

ORDINANCE NUMBER 1276

***AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS,
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING
HARVEST LANDING SPECIFIC PLAN 05-0423 AND DEVELOPMENT
AGREEMENT 10-09-0011 SUBJECT TO CONDITIONS OF APPROVAL
AND MAKING FINDINGS IN SUPPORT THEREOF.***

WHEREAS, the City of Perris has received an application for Specific Plan No. 05-0423 and Development Agreement No. 10-09-0011 which proposes development of a 341-acre master planned community (“Harvest Landing”) including 1,860 new residential dwelling units on approximately 170 acres, 1.3 million square feet of multiple business use on approximately 88 acres, and 44 acres of recreation and open space including a 16.5-acre sports park, an 11-acre lake bordered by an 8-acre park, and a recreation center. The project site is generally located south of Placentia and Orange Avenues, north of Nuevo Road, west of Perris Blvd. and east of East Frontage Road and I-215 (Exhibit A); and

WHEREAS, Government Code Section 65450 through 65454 establish the authority to adopt a Specific Plan, identify the required contents of a Specific Plan and mandate consistency with the General Plan; and

WHEREAS, City of Perris Municipal Code Section 19.49 and 19.54.020.B specifies the purpose, requirements, regulations and procedures for preparation and adoption of a Specific Plan; and

WHEREAS, City of Perris Municipal Code Section 18.19 specifies procedures for a Development Agreement; and

WHEREAS, an Environmental Impact Report (State Clearinghouse No. 2006011029) was certified by City Council on April 28, 2009 for Specific Plan 05-0423 and Development Agreement 10-09-2011; and

WHEREAS, on March 16, 2011, the Planning Commission conducted a duly noticed public hearing on the proposed Harvest Landing project including approval of Specific Plan 05-0423 and Development Agreement 10-09-2011, considered testimony and materials in the staff report and accompanying documents, and recommended that the City Council approve Specific Plan 05-0423 and Development Agreement 10-09-2011; and

WHEREAS, on May 10, 2011, the City Council conducted a duly noticed public hearing on the proposed Harvest Landing project including approval of Specific Plan 05-0423 and Development Agreement 10-09-2011, and considered public testimony and materials in the staff report and accompanying documents regarding approval of Specific Plan 05-0423 and Development Agreement 10-09-2011; and

***NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS
DOES ORDAIN AS FOLLOWS:***

Section 1. The above recitals are true and correct and are incorporated herein by reference..

Section 2. Based on the information contained within the staff report, Conditions of Approval, and the accompanying attachments and exhibits, the City Council hereby finds in regard to Specific Plan 05-0423 that it is A) Consistent with the General Plan Land Use Map and applicable General Plan objectives, policies and programs, and B) Provides adequate text and diagrams:

- A.** The proposed Specific Plan is partially inconsistent with the General Plan Land Use Map. The General Plan has designated the project area Business Park, Community Commercial and Specific Plan. The proposed General Plan Amendment 08-03-0007 will change all the land use designations within the project area to Specific Plan which will make the proposed Specific Plan consistent with the General Plan Land Use Map. With approval of the proposed General Plan Amendment 08-03-0007 and Zone Change 05-0340, the proposed Specific Plan would be consistent with the intent of the General Plan through designation of the site as Specific Plan. Consistency with General Plan policies pertaining to the proposed project area are assessed in Table 2 of the Harvest Landing Specific Plan Findings of Fact and Statement of Overriding Considerations.
- B.** In compliance with State law (Government Code Section 65450 et seq.) the proposed Harvest Landing Specific Plan includes the following information: (1) the distribution, location, and extent of land uses, including open space; (2) the 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 within the project area required to support the land uses described in the plan; (3) standards and criteria by which development will proceed; (4) a program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out the project; and (5) a statement of the relationship of the specific plan to the adopted General Plan.

Section 3. Based on the information contained within the staff report, Conditions of Approval, and the accompanying attachments and exhibits, the City Council hereby finds in regard to Development Agreement 10-09-2011 that:

- A.** The project will not adversely affect public health, safety and welfare.

- B. The project will not adversely affect the environment.
- C. The Development Agreement is consistent with the General Plan and Harvest Landing Specific Plan, as amended.
- D. The Development Agreement provides public improvements and benefits that would not otherwise be obtained through other applicable development approval processes.
- E. The Development Agreement is consistent with all of the requirements of Development Agreement Law and the Perris Zoning Ordinance.

Section 4. The City Council hereby approves Specific Plan 05-0423 and Development Agreement 10-09-2011 based on the findings listed above.

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 5. The Mayor shall sign this Ordinance and the City Clerk shall certify to the adoption of this Ordinance.

ADOPTED, SIGNED and **APPROVED** this 31st day of May 2011.

Daryl R. Busch, Mayor

ATTEST:

Judy L. Haughney, C.M.C., City Clerk

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

I, Judy L. Haughney, City Clerk of the City of Perris, do hereby certify that the foregoing Ordinance Number 1276 was duly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 31st day of May 2011, by the following vote:

AYES: ROGERS, YARBROUGH, LANDERS, EVANS, BUSCH

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

Judy L. Haughney, C.M.C., City Clerk

Ordinance Exhibits:

Exhibit A: Specific Plan Area Map

Exhibit B: Conditions of Approval

Exhibit C: Development Agreement