

**RESOLUTION NUMBER (Next in Order)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, UPHOLDING THE DECISION OF THE PLANNING COMMISSION, DENYING APPEAL # 19-05164 FOR CONDITIONAL USE PERMIT 19-05067, A PROPOSAL TO CONSTRUCT A 25' TALL, 100 SF, DOUBLE-FACED ILLUMINATED, ON-SITE, FREESTANDING FREEWAY SIGN LOCATED AT 820 W. RIDER STREET ON A 2.5-ACRE SITE WITHIN THE BUSINESS PROFESSIONAL OFFICE (BPO) ZONE OF THE PERRIS VALLEY COMMERCE SPECIFIC PLAN (APN: 317-170-033) AND MAKING FINDINGS IN SUPPORT THEREOF.**

**WHEREAS**, the applicant filed Conditional Use Permit 19-05067 (herein referred to as “the Project”) to allow for the construction of a 25’ tall, 100 SF, double-faced, internally illuminated freestanding freeway sign located adjacent to the I-215 Freeway at 820 W. Rider Street, within a Business Professional Office Zone in the Perris Valley Commerce Center Specific Plan (“sign” or “project”); and

**WHEREAS**, on June 19, 2019, the Planning Commission conducted a legally noticed public hearing on the Project (Conditional Use Permit 19-05067), and considered public testimony and materials in the staff reports and accompanying document and exhibit; and, at which time all interested persons were given full opportunity to be heard and to present evidence; and

**WHEREAS**, on June 19, 2019, the Planning Commission, at a legally noticed public hearing, considered the Project (Conditional Use Permit 19-05067), and voted to deny the Project, as follows:

1. The Strains business is within 225’ of the I-215 freeway and is adjacent to the I-215 East Frontage Road, which provides for clear, unobstructed view from the I-215 freeway to the business. Further, the location, color design, and orientation of the Strains Dispensary business provide for excellent visibility and allow the business to garner attention beyond the surrounding uses. As such, the business does not have physical barriers that would impede the visibility of the business from the I-215 freeway.
2. The location, color design, and orientation of the Strains Dispensary business currently provides for excellent visibility and allows the business to garner attention beyond the surrounding uses. The proposed digital display for the freeway sign is not a necessary public need for functional information. The height, structural design, and digital display and overall design would create

visual clutter and could undermine traffic safety by distracting commuters on the frequently congested I-215 freeway, which could negatively affect the health, public safety, and welfare of residents.

3. Strains dispensary already advertise on an existing static freeway billboard sign along the west of the I-215 Freeway and pay to advertise on an existing electronic billboard sign on a rotation basis along with the east side of the I-215 within nearby proximity to the proposed sign. The addition of the proposed sign to this area would create a proliferation of freeway signage in the area, resulting in unnecessary clutter and a potential distraction to commuters on the frequently congested I-215 freeway, which could negatively affect the health, public safety, and welfare of residents.

**WHEREAS**, on June 26, 2019, Quiel Signs, timely submitted an appeal application to the City Council to contest the June 19, 2019, Planning Commission's unanimous decision to deny the Project, (Conditional Use Permit #19-05067) to construct a 25' tall, 100 SF, double-faced illuminated, on-site, freestanding freeway sign located at 820 W. Rider Street on a 2.5-acre site within the Business Professional Office (BPO) Zone of the Perris Valley Commerce Center Specific Plan (PVCCP); and

**WHEREAS**, the property for the proposed Appeal #19-05164 is more particularly described as Assessor Parcel Number 317-170-033; and

**WHEREAS**, Appeal #19-05164 would deny the request for a Conditional Use Permit 19-05067 to construct a 25' tall, 100 SF, double-faced illuminated, on-site, freestanding freeway sign located at 820 W. Rider Street on a 2.5-acre site within the Business Professional Office (BPO) Zone of the Perris Valley Commerce Specific Plan (PVCCP); and

**WHEREAS**, on July 30, 2019, the City Council conducted a duly noticed public hearing on the project and the appeal, at which time all interested persons were given full opportunity to be heard to present evidence; and

**WHEREAS**, prior to taking action, the City Council has heard, been presented with, and/or reviewed all of the information and data which constitutes the administrative record for the above-mentioned approvals, including all oral and written evidence presented to the City during all Project meetings and hearings; and

**WHEREAS**, all legal prerequisites for the adoption of this resolution have occurred; and

**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 and incorporated herein by this reference.

**Section 2.** The City Council further finds and determines that the City has complied with the California Environmental Quality Act based upon the information and findings contained in this Resolution, the staff report and its supporting exhibits, and all written and oral testimony and presentations made at the public hearing, and this finding and determination reflects the independent judgment of the City.

**Section 3.** The City Council has determined that the project is exempt from review under the California Environmental Quality Act ("CEQA") pursuant to Article 19 Section 15311 (Accessory Structures), Class 11(a) for on-premise signs.

**Section 4.** The City Council has reviewed and considered the Project and Appeal #19-05167, prior to taking action on the applications and in making the decision certification, the City Council finds that:

1. The proposed location of the conditional use is in accord with the objectives of this Title and the purposes of the zone in which the site is located.

The proposed location of the CUP is not in accord with the objectives of the Conditional Use Permit provisions of the City's Zoning Code, Chapter 19.61, in that the proposed onsite freeway sign does not adequately protect the aesthetics and public, health and welfare of the community, because it would increase visual clutter and distract, obstruct or otherwise impede traffic circulation.

2. The proposed plan is consistent with the City's General Plan and conforms to the specific plan zoning standards, applicable subdivision requirements, and other ordinances and resolutions of the city.

The proposed CUP is inconsistent with the City's General Plan, in that it does not meet the intent of the PVCCSP by providing necessary advertising for an existing use. Further, the appropriateness and overall visual appearance do not meet the intent of the City's sign Regulations in that the type of sign would contribute to excessive signage, resulting in visual clutter.

3. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

The proposed location of the CUP and the conditions under which it will operate and be maintained could be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity, in that the sign could potentially increase risks to traffic on the I-215 freeway, which experiences frequent congestion. Further, the proposed digital display for the freeway sign would not meet a public need for functional information about the associated business. The height, structural design, and digital display and overall design would create visual clutter and could undermine traffic safety by distracting commuters and travelers on nearby roadways, which may negatively affect the health, public safety and welfare of residents.

4. The architecture proposed is compatible with community standards and protects the character of adjacent development.

The architectural design of the proposed sign is not compatible with the intent of the PVCCP in that does not provide advertising for larger-scale, regional shopping center uses based on the need for increased visibility for multiple uses.

5. The landscaping plan ensures visual relief and provides an attractive environment for the public's enjoyment.

The proposed landscaping plan does not ensure visual relief and provides for an attractive backdrop for the sign structure.

**Section 5.** Based on the foregoing, the information contained in the agenda submittal and supporting exhibits and all oral and written presentations and testimony made by City Staff and members of the public, the City Council hereby denies Appeal # 19-05164, and the Project, CUP 19-05067, upholding the Planning Commission's unanimous vote of denial, based on the information and findings presented in the staff report.

**Section 6.** 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 7.** 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 30<sup>th</sup> day of July 2019.

