



HARVEST LANDING SPECIFIC PLAN IMPLEMENTATION AND ADMINISTRATION

7.0 IMPLEMENTATION AND ADMINISTRATIVE

7.1 Specific Plan Implementation

Whether regulatory or policy oriented, all Specific Plans must contain a “program of implementation measures, including regulations, programs, public works projects, and financing measures” pursuant to California Government Code, Section 65451(a)(4).

Other documents have been prepared and processed concurrently with the adoption of the Harvest Landing Specific Plan, including a General Plan amendment and a certified Environmental Impact Report (EIR). These documents will form the basic framework to guide future development within the Specific Plan Project site.

All development within the Specific Plan Project site shall comply with the requirements and standards set forth in this document. Where conflicts exist between the following standards and those found in the City of Perris Municipal Zoning Code, the standards contained in this document shall apply and prevail. The provisions of the City of Perris Municipal Zoning Code shall apply to any area of site development, administration, review procedures, environmental review, landscaping requirements, and parking regulations not expressly addressed by this Specific Plan document.

When there is a question or ambiguity regarding the interpretation of any provision of this Specific Plan, the Director of Development Services has the authority to interpret the intent of such provision. The Director of Development Services may, at his/her discretion, refer interpretations to the Planning Commission for its consideration and action. Such a referral shall be accompanied by a written analysis of issues related to the interpretation. The Planning Commission action may be appealed to the City Council. All interpretations made by the Director of Development Services may be appealed to the Planning Commission in accordance with the appeal procedures set forth in the City’s Municipal Code.

7.1.1 Development Phasing

The proposed phasing of parcel development is described on Table 7.0-1, *Development Phasing*. Overall, the Specific Plan is expected to be developed starting in 2025 and built out in 2030. The Specific Plan Phasing is discussed in detail in the Harvest Landing Development Agreement.

The boundaries of the land use designations are approximate and generally follow streets and property lines. Minor changes in boundary alignment and location are permissible with approval by the Director of Development Services. However, the intended character and overall location of the land use categories must be maintained.



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The roadways and infrastructure necessary to serve and provide access will be developed in conjunction with the development in each of the two phases; however, grading may not conform to the phasing plan, subject to the Engineering and Planning Department's approval. Grading for the entire site may occur at one time.

It should be emphasized that the phasing program described in this section is a projection based on a judgment of future planning and market factors over the next several years. Therefore, this phasing program is not to be taken as a mandatory development sequence. Development area sequencing may change as the result of future conditions that neither the City nor the developer has knowledge of as of the date of this submittal.

However, the basic standards will not change and are required to be complied with regardless of shifts in the composition of each development phase. The developers of property within Harvest Landing will be required to comply with all grading, drainage, and road improvements as specified in the Specific Plan.

Table 7.0-1, Development Phasing

Land Use	Acres	Square Feet
Phase 1		
Multiple Business Use	139.85	1,727,579
Commercial	46.24	423,007
Office	N/A	5,500
WQMP	12.91	0
Roadways	38.83*	0
Total Phase 1	237.83	2,156,086
Phase 2		
Multiple Business Use	122.48	4,001,748
Roadways	6.88*	0
Total Phase 2	129.36	4,001,748
Phase 1 + Phase 2		
Overall Total	367.19	6,157,834

*Some areas outside of the Harvest Landing Specific Plan are included within this roadway calculation, including roadway improvements to Frontage Avenue from Nuevo Road to Placentia Avenue.

With respect to the backbone circulation network, the Specific Plan will be phased consistent with the Development Agreement. The phasing and limits of required improvements shall be as governed by the Development Agreement and Conditions of Approval. ¹

¹ Traffic-related requirements identified in the Conditions of Approval or the overall Harvest Landing TIA shall be applied to future development where applicable. Projects that generate trips below the analyzed thresholds and do not result in impacts beyond those evaluated in the Environmental Impact Report will not be subject to additional traffic conditions, and may be subject to a reduced improvements. Applicants may also provide updated traffic documentation to support proposed revisions to existing Conditions of Approval.



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7.1.2 Specific Plan Financing

The financing of construction, operation, and maintenance of public improvements and facilities will include funding through a combination of financing mechanisms. Financing may involve a combination of impact fees and exactions, special assessment districts, landscaping and lighting districts, and community facilities districts, and other mechanisms as agreed to by the Master Developer/Landowner and City.

