

**ORDINANCE NUMBER 1425**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA APPROVING SPECIFIC PLAN AMENDMENT 21-05218 TO REZONE 42.22 ACRES OF A LARGER 49.17-ACRE SITE FROM BUSINESS PARK OFFICE (BPO) ZONE AND COMMERCIAL (C) ZONE TO LIGHT INDUSTRIAL (LI) ZONE AND TO REMOVE A PAPER/UNIMPROVED STREET, DAWES AVENUE, FROM THE CIRCULATION PLAN IN THE PERRIS VALLEY COMMERCE CENTER SPECIFIC PLAN (PVCCSP) AND APPROVING DEVELOPMENT AGREEMENT 22-05297 FOR SPECIFIC PROJECT IMPROVEMENTS AND COMMUNITY BENEFITS TO FACILITATE THE DEVELOPMENT OF A 950,224 SQUARE FOOT INDUSTRIAL WAREHOUSE AND 37,215 SQUARE FOOT COMMERCIAL DEVELOPMENT PROJECT AND MAKING FINDINGS IN SUPPORT THEREOF.**

**WHEREAS**, the applicant, Daniel Sachs, of Perris Land Co, LLC, filed a Specific Plan Amendment (“SPA”) 21-05218 for a request to amend the Perris Valley Commerce Center Specific Plan (“PVCCSP”) to rezone 42.22 acres of a larger 49.17-acre site from Business Park Office (BPO) and Commercial (C) to Light Industrial (LI) (with approximately 16.24 of 23.19 acres being rezoned from Commercial to Light Industrial) to facilitate the construction of an industrial development known as the Ramona Gateway Project including a 950,224 square foot warehouse building and a 37,215 square foot commercial center;

**WHEREAS**, California Government Code Sections 65864 *et seq.* authorize the City of Perris (“City”) to enter into binding development agreements and amendments thereto with persons have a legal or equitable interest in real property for the development of such property;

**WHEREAS**, the applicant has also requested the City enter into related Development Agreement (“DA”) 22-05297 for specific project improvements and community benefits;

**WHEREAS**, the proposed SPA 21-05218 and DA-22-05297 (the “Project”) are consistent with the goals, policies, and implementation measures outlined in the General Plan; and

**WHEREAS**, and an Environmental Impact Report (“EIR”) (State Clearinghouse No. 2022040023) was prepared for the Project; and

**WHEREAS**, by Resolution Number (*next in order*), the City Council certified the EIR for the Project; and

**WHEREAS**, on February 15, 2023, the Planning Commission conducted a duly noticed public hearing on the Project and, at the meeting, recommended approval of the Project after considering all oral and written public testimony submitted by members of the public and City staff including materials in the agenda submittal and accompanying documents; and

**WHEREAS**, on March 14, 2023, the City Council conducted a duly noticed public hearing on the project, at which time all interested persons were given full opportunity to be heard to present evidence; and

**WHEREAS**, 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 Ordinance have occurred.

**NOW, THEREFORE**, the City Council of the City of Perris hereby ordains as follows:

**Section 1.** The above recitals are true and correct and incorporated herein as if set forth in full.

**Section 2.** City Council Resolution No. (*next in order*) found that all the requirements of the California Environmental Quality Act (“CEQA”), the State CEQA Guidelines, and the City’s Local CEQA Guidelines have been satisfied in the EIR, which is sufficiently detailed so that all of the significant environmental effects of the Project have been adequately evaluated. Further, City Council Resolution (*next in order*) certified the EIR and adopted the Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations. Therefore, City Council Resolution no. (*next in order*) findings related to, certification of the EIR, and adoption of the related Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations for the Project are incorporated herein by this reference as if set forth in full.

**Section 3.** Based upon the foregoing and all oral and written statements and reports presented by City staff and members of the public, including, but not limited to, all such statements and information (including all attachments and exhibits) presented at its public hearing on February 15, 2023, the City Council finds the following concerning Specific Plan Amendment 21-05218 and Development Agreement 22-05297:

Specific Plan Amendment 21-05218

1) *The Specific Plan Amendment is consistent with the General Plan Land Use Map and applicable General Plan objectives, policies, and programs.*

The PVCCSP sets specific goals to achieve the vision established by the Perris General Plan Goal is consistent with General Plan Goal III, Policy III. A.4, of the General Plan Land Use Element, which requires developers to be primarily responsible for improvement of streets, of developing commercial and industrial uses for the benefit of the residents. The proposed Light Industrial land use designation and business operation will help to ensure that adequate jobs are available at all skill levels of employment in the City of Perris. The pay for warehouse jobs ranges from minimum wage to professional wages. Warehouse

jobs are open to the City of Perris residents at any time, and public transportation is also available. Employees living close to the Project site can bicycle to work; the Project has been designed to provide bicycle racks consistent with the California Building Code.

