

ORDINANCE NUMBER 1102

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING THE THIRD AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR THE MAY RANCH SPECIFIC PLAN (DEVELOPMENT AGREEMENT 02-0092)

WHEREAS, Section 65865. (a) of the California Government Code authorizes the City to enter into a Development Agreement; and

WHEREAS, KB Home Coastal, Inc. has a legal equitable interest in real property known as May Ranch in the City of Perris; and

WHEREAS, the City Council approved a Development Agreement for May Ranch (Development Agreement Number 91-17) on May 13, 1991; and

WHEREAS, Section 65868 of the California Government Code allows amendments to the Development Agreement by mutual consent of the City and KB Home of Greater Los Angeles, Inc.;

WHEREAS, the City Council approved the First Amendment to the Development Agreement for May Ranch on November 30, 1992; and

WHEREAS, the City Council approved the Second Amendment to the Development Agreement for May Ranch on June 26, 2001; and

WHEREAS, the KB Home Coastal, Inc., the applicant, has requested an amendment to the Development Agreement for the May Ranch Specific Plan area; and

WHEREAS, on May 28th 2002, the City Council conducted a legally, noticed public hearing on the Third Amendment to the Development Agreement for May Ranch and considered testimony and materials in the staff report and accompanying document and exhibits; and

WHEREAS, the City has complied with the California Environmental Quality Act; and,

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

NOW, THEREFORE, THE CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

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

Section 2. The City Council has reviewed and considered the environmental information for the project prior to taking action on all applications associated with the proposed project. Based on the analysis contained in the initial study and associated information, the City Council adopted Negative Declaration No. 2108 in conjunction with the associated General Plan Amendment (GPA 02-0091), finding that the proposed project, as a whole, will not significantly impact the environment.

The City Council further finds that the City has complied with the California Environmental Quality Act (CEQA), and that the determinations of the City Council reflect the independent judgement of the Council.

Section 3. The City Council ***HEREBY FINDS AND DETERMINES*** THAT:

- A. The proposed Third Amendment to the Development Agreement for the May Ranch is consistent with the applicable General Plan and May Ranch Specific Plan objectives, policies, general land uses, and programs.
- B. The proposed Third Amendment to the Development Agreement for the May Ranch is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located.
- C. The proposed Third Amendment to the Development Agreement for the May Ranch is in conformity with and will promote public convenience, general welfare and good land use practice.
- D. The proposed Third Amendment to the Development Agreement for the May Ranch will not be detrimental to the health, safety and general welfare.
- E. The proposed Third Amendment to the Development Agreement for the May Ranch will not adversely affect the orderly development of the property or the preservation of property values.
- F. The proposed Third Amendment to the Development Agreement for the May Ranch will promote and encourage the development of the proposed project by providing a greater degree of requisite certainty.

Section 4. Approval. The proposed Third Amendment to the Development Agreement for the May Ranch, a copy of which is attached hereto as Exhibit "A", is hereby approved. The Mayor and City Clerk are authorized to execute and deliver the proposed Third Amendment to the Development Agreement for the May Ranch on behalf of the City.

Section 5. Recording. Pursuant to California Code Section 65858.5, the City Clerk shall record with the County Recorder of the County of Riverside a copy of the proposed Third Amendment to the Development Agreement for the May Ranch within ten (10) days after the Agreement is executed on behalf of the City and KB Home Greater Los Angeles, Inc.

Section 6. The Mayor shall sign and the City Clerk shall certify 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.

Attachments:

Exhibit A: Third Amendment to the Development Agreement for the May Ranch

ADOPTED, SIGNED and **APPROVED** this 11th day of June, 2002.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Margaret Rey

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

I, Margaret Rey, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Ordinance Number 1102, introduced at a regular meeting of the City Council of the City of Perris held on the 28th day of May, 2002, was duly and regularly adopted by the City Council at a regular meeting thereof held on the 11th day of June, 2002, and that it was so adopted by the following called vote:

AYES: Rogers, Yarbrough, Landers, Motte, Busch
NOES:
ABSENT:
ABSTAIN:

City Clerk, Margaret Rey