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Michael M. Vargas

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 Resolution Number (next in order) was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 30th day of July 2019, by the following called vote:

AYES:

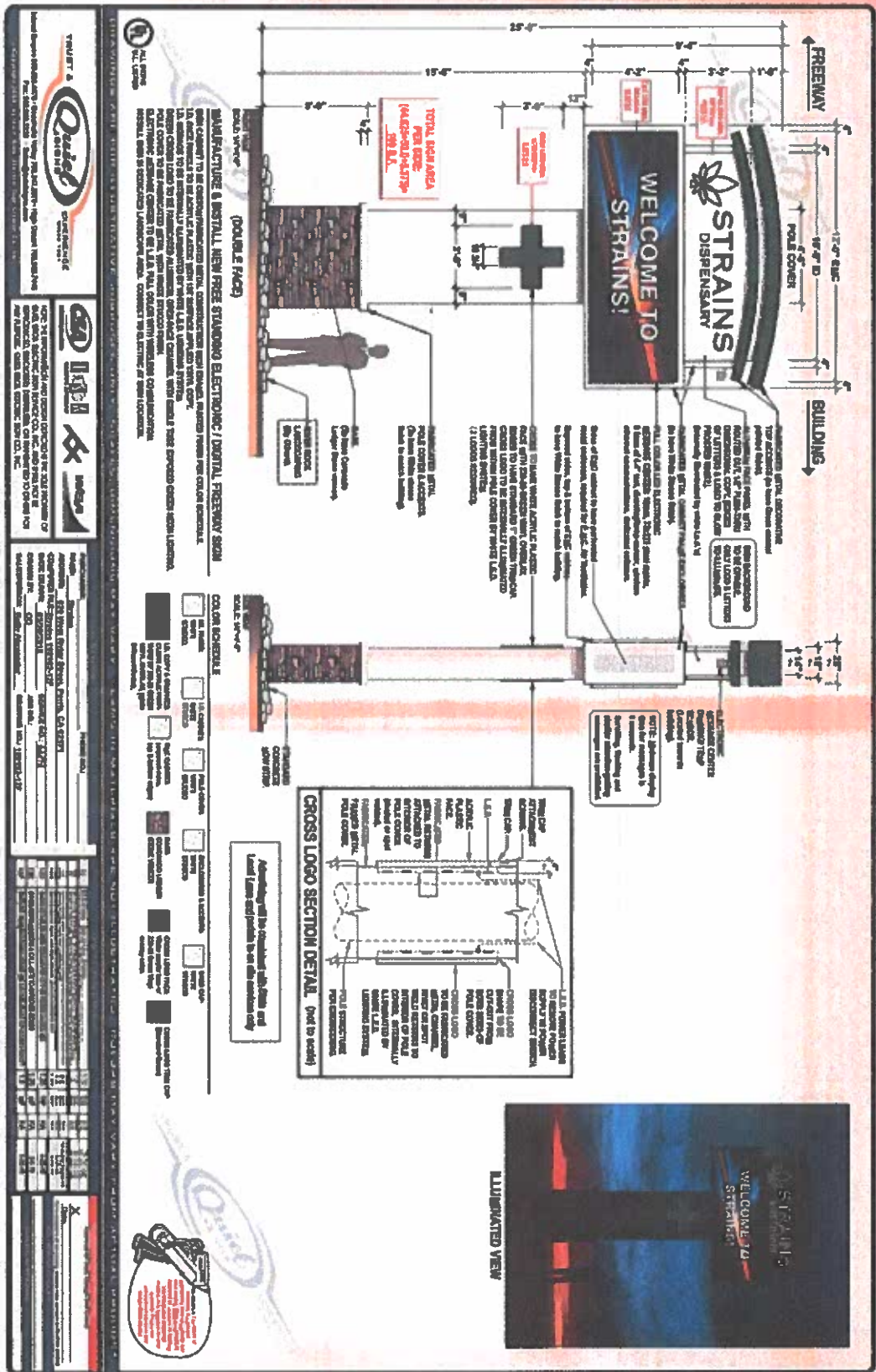
NOES:

ABSENT:

ABSTAIN:

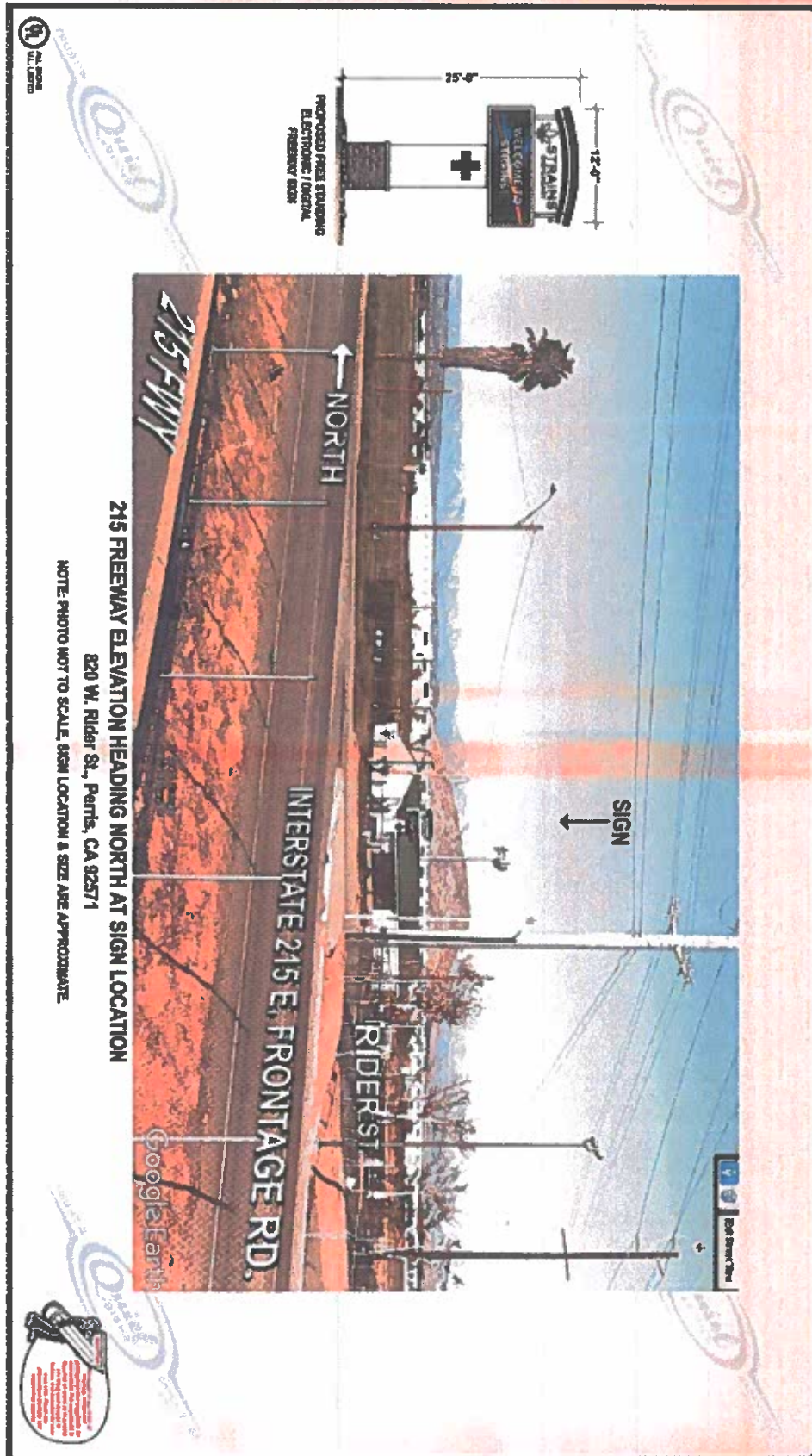
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City Clerk, Nancy Salazar