The City and developer will cooperate to ensure that the public facilities are built in accordance with all requirements of the Specific Plan. A Development Agreement and conditions of approval will be used to facilitate this process.

Financing and Maintenance Mechanisms

Financing District

Construction of required infrastructure (such as sewer and water lines, storm drains, and roads) may be financed through the establishment of a financing district (e.g., Assessment District, Community Facilities District, or Road and Bridge Benefit District).

Landscape Maintenance Responsibility

Maintenance for the landscape within the street rights-of-way shall be provided by a landscape maintenance district (LMD). The responsibility for all on-site landscape maintenance shall be that of the property owner residing in the facility and shall be completely independent of the LMD. When water quality BMPs are adjacent to the street rights-of-way, an easement will be provided for this facility. The maintenance of the landscape and the BMPs will become the responsibility of the LMD.

Any landscaping within public rights-of-way will require approval by the City and assurance of continuing maintenance through the establishment of a landscape maintenance district, similar mechanism, or Conditions, Covenants and Restrictions (CC&Rs), as approved by the City Engineer with input from the Director of Development Services.

7.1.3 Project Maintenance

Infrastructure Improvements

Within Harvest Landing, the Master Developer/Landowner will be responsible for constructing the required infrastructure improvements, such as streets, water lines, sewers, storm drains, and recycled water lines.

All necessary infrastructure improvements will be developed in conjunction with the roadway improvements.



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Maintenance

Per Section 19.02.080, *Property Maintenance*, of the Municipal Zoning Code.

The creation and operation of a Maintenance Assessment District is required for maintaining the aesthetic quality of Harvest Landing. It is anticipated that maintenance responsibilities may be the responsibility of businesses, Community Facilities Districts (CFD), Assessment District, and/or other maintenance mechanisms. The public and private entities are described below and in Table 7.0-2, *Maintenance Plan*.

Project Roadways

All public roadways shall be incorporated into the City's system of roads for operation and maintenance approved by the City. All private roads shall be owned and maintained by the developer(s) and agreements for maintenance discussed in CC&Rs.

Table 7.0-2, Maintenance Plan

Type	Developed by	Owned by	Maintained by
Streetscape			
Community Roadways (curb-to-curb: arterials, secondary arterials, and collectors)	Developer	City of Perris	City of Perris
Neighborhood Roadways (curb-to-curb: local streets)	Developer	City of Perris	City of Perris
Private Streets	Guest Builder	CC&R	CC&R
Community Roadway Medians (primary arterials, secondary arterials, and collectors)	Developer	City of Perris	LLD/ City of Perris
Neighborhood Roadway Medians (local streets)	Guest Builder	City of Perris	LLD/ City of Perris
Community and Secondary Entries	Developer	CC&R	CC&R
Street Lighting (community and neighborhood roadways)	Developer	City of Perris	LLD/ City of Perris
Community Walls and Fences	Developer	CC&R	CC&R
Infrastructure			
Water systems (off-site)	Developer	EMWD	EMWD
Water systems (on-site)	Developer	Owner	Owner
Non-potable water systems	Developer	EMWD	EMWD
Sewer systems (on-site)	Developer	Owner	Owner
Sewer systems (off-site)	Developer	EMWD	EMWD



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Type	Developed by	Owned by	Maintained by
Drainage systems (on-site)	Developer	Owner	Owner
Drainage systems (off-site)	Developer	EMWD	EMWD

Notes:

Certain facilities and improvements may be subject to reimbursement agreements.

LLD = Landscape and Lighting District or special maintenance district

RCFC = Riverside County Flood Control

EMWD= Eastern Municipal Water District

7.2 Specific Plan Entitlement Process

7.2.1 Agency Responsibilities

The City's Director of Development Services shall be responsible for administering the provisions of the Harvest Landing Specific Plan in accordance with the provisions of this Specific Plan, the State of California Government Code, Subdivision Map Act, and the City of Perris General Plan and Municipal Code.

