality, the applicant shall comply with a City adopted “green design” or “sustainable development” ordinance should such ordinance be adopted prior to final map.”
- ◆ Condition 27: Add subsection “g. The applicant shall comply with adopted Resolution 3403 provisions regarding payment of fees within the San Jacinto River Flood Plain in effect at the time of development.”
- ◆ Condition 33: Add new condition regarding fencing: “Walls and Fences. Prior to issuance of building permits, the developer shall submit and obtain approval from the Planning Division of a wall and fence plan. At a minimum, this plan shall include the following items:

- a. A six-foot high, decorative block wall with pilasters and concrete cap design around the perimeter of the project site, end block locations and along side yards of entry drives into the tract;
- b. The same six-foot high, decorative block wall on all side or rear property lines adjoining a public street or storm drain facility; and,
- c. Six-foot high, vinyl fence on side and rear property lines throughout the remainder of the project.
- d. Where retaining walls are necessary for slope conditions along the right of way, a split wall system shall be utilized. If necessary, a landscape easement may be required to provide adequate planting area.

WHEREAS, on May 27, 2008 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 (2244) 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, 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 (2244) has been prepared.
- B. The City has complied with the California Environmental Quality Act (CEQA).
- C. Determinations of the City Council 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 (2244), and approves Tentative Tract Map (TTM) 33973 based on the information and findings presented in the staff report dated February 6, 2008.

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 27th day of May 2008.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Judy L. Haughney

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

I Judy Haughney, duly elected CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 4114 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 27th day of May 2008, by the following vote:

AYES:	COUNCILMEMBERS:	Motte, Rogers, Yarbrough, Busch
NOES:	COUNCILMEMBERS:	Landers

ABSENT: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None

Judy L. Haughney, City Clerk