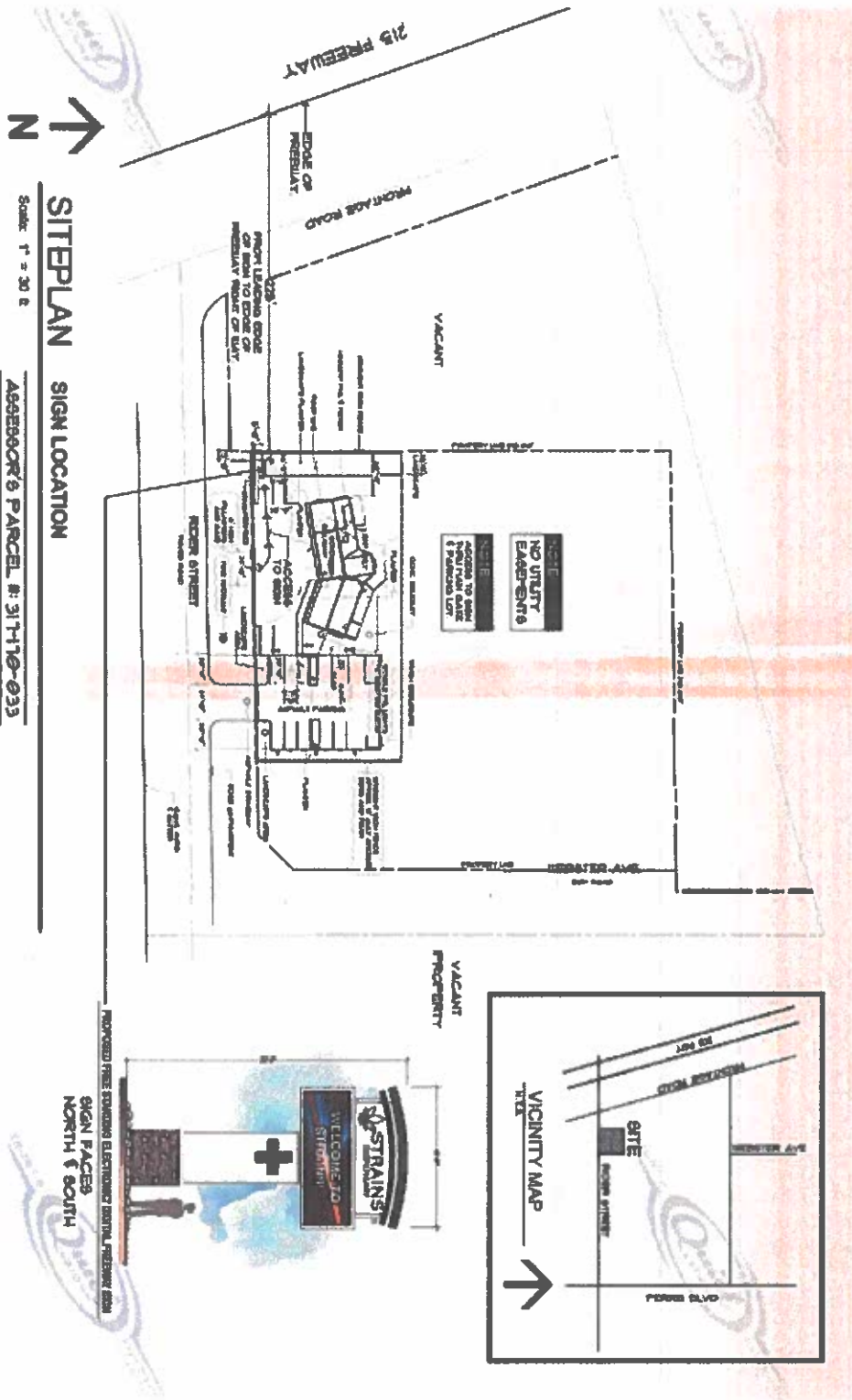




Appeal # 19-05164 –Elevations, Site Plan



Appeal # 19-05164 –Elevations, Site Plan



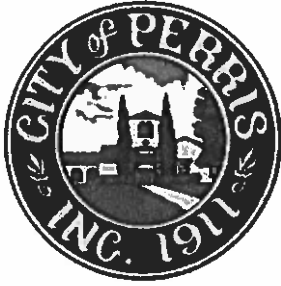
**SITEPLAN SIGN LOCATION**

Scale: 1" = 30'

AGGEBOR'S PARCEL # 31-116-033







# CITY OF PERRIS

## PLANNING COMMISSION

### AGENDA SUBMITTAL

**MEETING DATE:** June 19, 2019

**SUBJECT:** **Conditional Use Permit 19-05067** - A proposal to construct a 25' tall, 100 SF, double-faced, internally illuminated on-site, freestanding freeway sign located at 820 W. Rider Street within the Business Professional Office (BPO) Zone of the PVCC Specific Plan. **Applicant:** Quiel Signs, Ms. Crissy Mirabella.

**REQUESTED ACTION:** **Adopt Resolution No. 19-13** finding the project Categorical Exempt pursuant to CEQA Article 19, Section 15311 (Accessory Structures), Class 11(a), and approving Conditional Use Permit 19-05067, based on the findings contained in the Resolution, and subject to the Conditions of Approval.

**CONTACT:** Dr. Grace Williams, Director of Planning and Economic Development *GW*

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#### BACKGROUND/DISCUSSION:

The applicant, Quiel Signs, is requesting approval of a Conditional Use Permit (CUP) to construct a 25' tall, 100 SF, double-faced, internally illuminated on-site, freestanding freeway sign located at 820 W. Rider Street within the Business Professional Office (BPO) Zone of the Perris Valley Commerce Center (PVCC) Specific Plan. The sign will provide advertising for the existing Strains Dispensary business, which has obtained a Medical Marijuana Operators permit from the City and has been fully operational since February 25, 2019. Before the dispensary operation, the site was previously utilized as a restaurant.

The architectural design of the proposed sign meets the intent of the Perris Valley Commerce Center Specific Plan (PVCCSP); providing for a clearly defined base, body, and cap, as well as symmetry and balance. The sign is a contemporary style, providing for a total of 100 SF of sign area. The top half of the sign provides for just over 44 SF of sign area that is fixed sign copy consisting of raised (routed out) green lettering and a logo against an opaque white panel background. Only the raised green lettering and logo will be internally illuminated with frosted white LED's, so they are visible at night.

The proposed site is located within Zone C2 (Flight Corridor Zone) of MARB, which is within the 60 dB CNEL contour. Aircraft overflying this area is at 2,000 feet or more above the runway on the descent and generally 3,000 feet or more on takeoff. Since the project is located outside the primary approach areas and the Airport Influence Area and does not conflict and is compatible with relevant MARB Land Use Compatibility Plans and ALUC review was not required. However, the proposal was nonetheless forwarded to both MARB and the Riverside County ALUC to determine whether the height or illumination design characteristics posed a hazard to aircraft operations. MARB staff stated they did not have concerns and ALUC staff requested conditions of approval, which have been incorporated as conditions of approval.

A public hearing notice was mailed to affected public agencies, property owners, residents, and commercial tenants within 300-feet of each of the proposed sites. As of the writing of this report, no comments in opposition have been received from the neighboring property owners or public agencies.

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**BUDGET (or FISCAL) IMPACT:** Costs for staff preparation of this item are borne by the applicant.