Decision Making Bodies and Responsibilities

City Council

The City Council of the City of Perris is the final decision-making authority on all major amendments to the Specific Plan, permit revocations, and the referral of all permit types requiring council approval as listed below in Table 7.0-3, *Permit Types and Processes*. The City Council also serves as the hearing body for appeals of Planning Commission decisions.

Planning Commission

The Planning Commission is the advisory body to the City Council in land use decisions for the City of Perris and the approval authority of land development requests such as Major Modifications, and some Development Plan Reviews as determined by the Development Services Director and as shown in Table 7.0-3, *Permit Types and Processes*. The Planning Commission may also refer any application to the City Council.

Development Services Director

The Development Services Director or designee shall be the approval authority on all permitted uses, Development Plan Reviews, substantial conformance reviews and Minor Modifications. In addition, the Development Services Director, or designee, may refer any application to the next higher authority due to special issues, impacts related to the project, or controversy. Refer to Table 7.0-3, *Permit Types and Processes*.



7.2.2 Permit Types and Processes

Table 7.0-3, Permit Types and Processes

Application Type	Approval Authority	Public Hearing
Accessory Uses	Director of Development Services	No
Conditional Use Permit	Planning Commission	Yes
Determination of Public Convenience or Necessity	Planning Commission	Yes
Administrative Development Plan Review	Director of Development Services	No
Development Plan Review	Director of Development Services	No
Specific Plan Amendment	City Council	Yes
Temporary Outdoor Uses	Director of Development Services	No
Variances	Planning Commission	Yes
Major Modification	Same authority as original project	Yes
Minor Modification	Director of Development Services	No
Substantial Conformance	Director of Development Services	No
Other Actions	Approval Authority	Public Hearing
Administrative Determination	Director of Development Services	No
Permitted Uses*	Director of Development Services	No
Tentative Track and Parcel Maps	Planning Commission	Yes

* Pursuant to the prior Harvest Landing Specific Plan (refer to Appendix B), any modification that would result in increased residential densities or unit counts beyond those previously approved in the locations set forth in Appendix B shall require submittal to the Airport Land Use Commission (ALUC) for a consistency determination and may be subject to additional discretionary review and supplemental environmental analysis at the discretion of the Community Development Director in accordance with applicable State and local regulations.

Furthermore, if a proposed residential project is located adjacent to an existing or approved commercial or industrial development, the City shall retain the discretion to require additional review, coordination, and/or compatibility analyses to ensure appropriate land use interface, buffering, and mitigation of potential conflicts.

Accessory Uses (A)

These types of uses are only allowed subject to compatibility with the primary use of the property. Accordingly, Accessory Uses are clearly subordinate to, and supportive of, the primary use of the property. Accessory Uses are not allowed to be processed prior to the primary use, but may be processed concurrently with or after the primary use has been entitled. An Accessory Use may be approved after the primary use has been entitled only if no modifications to the entitled Development Plan are required as a result of the Accessory Use. The Development Services Director or designee is authorized to approve or deny requests for accessory uses.



Administrative Determination (AD)

When a land use is proposed, but not specifically listed within this Specific Plan as an allowable use, the Development Services Director or designee shall have the authority to determine if the proposed use is a Permitted Use and appropriate application for land use approval. In doing so, the proposed project will follow the approval procedure for that permit type.

Conditional Use Permits (CUP)

A Conditional Use is one which is not permitted by right but may be conditionally allowed in order to properly regulate the operational characteristics of the proposed use in order to account for any potential impacts. Certain types of land uses within the Specific Plan are to be processed as a Conditional Use Permit. The Planning Commission is authorized to approve or deny such requests, upon a recommendation from the Development Services Department.

Determination of Public Convenience or Necessity (PCN)

As required by the California Department of Alcohol Beverage Control, the City must review and make finding of "Public Convenience and Necessity" for any business that wishes to sell alcohol beverages, where there already may be an "undue concentration" of such businesses within the same census tract. The Planning Commission is authorized to approve or deny any requests for determination of public convenience or necessity, upon a recommendation from the Development Services Department.

Development Plan Review (DPR)

All proposed structures or exterior modifications in commercial, industrial, or residential land use areas (landscape, parking, and lighting), must be designed and reviewed through a Development Plan Review. The purpose of this application is to provide the City with certain site design information, such as floor plans, elevations, required parking, etc. Any such application can be processed concurrently with any other discretionary planning applicable Permit. As such, the Development Services Director or designee, the Planning Commission, and/or the City Council is authorized to approve, conditionally approve, or deny any requests as per City of Perris Municipal Code 19.50.040.