2) *The Specific Plan Amendment provides adequate text and diagrams to address the following issues in detail adequately.*

a. *The distribution, location, and extent of land uses, including open space, within the area covered by the Plan.*

The proposed Specific Plan Amendment is a logical extension of the existing Light Industrial zoning pattern to the north and west, developed with similar warehouse facilities. The provision for open space only applies to industrial or business park development, and no land is set aside for parks in the PVCCSP. However, park fees have been adopted for industrial development and will be collected at the issuance of building permits for an industrial project in the PVCCSP to pay for the renovation and expansion of parks that, through their attraction of workers, may indirectly contribute to population growth in the city and necessitate additional park construction. Further, a Class I lane was installed at the Ramona Expressway intersections per the Perris Bikeway Master Plan. Since the Rider Street Bike Trail runs east to west from Ramona Expressway to East Frontage Road and would be accessible from the Project site to encourage further employee use of this trail, twenty bike racks will be installed adjacent to the primary office area and main entrances.

b. *The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the Plan and needed to support the land uses described in the Plan.*

The Specific Plan contains an Infrastructure Plan for major public and private transportation components, sewage, water, drainage, solid waste disposal, energy, and other essential facilities. The Infrastructure Plan identifies necessary improvements for development. Light Industrial is a less intense use than Commercial use; thus, the infrastructure plan is designed to accommodate the proposed land use change.

The PVCCSP Amendments will modify Figure 2.0-1, Specific Plan Land Use Designation to reflect a change in land use designation of 42.22 acres from Business Park Office (BPO) and Commercial (C) to Light Industrial (LI) for the property bound by Ramona Expressway to the north, Webster Avenue to the east, and Nevada Road to the west.

c. *Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.*

The Specific Plan contains standards and criteria by which development will proceed and standards for the conservation, development, and utilization of natural resources. An Environmental Impact Report (EIR) with a Mitigation, Monitoring, and Reporting Program (MMRP) was prepared for the Project and adequately provided for the conservation, development, and utilization of natural resources, as applicable.

*d. A program of implementation measures, including regulations, programs, public works projects, and financing measures necessary to carry out the provisions in paragraphs a, b, and c above.*

Development under the proposed land use change will require implementation measures, including regulation, programs, public works projects, and financing measures necessary to carry out the provisions in paragraphs a, b, c, and d above.

#### Development Agreement 22-05297

- 1) Development Agreement 22-05297 complies with Government Code section 65867.5(b) in that the provisions of the Development Agreement are consistent with the City's General Plan and any applicable special plans.

Development Agreement 22-05297 implements the Project consistent with the General Plan and Light Industrial zoning and the area's existing land uses.

- 2) Development Agreement 22-05297 is consistent with the objectives, policies, general land uses, programs specified in the General Plan and the PVCCSP.

In addition to Development Agreement 22-05297 is consistent with the General Plan and zoning, the Project is consistent with General Plan Goal III, Policy III. A.4, of the General Plan Land Use Element, which requires developers to be primarily responsible of for improvement of streets, of developing commercial and industrial uses for the benefit of the residents.

- 3) The proposed Project site is physically suitable for the proposed development type, including but not limited to parcel size, shape, access, and availability of utilities and services.

The proposed Project is physically suitable for parcel size, shape, access, and availability to utilities and services, as the site is located on the southerly side of Ramona Expressway between Nevada Road and Webster Avenue. Utility service connections are available to service the area and will be designed, installed, and maintained consistent with City and service agency requirements.

- 4) The proposed development agreement will not be detrimental to the health, safety and general welfare.

The safeguards necessary to protect public health, safety, and general welfare have been required for the proposed Project. The proposed Project provides the safeguards

necessary to protect public health, safety, and general welfare through the conditions of approval and mitigation measures, which will ensure that the Project is developed in compliance with City and affected service agency codes and policies and mitigate potential impacts to the environment.

5) Development Agreement 22-05297 will promote and encourage the development of the proposed Project by providing a greater degree of requisite certainty.

Development Agreement 22-05297 assures the current landowner is now responsible for improvements and gives certainty to the City and developer regarding what is required to develop the land.

**Section 5.** Approval of SPA 21-05218 and DA 22-05297. Based upon the forgoing and all oral and written statements and reports presented by City staff and members of the public, including but not limited to such statements and reports presented at the City Council's public hearing on March 14, 2023, the City Council hereby approves Specific Plan Amendment 21-05218 and Development Agreement 22-05297 relating to the Project. Specific Plan Amendment 21-05218 and Development Agreement 22-05297 are attached as Attachment 1 and incorporated herein by this reference.

**Section 6.** Severability. If any subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance 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 Ordinance or any part thereof. The City Council hereby declare that they would have passed each subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more subsection, subdivision, paragraph, sentence, clause, or phrase be declared unconstitutional or otherwise unenforceable.

**Section 7.** Effective Date. This Ordinance shall take effect 30 days after its adoption.

**Section 8.** Certification. The City Clerk shall certify the passage and adoption of this Ordinance and cause the same to be posted at the designated locations in the City of Perris.

***ADOPTED, SIGNED, and APPROVED*** this 11<sup>th</sup> day of April, 2023.

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Michael M. Vargas, Mayor

ATTEST:

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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 Ordinance Number 1425 was duly and regularly introduced by the City Council of the City of Perris at a regular meeting held the 14<sup>th</sup> day of March 2023 and adopted by the City Council of the City of Perris at a regular meeting held the 11<sup>th</sup> day of April 2023, by the following called vote:

AYES: CORONA, RABB, ROGERS, VARGAS

NOES: NAVA

ABSENT: NONE

ABSTAIN: NONE

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City Clerk, Nancy Salazar

**Attachments:** Specific Plan Amendment Land Use Map  
Development Agreement