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**Prepared by:** Mary Blais, Contract Planner

**REVIEWED BY:** Kenneth Phung, Planning Manager

**Attachments:**

Staff Report

Exhibit A – Conditions of Approval (Planning, Engineering, Building)

Exhibit B – Aerial View

Exhibit C – Existing PVCCSP Zoning Map

Exhibit D – Site & Architectural Plan

Exhibit E – Resolution 19-13

**Consent:**

**Public Hearing:** X

**Business Item:**

**Presentation:**

**Other:**

**CITY OF PERRIS  
DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION**

**PROJECT REPORT**

**CASE:** Conditional Use Permit 19-05067

**Environmental Determination:** Categorically Exempt per CEQA Article 19, Section 15311 (Accessory Structures), Class 11(a) for on-premise signs

**Date:** June 19, 2019

**Project Planner:** Mary Blais

**Owner:** High Desert Management, Mr. Wade Abdulla  
11822 Musgrave Rd Oak Hills, CA 92344

**Applicant:** Quiel Signs, Ms. Crissy Mirabella  
272 S. "I" St. San Bernardino, CA 92410

**Location:** 820 W. Rider Street

**PROJECT DESCRIPTION:** A proposal to construct a 25' tall, 100 SF, double-faced, internally illuminated, on-site freestanding freeway sign located at 820 W. Rider Street within the Business Professional Office (BPO) Zone of the Perris Valley Commerce Specific Plan (APN: 317-170-033)

**Acreage:** 2.5-acres

**Related Cases:** Strains Medical Marijuana Dispensary

***EXISTING ZONING AND LAND USE:***

**Existing Zoning:** Perris Valley Commerce Center Specific Plan (PVCCSP) within underlying Business Professional Office Zone.

**Surrounding Zoning:**

<b><i>Direction</i></b>	<b><i>Zoning</i></b>
North	PVCCSP/BPO
South	W. Rider Street ROW & PVCCSP
East	Webster Ave. ROW & PVCCSP
West	PVCCSP/BPO & I-215 Freeway

Existing Land Use: Developed, Disturbed land

Surrounding Land Use

<i>Direction</i>	<i>Land Use</i>
North	Undeveloped
South	W. Rider Street ROW & Richie Bros. Auctioneers
East	Webster Ave. ROW & Undeveloped
West	Undeveloped & I-215 Freeway

***ANALYSIS & REVIEW:***

**PROJECT BACKGROUND/DESCRIPTION**

The applicant, Quiel Signs, is requesting approval of a Conditional Use Permit (CUP) to construct a 25' tall, 100 SF, double-faced, internally illuminated on-site, freestanding freeway sign located at 820 W. Rider Street within the Business Professional Office (BPO) Zone of the Perris Valley Commerce Specific Plan. The sign will provide advertising for the existing Strains Dispensary business, which has obtained a Medical Marijuana Operators permit from the City and has been fully operational since February 25, 2019.

The architectural design of the proposed sign meets the intent of the Perris Valley Commerce Center Specific Plan (PVCCSP); providing for a clearly defined base, body, and cap, as well as symmetry and balance. The sign is a contemporary style, providing for a total of 100 SF of sign area. The top half of the sign provides for just over 44 SF of sign area that is fixed sign copy consisting of raised (routed out) green lettering and a logo against an opaque white panel background. Only the raised green lettering and logo will be internally illuminated with frosted white LED's, so they are visible at night.

The bottom half of the sign is a full color LED electronic (digital) message board that is 50 SF in size and equipped with an automatic dimmer and temperature sensor and wireless Ethernet so that illumination automatically dims and does not impair the vision of travelers on adjacent Interstate 215 or airport operations. The minimum display for messaging is eight (8) seconds, and the minimum transition time is three (3) seconds, as required by the City's Sign Regulations. Scrolling, flashing and similar attention-getting displays are prohibited. Conditions of approval have been added to ensure that the owner adheres to the City's and state regulations concerning sign copy, on-site advertising only and minimum display and transition times and attention-getting displays.

Between the LED electronic message board and the sign base is an internally illuminated cross-shaped green vinyl logo that is just over 5 SF in size. The cross-shaped logo will be an open-faced channel that is illuminated with a single tube exposed green neon light. The base of the sign is finished with a Coronado Ledger Stone veneer with a white stucco cap to match the building, and the top edge of the sign is capped with two, decorative metal accent ledges, with a green enamel finish to complement the building, sign lettering, and logos. The frame enclosures of the sign, as well as the exposed sides, top and bottom of the sign cabinet, will have a white stucco finish to match the building.

## **PLANNING AREA:**

The proposed onsite freeway sign is located in Planning Area 3, "Agricultural Conversion Area," of the General Plan, which consists of large parcels that are transitioning from agricultural uses to commercial and industrial uses due to the proximity to the Interstate 215 corridor. The conversion of agricultural land will enhance the economy of the City by attracting new uses that complement the existing distribution centers and provide jobs for residents.

## **PROJECT ANALYSIS**

### **GENERAL PLAN AND ZONING CONSISTENCY**

The General Plan Designation for the site is PVCCSP with an underlying Business Professional Office (BPO) Zone district. The proposed onsite freestanding freeway sign is a permitted use in the PVCCSP and the underlying BPO zone district.

Further, as identified in the PVCC Specific Plan, freestanding freeway signage is contemplated for BPO uses, subject to the design and development code provisions contained in the PVCC Specific Plan and sign regulations provisions in Chapter 19.75 of the City's Zoning Regulations. As such, the proposed onsite freeway sign implements the PVCC Specific Plan and is, therefore, consistent with the City's General Plan.

The project is also consistent with the underlying BPO zoning and the City's sign regulations provisions, which limit the height, size, and operating characteristics of onsite, freestanding freeway signage. Since the proposed sign, as conditioned, meets the design and development standards with the PVCC Specific Plan and underlying BPO zoning district, it is consistent with the General Plan and Zoning.

### **MARB AIRPORT LAND USE COMPATIBILITY PLAN**

The proposed site is located within Zone C2 (Flight Corridor Zone) of MARB, which is within the 60 dB CNEL contour. Aircraft overflying this area is at 2,000 feet or more above the runway on the descent and generally 3,000 feet or more on takeoff. Since the project is located outside the primary approach areas and the Airport Influence Area and does not conflict and is compatible with relevant MARB Land Use Compatibility Plans and ALUC review was not required. However, the proposal was nonetheless forwarded to both MARB and the Riverside County ALUC to determine whether the height or illumination design characteristics posed a hazard to aircraft operations. MARB staff stated they did not have concerns and ALUC staff requested conditions of approval, which have been incorporated as conditions of approval.

### **DEVELOPMENT STANDARDS**

#### ***Development Criteria***

The project is subject to compliance with the PVCCSP Development and Design Standards, as well as the Sign Regulations provisions of Chapter 19.75 of the City Zoning Code, including the Freeway and Electronic Sign provisions. Table 1 below summarizes and compares the Sign Regulations provisions governing Freeway Signs against the proposed sign project, demonstrating

that the project fully complies with these standards.

<b>TABLE 1: SIGN REGULATIONS DEVELOPMENT &amp; DESIGN STANDARDS SUMMARY</b>			
<b>Section 19.75.100(b)(4) Freeway Signs</b>	<b>Required</b>	<b>Provided</b>	<b>Complies?</b>
<b>Number of Freeway Signs / Site</b>	1 max	1	Yes
<b>Within 660' of Nearest Freeway Edge</b>	660'	225'	Yes
<b>Sign Height</b>	25' max	25'	Yes
<b>Maximum Sign Area</b>	100SF	100SF	Yes
<b>Locate within Planted Landscape Area</b>	100SF min	100SF	Yes
<b>Property Line Setback</b>	5'	5'	Yes
<b>Section 19.75.120 Electronic Signs</b>	<b>Required</b>	<b>Provided</b>	<b>Complies?</b>
<b>Electronic Sign Area</b>	50% max	50%	Yes
<b>Auto Diming Controls</b>	Photocell or Software Settings	Software	Yes
<b>Display Time Minimum</b>	8 Seconds	8 Seconds	Yes
<b>Transition Time Between Messages</b>	3 Seconds	3 Seconds	Yes
<b>Continuous Scrolling, flashing &amp; Similar</b>	Prohibited	None	Yes

As Table 1 above shows, the proposed sign meets all development and design standards outlined the City's Sign Regulations, including Sections 19.75.100 and 19.75.120, which specifically relate to the onsite, freestanding freeway and electronic signage.