Administrative Development Plan Review (ADPR)

An Administrative Development Plan Review applies to development proposals that are permitted uses within the Specific Plan and do not require a Conditional Use Permit or other higher-level entitlement. The purpose of the ADPR is to ensure that the proposed development complies with all applicable development standards, design guidelines, performance criteria, and development regulations established by this Specific Plan.

Projects eligible for ADPR include any development that is permitted by right within the applicable zone, regardless of size, intensity, or land use category, provided the use itself is permitted and no discretionary permit beyond the ADPR is required.

The ADPR is a discretionary review process, intended to evaluate site layout, building design, circulation, access, parking, landscaping, screening, and conformance with all applicable



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standards. The Development Services Director or designee is authorized to approve, approve with conditions, or deny an Administrative Development Plan Review.

Major/Minor Modifications (MM)

The Development Services Director or designee shall review any requests for revisions or modifications to approved projects and determine whether the proposed changes are “Major” or “Minor.” Major Modifications are modifications to an approved permit that do not change the basic concept or use allowed by the original approval but may include but are not limited to, a significant increase in intensity of approved use, changes resulting in significant adverse effects, expansion within the approved permit area or changes to the original conditions or approval including extensions to the overall life of the permitted use. Major Modifications to approved projects shall be reviewed and processed in the same manner as the originating project.

Minor Modifications are changes to an approved permit that do not change the basic concept or use allowed by the original approval or the effect of an approval to surrounding property that may include but are not limited to: (1) modifications for upgrading facilities, up to 2,500 square feet, including increasing facilities size*; (2) modifications for compliance with requirements of other public agencies; (3) modifications necessary to comply with the final conditions of approval; (4) minor improvements to site and architectural plans that do not increase the overall Specific Plan build out square footage but are necessary to meet particular design intent and/or suit the needs of a new tenant; (5) modifications to on-site circulation and parking, lighting, fencing or walls (placement and/or height), landscaping and/or signage requirements, provided those modifications will have no adverse effect upon public health, safety, welfare or the environment and; (6) proposed modification is exempt from provisions of California Environmental Quality Act. The Development Services Director or designee shall review all requests for Minor Modifications to approved projects and make a determination to approve or deny such requests. The approval of such modifications shall not extend the expiration date of the original approval, unless specifically requested by the revision.

* Facility sizes may be increased, up to 2,500 square feet, provided that the overall trip generation does not exceed the established thresholds. As such, if a project proposes to increase square footage for one building while reducing intensity elsewhere within the Specific Plan area, it will not require additional review or approval beyond the Director of Development Services.

Permitted Uses (P)

Permitted uses are those which shall be allowed provided they comply with existing Specific Plan, City Ordinances and policies. See Table 2.0-2, *Allowed Land Uses*, for types of land uses within the Specific Plan that are to be processed as a permitted use. Permitted uses are subject to review, final determination by the Development Services Director or designee.

Temporary Outdoor Events

Events that are considered to be occurring on a recurring and/or a temporary basis are required to be approved through a Temporary Use Permit (TUP). All such events shall comply with Section



19.60 of the City of Perris Zoning Code. The Development Services Director or designee is authorized to approve or deny such requests.

Tentative Tract / Parcel Maps (TTM/TPM)

Any application for the division of land with the Specific Plan is to be processed as a Subdivision application. The Planning Commission is authorized to review and approve proposed applications for Parcel Maps (4 lots or fewer). The Planning Commission shall review and recommend either approval or denial of all tentative maps (five lots or more) to the City Council. The City Council is authorized to approve or disapprove any proposed requests.

Other Applications

Notwithstanding any indication to the contrary, nothing in this Specific Plan shall be construed to imply that the entitlement process for any other application not listed in this section is in any way modified from the normal procedures as set forth in Section 19.54.30, *Review authority and processing procedures*, of the City of Perris Zoning Ordinance.