In addition, as noted above, the digital (electronic) display portion of the sign is conditioned to ensure that illumination automatically dims and does not impair the vision of travelers on adjacent Interstate 215 or airport operations. Also, the project is conditioned to share signage content time with the City for emergency public service announcements within the digital portion of the sign in furtherance the AMBERT Alert system (i.e., America's Missing: Broadcast Emergency Response Alert system) and the City's public safety communication efforts.

**PUBLIC/AGENCY COMMENTS**

A public hearing notice was mailed to affected public agencies and property owners within 300 feet of the subject properties. As of the writing of this report, no comments in opposition have been received from the neighboring property owners.

**ENVIRONMENTAL**

Categorically Exempt per CEQA Article 19, Section 15311 (Accessory Structures), Class 11(a) for on-premise signs.

**PUBLIC/AGENCY COMMENTS**

A public hearing notice was sent to property owners within 300 feet of the project site and agencies.



As of the writing of this report, no comments have been received by staff.

## **FINDINGS**

The following Findings are recommended to the Planning Commission for project approval:

### Conditional Use Permit 19-05067 Findings:

1. The proposed location of the conditional use is in accord with the objectives of this Title and the purposes of the zone in which the site is located.

As conditioned, the proposed location of the CUP is in accord with the objectives of the Conditional Use Permit provisions of the City's Zoning Code, Chapter 19.61, in that the proposed onsite freeway sign is necessary and desirable for the existing business to advertise the goods and services for sale in order to attract and direct persons to the existing business for maximum public convenience. Further, the sign is an appropriate accessory use that requires specific conditions and constraints to ensure compatibility with surrounding uses and protect the aesthetics and public, health, and welfare of the community.

2. The proposed plan is consistent with the City's General Plan and conforms to all specific plans, zoning standards, applicable subdivision requirements, and other ordinances and resolutions of the city.

The proposed CUP is consistent with the City's General Plan, in that it meets the intent of the PVCCSP, in that it provides advertising for an existing use that is consistent with the PVCCSP and conforms to applicable provisions of the City's Sign Regulations and Zoning Ordinance and other applicable resolutions. Further, the proposed sign is intended to promote the existing use, which serves existing and future residents and businesses of the City of Perris. The location and size of the sign meet applicable City's Sign Code Regulations, which implements the General Plan.

3. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

The proposed location of the CUP and the conditions under which it will operate and be maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity, in that the project has been conditioned to meet relevant Zoning Code and applicable building and safety standards, which are intended to protect the public health, safety and welfare of the community.

4. The architecture proposed is compatible with community standards and protects the character of adjacent development.

The architectural design of the proposed sign is compatible with the existing onsite building, meets the intent of the Perris Valley Commerce Center Specific Plan in that it provides a high-quality design through the use of varied colors, textures and materials. In addition, the architectural design also meets the development standards outlined for

Electronic Freeway signs in the City's Sign Regulations and as such, protects the character of adjacent development.

5. The landscaping plan ensures visual relief and provides an attractive environment for the public's enjoyment.

The proposed CUP is consistent with the City's Sign Regulations pertaining to landscaping, in that the sign has been placed within a landscape planter and provides for a landscaped area at the base of the sign that is 100SF as required, to ensure visual relief and provide an attractive backdrop for the sign structure.

**RECOMMENDATION:**

Staff recommends that the Planning Commission:

**ADOPT Resolution No. 19-13** finding the project Categorical Exempt per CEQA Article 19, Section 15311 (Accessory Structures), Class 11(a), and approving Conditional Use Permit 19-05067 to permit the construction of a 25' tall, 100 SF, double-faced, internally illuminated, on-site freestanding freeway sign located at 820 W. Rider Street, based on the findings contained in the Resolution, and subject to the Conditions of Approval.

**EXHIBITS:**

- Exhibit A – Conditions of Approval (Planning, Engineering, Building)
- Exhibit B – Aerial View
- Exhibit C – Existing PVCCSP Zoning Map
- Exhibit D – Site & Architectural Plan
- Exhibit E – Resolution 19-13

**CITY OF PERRIS  
DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION**

**PLANNING COMMISSION CONDITIONS OF APPROVAL**

**CUP 19-05067**

**June 19, 2019**

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**Conditional Use Permit 19-05067** - A proposal to construct a 25' tall, 100 SF, double-faced, on-site, freestanding freeway sign located at 820 W. Rider Street within the Business Professional Office (BPO) Zone of the Perris Valley Commerce Specific Plan (APN: 317-170-033). **Applicant:** Quiel Signs, Ms. Crissy Mirabella.

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**General Requirements:**

1. **Conformance to Approved Plans.** The proposed onsite freestanding freeway sign shall conform substantially to the approved set of plans presented at the June 19, 2019, Planning Commission meeting, or as amended by these conditions. Any deviation shall require appropriate Planning Division review and approval.
2. **Conditional Use Permit Approval.** The Conditional Use Permit approval shall be null and void unless substantial construction of the project or commencement of the land use contemplated by this approval is begun within three (3) years of the approval date. The applicant may apply for a maximum of three (3) one-year extensions. A written request for an extension shall be submitted to the Planning Division at least thirty (30) days before the expiration of the Conditional Use Permit.
3. **Signage Display.** The maximum signage display shall be 100SF per sign face with a maximum billboard height of 25'. The digital display shall occupy a maximum of 50% of the sign area (50 SF) and shall maintain a minimum display time of 8 seconds and a transition time of 3 seconds. Continuous scrolling, flashing, and similar is prohibited. Advertising shall be in conformance with City of Perris and State Laws governing cannabis, Business and Professions Code 26150 et seq. and shall be related to onsite activities only.
4. **Riverside County ALUC.** The proposed sign shall be subject to ALUC conditions of approval outlined in an email, dated April 25, 2019, and attached hereto.
5. **Public Service Announcements.** The City shall have the right to place emergency public service announcements at the same signage display including, emergency broadcasts and Amber Alerts and similar.
6. **Sign Application.** A sign application will be required for the precise location, final height, design, and photo simulation of the sign. The final design shall be substantially in compliance with the original approval.
7. **Building Official/Fire Marshal.** The proposed sign shall adhere to all requirements of the Building Official/Fire Marshal, outlined in the conditions of approval, dated April 2,

2019 and attached hereto. Water, gas, sewer, electrical transformers, power vaults and separate fire/water supply lines (if applicable) must be shown on the final set of construction plans pursuant to the requirements of the Building Official. See City of Perris website, Office of the Fire Marshal for examples and relevant information for access and underground plan available at <http://www.cityofperris.org>.

8. **Graffiti.** Graffiti located on site shall be removed within 48 hours. The site shall be maintained in a graffiti-free state at all times.
9. **Property Maintenance.** The project shall comply with provisions of Perris Municipal Code 7.06 regarding Landscape Maintenance, and Chapter 7.42 regarding Property Maintenance.
10. **City Engineer.** The proposed sign shall adhere to all requirements of the City Engineer outlined in the conditions of approval, dated April 15, 2019, and attached hereto.

#### **PRIOR TO BUILDING PERMIT ISSUANCE**

11. **Indemnification/ Hold Harmless.** The developer/applicant shall indemnify, protect, defend, and hold harmless, the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City, or any agency or instrumentality thereof, or any of its officers, employees and agents, to attack, set aside, void, annul, or seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voters of the City, concerning Conditional Use Permit 16-05149. The City shall promptly notify the developer/applicant of any claim, action, or proceeding for which indemnification is sought and shall further cooperate fully in the defense of the action.

#### **PRIOR TO BUILDING PERMIT FINAL**

12. **Outstanding Fees.** Any outstanding processing fees due to the Planning Division shall be paid.
13. **Final Planning Inspection.** The applicant shall first obtain clearance from the Planning Division verifying that all conditions of approval have been met by arranging a site inspection with Planning staff.

<End Conditions>

## Mary Blais

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**From:** Rull, Paul [PRull@RIVCO.ORG]  
**Sent:** Thursday, April 25, 2019 11:26 AM  
**To:** Mary Blais  
**Subject:** CUP19-05067 LED sign transmittal ALUC comments

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Hi Mary,

Thank you for your transmittal for the above reference project. The project is located within Zone C2 of March Air Reserve Base/Inland Port Airport Influence Area, and does not require ALUC review (as the City's General Plan has been found consistent with the March ALUCP). ALUC staff recommends incorporating the following conditions to ensure that the LED sign does not impact aircraft navigation at the Base:

- In the event that any incidence of glint, glare, or flash affecting the safety of air navigation occurs as a result of project operation, upon notification to the airport operator of an incidence, the airport operator shall notify the project operator in writing. Within 30 days of written notice, the project operator shall be required to promptly take all measures necessary to eliminate such glint, glare, or flash. An "incidence" includes any situation that results in an accident, incident, "near-miss," or specific safety complaint regarding an in-flight experience to the airport operator or to federal, state, or county authorities responsible for the safety of air navigation. The project operator shall work with the airport operator to prevent recurrence of the incidence. Suggested measures may include, but are not limited to, realignment of the sign, covering them at the time of day when incidences of glare occur, to diminish or eliminate the source of the glint, glare, or flash. For each such incidence made known to the project operator, the necessary remediation shall only be considered to have been fulfilled when the airport operator states in writing that the situation has been remediated to the airport operator's satisfaction.
- In the event that any incidence of electrical interference affecting the safety of air navigation occurs as a result of project operation, upon notification to the airport operator of an incidence, the airport operator shall notify the project operator in writing. Within 30 days of written notice, the project operator shall be required to promptly take all measures necessary to eliminate such interference. An "incidence" includes any situation that results in an accident, incident, "near-miss," report by airport personnel, or specific safety complaint to the airport operator or to federal, state, or county authorities responsible for the safety of air navigation. The project operator shall work with the airport operator to prevent recurrence of the incidence. For each such incidence made known to the project operator, the necessary remediation shall only be considered to have been fulfilled when the airport operator states in writing that the situation has been remediated to the airport operator's satisfaction.
- The LED sign shall prohibit any advertisements that utilizes colors and graphics that could be misinterpreted by aircraft pilots as aviation related signs/symbols.

If you have any questions, please feel free to contact me.



# CITY OF PERRIS

HABIB MOTLAGH, CITY ENGINEER

P8-000

## MEMORANDUM

TO: Mary Blais, Contract Planner

FROM: John Pourkazemi, Senior Engineer

DATE: April 15, 2019

RE: CUP 19-05067  
NWC Rider Street and Webster Avenue  
APN 317-170-033

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We have completed our review of the above mentioned submittal received in our office on April 1, 2019 and offer the following comments:

- Rider Street and Webster Avenue are Secondary Arterials with 94' wide full width right-of-way (47' half width R/W). The additional right-of-way as required shall be dedicated for the parcel. The entire sign including overhangs shall be outside of the right-of-way.
- Adequate sight distance shall be provided as applicable.

Please call if you have any questions or require additional information.



**SRC COMMENTS**  
**\*\*\* BUILDING & SAFETY \*\*\***

Planning Case File No(s): **CONDITIONAL USE PERMIT #19-05067**

Case Planner: **Mary Blais (951) 943-5003,**

Applicant: **Quiel Signs, Ms. Crissy Mirabella**

Location: **NEC RIDER STREET & FRONTAGE ROAD**

**A Conditional Use Permit to construct a 144 SF, 25 foot tall, freestanding, double faced digital freeway sign located at 820 Rider Street within the Perris Valley Commerce Center, Specific Plan**

Project:

Associated Cases: **CUP #19-05067 PARCEL-317-170-033**

Reviewed By: **David J. Martinez, GBO**

Date: **4-2-19**

**SPECIFIC COMMENTS**

1. None

**GENERAL CONDITIONS**

1. Shall comply with the latest adopted State of California 2016 editions of the following codes as applicable:
  - A. California Building Code
  - B. California Electrical Code
  - C. California Mechanical Code
  - D. California Energy Code
  - E. California Fire Code
  - F. California Green Building Standards Code

2. All signs if any shall be Underwriters Laboratories, or equal, approved.

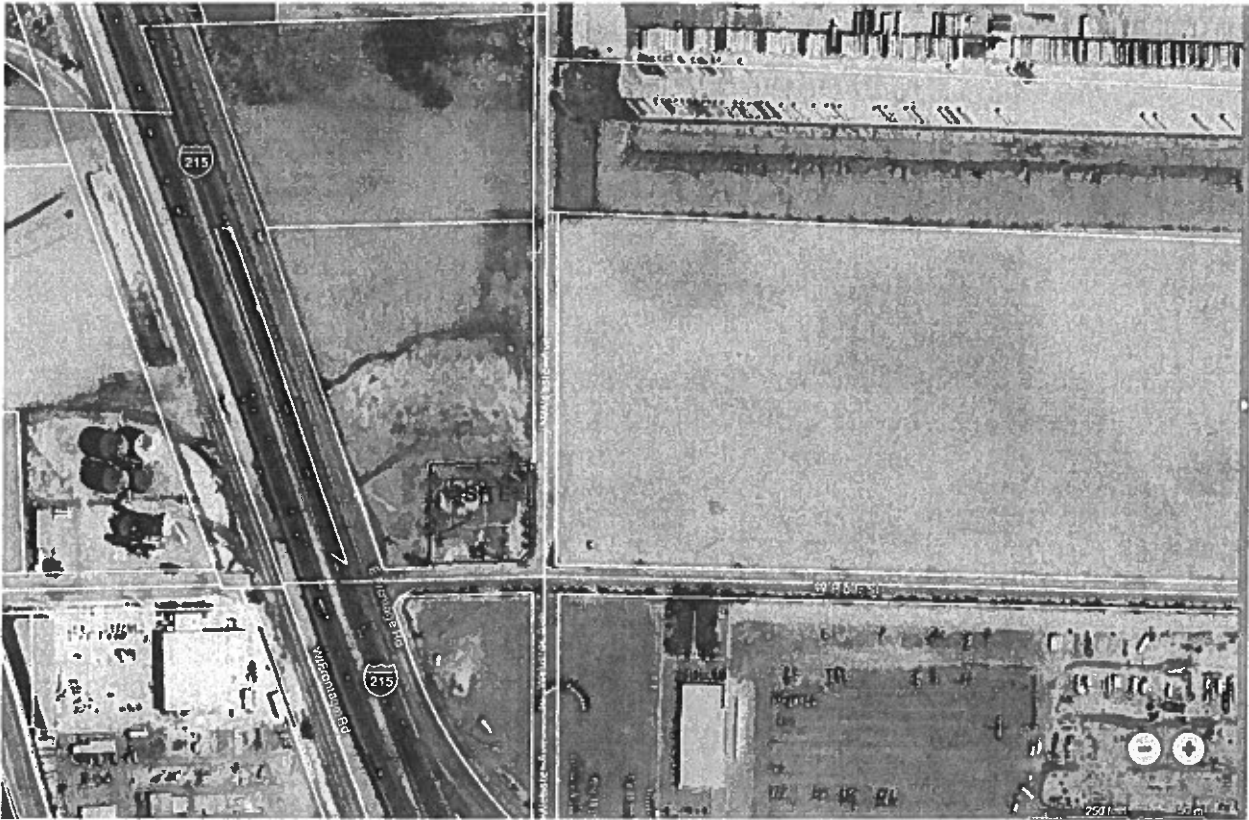
**PRIOR TO THE ISSUANCE OF THE BUILDING PERMIT**