Procedures

Internal Review

The Development Services Department shall be the lead Department for any Planning application. In doing so, the Department must consult with any other City department, County department, State department, or any other reviewing agency that has jurisdiction or authority over the application as deemed appropriate. During the review of the applications, it is the responsibility of the Development Services Department to review such applications against any and all City regulations.

Public Hearing Process

All decisions by the Planning Commission and the City Council shall be heard at a public hearing that is publicly advertised in accordance with Section 19.56, *Public Hearing Procedures*, of the City of Perris Zoning Ordinance. No building permits, grading permits, sign permits, or any other permits may be issued until the Approval Authority has approved the project.

Appeals

Any decision by the Development Services Director or designee may be appealed to the Planning Commission, who shall then set the matter for a public hearing. The Planning Commission shall then approve or deny the appeal, and confirm or overturn the decision of the Development Services Director or designee.

Any decision by the Planning Commission may be appealed to the City Council, who shall then set the matter for a public hearing. The City Council shall then approve or deny the appeal, and confirm or overturn the decision of the Planning Commission. Decisions of the City Council are final.



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7.3 Specific Plan Amendment Process

7.3.1 Specific Plan Amendments

Any change to the Specific Plan boundaries, land use designations, land use allowances, development criteria, circulation plan, public facility plan, or other major component will require a Specific Plan Amendment. The Planning Commission is authorized to review and recommend either approval or denial to the City Council. The City Council is authorized to approve or disapprove any proposed requests.

7.3.2 Substantial Conformance Determinations

The City recognizes that existing site conditions may constrain the extent to which the development standards and guidelines set forth in this Specific Plan can be met. The Substantial Conformance Determination process is established to provide a means for the Director or his/her designee to approve certain development projects, as defined in this Section, that will not cause or create any of the following conditions:

1. Alter or contravene the permitted uses of the Property;
2. Increase the square footage of any Project building or the total Project building square footage in a manner that substantially alters the intent of the original concept as approved in the Existing Development Approvals;
3. Modify the site layout of any portion of the Project in a manner that substantially alters the intent of the original concept as approved in the Existing Development Approvals;
4. Increase the height of any Project building, if such increase in height would exceed the requirements specified in the Existing Land Use Regulations, except as otherwise provided by this Agreement, including the Reservations of Authority;
5. Delete any requirement for the reservation or dedication of land for public purposes within the Property, unless such deletion is warranted due to a decrease in the Project's square footage;
6. The creation of new nonconformities, such as, but not limited to, a decrease in the number of on-site parking spaces below the required minimum, reduction of the water retention areas to less than the minimum required to achieve NPDES compliance, constriction in the required vehicular access or fire lanes, or reduction of handicapped accessibility; or
7. Require a subsequent or supplemental Environmental Impact Report pursuant to Section 21166 of the Public Resources Code

The Substantial Conformance Determination process is established to provide a means for the Director or his/her designee to approve certain development projects that involve minor modifications, including but not limited to:

1. Modification of any site plan or design element in this Specific Plan that improves circulation, reduces grading, improves drainage, or enhances infrastructure.
2. Minor changes to the architectural or landscape guidelines or sign standards for interior signs.



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3. Changes to the internal circulation plan—including alignments, width, or improvements—that do not adversely affect external circulation patterns.
4. Changes in utility and/or public service providers or the location or size of facilities needed to support the approved land use plan.
5. Changes to site plan, architectural building or entry design that are consistent with the development standards and design criteria of this Specific Plan.
6. Refinements to Specific Plan language which increase clarity and do not change policy intent.

Any request for a Substantial Conformance Determination shall be in the form of a letter to the Director describing the proposed deviation from the standards or guidelines of this Specific Plan. Minor modifications to the Specific Plan, as defined above, shall not require a Specific Plan Amendment and will be subject to the City established Minor Modification requirements, application, and fee.

Within 30 days of receiving the letter and any applicable fees, the Director or his/her designee shall review the proposal for Substantial Conformance with the standards and guidelines of this Specific Plan and shall issue a written determination and findings as to how the proposal complies or does not comply with the provisions of this Specific Plan.

A written record of such Substantial Conformance determinations shall be maintained on file with the official copy of the adopted Specific Plan, or the Specific Plan document may be modified. No public notice and no public hearing shall be required. If the proposal is found to be in substantial conformance, no further action on the part of the Director or the applicant is required.