1. N/A

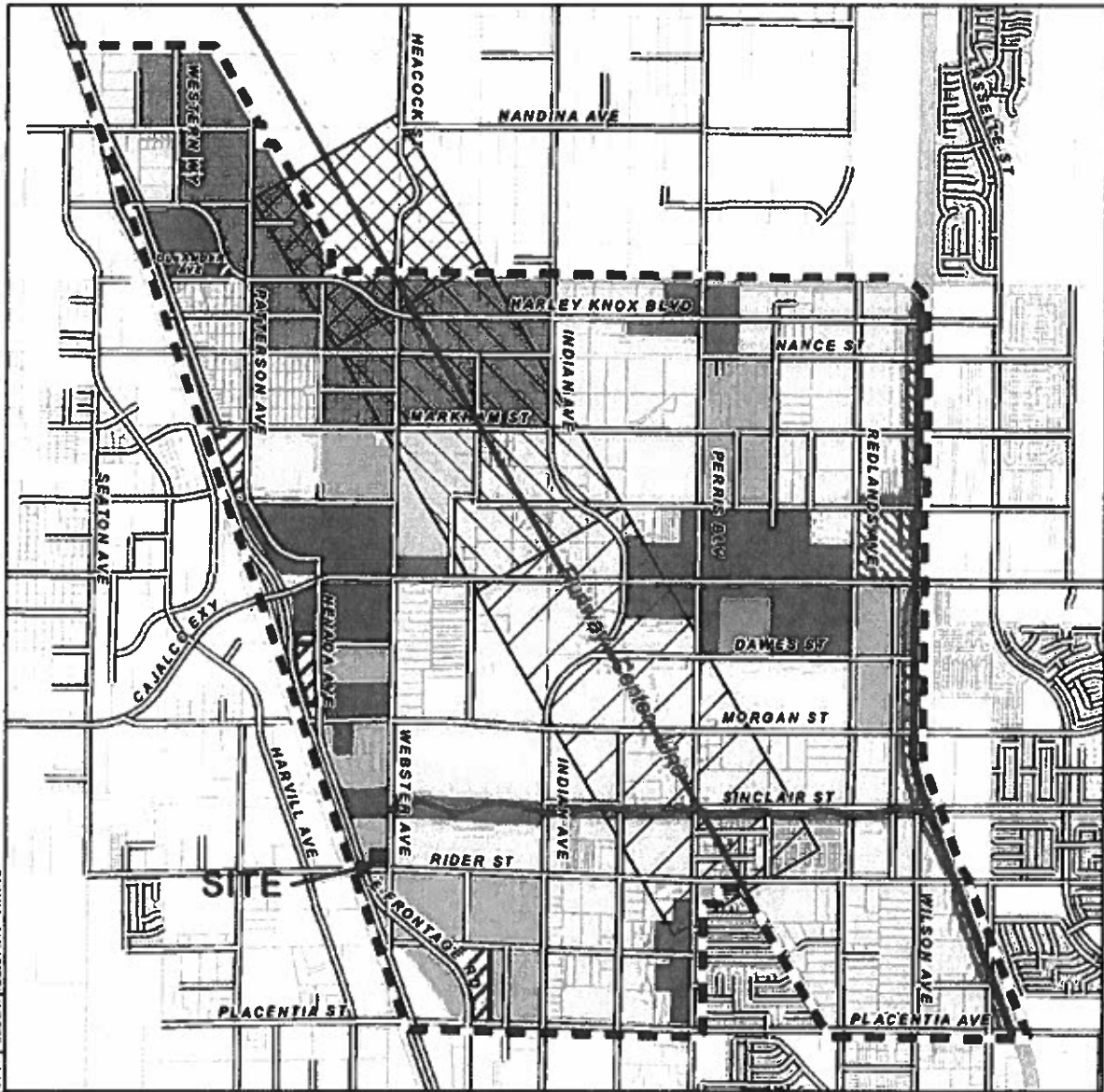
## **FIRE CONDITIONS**

1. Fire Conditions will be provided by Dennis Grubb and Associates

**EXHIBIT B**  
**Aerial View**  
**CUP 19-05067**









**EXHIBIT C  
PVCCSP BPO ZONING, AIRPORT ZONE  
CUP 19-05067**






G:\2006.06-0313\GIS\Env\Landuse\Proposed\Update\FIR\_1.mxd

**LEGEND**

-  SPECIFIC PLAN BOUNDARY
-  POTENTIAL BASIN AREAS
-  FUTURE PERRIS VALLEY STORM DRAIN
-  CLEAR ZONE
-  ACCIDENT POTENTIAL ZONE I
-  ACCIDENT POTENTIAL ZONE II

**PROPOSED LAND USE**

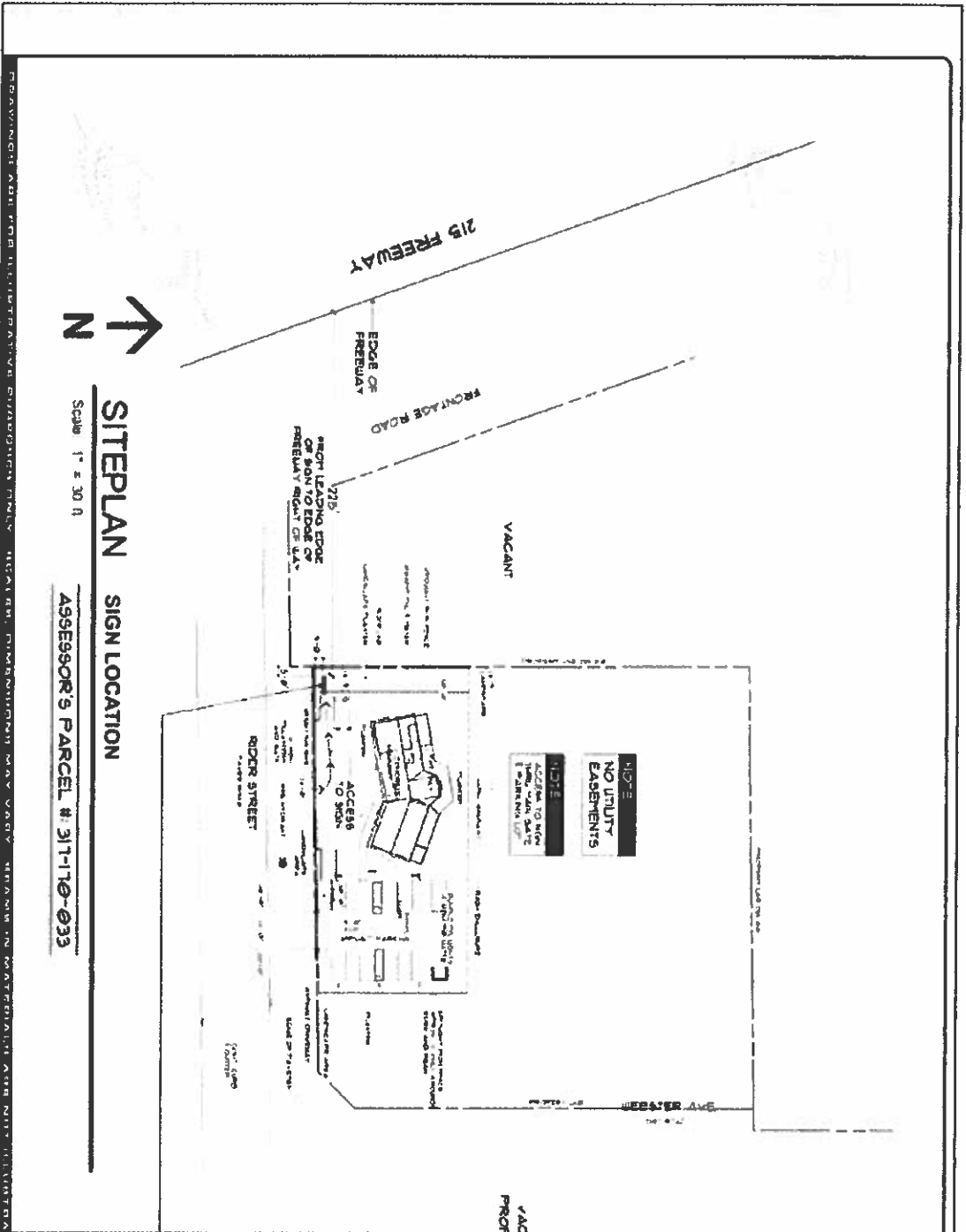
-  RESIDENTIAL
-  MULTI-FAMILY RESIDENTIAL
-  COMMERCIAL

**BUSINESS PROFESSIONAL OFFICE**

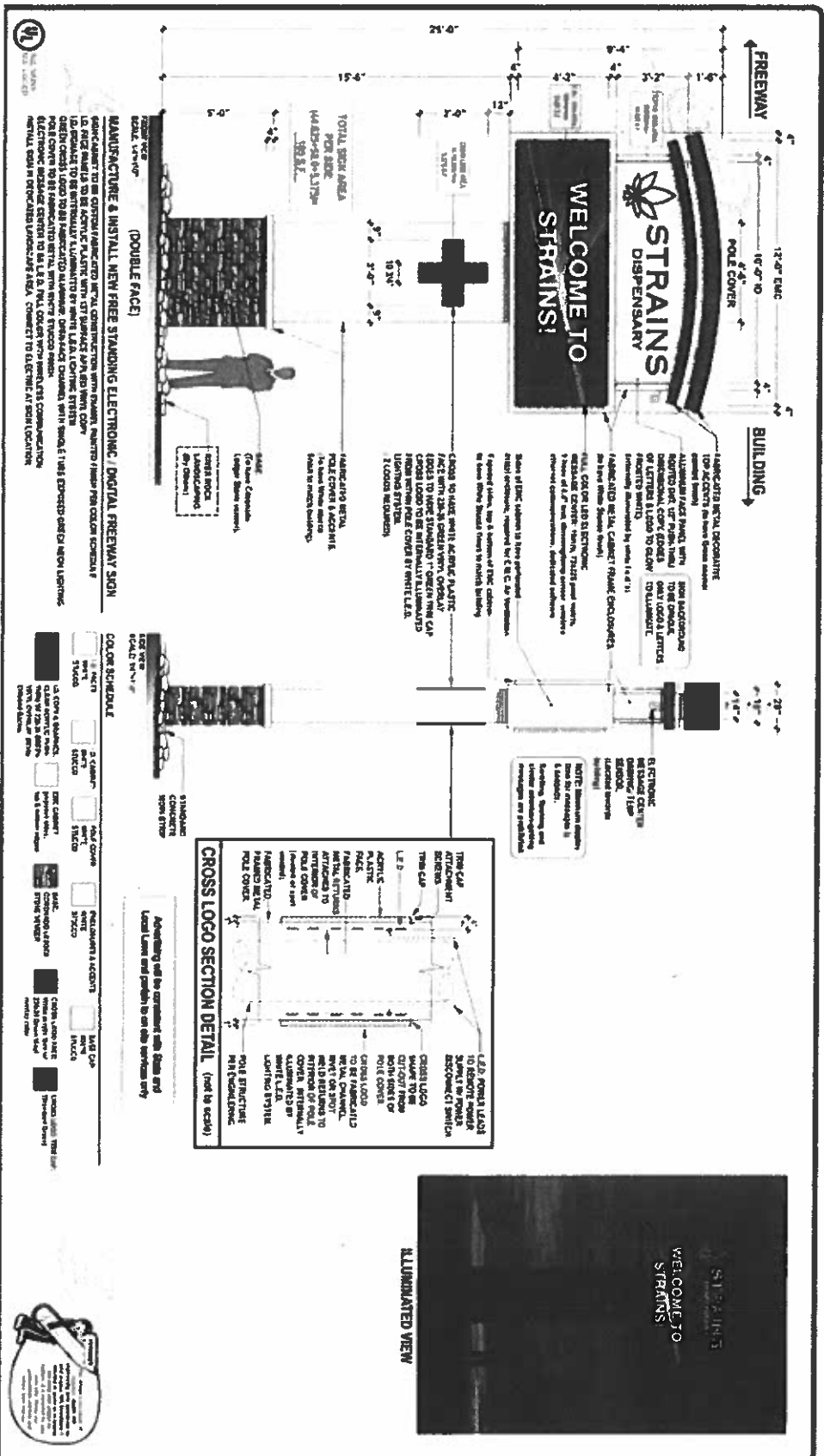
-  LIGHT INDUSTRIAL
-  GENERAL INDUSTRIAL
-  PUBLIC/SEMI-PUBLIC FACILITY

 TRAIL

# SITE PLAN



# ARCHITECTURAL DESIGN





**RESOLUTION NUMBER 19-13**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, FINDING THE PROJECT CATEGORICALLY EXEMPT PURSUANT TO CEQA ARTICLE 19, SECTION 15311 (ACCESSORY STRUCTURES), CLASS 11(A) AND APPROVING CONDITIONAL USE PERMIT 19-05067 TO CONSTRUCT A 25' TALL, 100 SF, DOUBLE-FACED, ON-SITE, FREESTANDING FREEWAY SIGN LOCATED AT 820 W. RIDER STREET WITHIN THE BUSINESS PROFESSIONAL OFFICE (BPO) ZONE OF THE PERRIS VALLEY COMMERCE SPECIFIC PLAN (APN: 317-170-033) AND MAKING FINDINGS IN SUPPORT THEREOF**

**WHEREAS**, the applicant filed Conditional Use Permit 19-05067 to allow for the construction of a 25' tall, 100 SF, double-faced, internally illuminated freestanding freeway sign located adjacent to the I-215 Freeway at 820 W. Rider Street, within a Business Professional Office Zone in the Perris Valley Commerce Center Specific Plan ("sign" or "project"); and

**WHEREAS**, the proposed location of the sign is in accordance with the objectives of the Perris Valley Commerce Center Specific Plan ("PVCCSP"); and

**WHEREAS**, the proposed project is consistent with the City's General Plan and conforms to all zoning standards and other relevant ordinances and resolutions of the City; and

**WHEREAS**, on June 19, 2019, the Planning Commission conducted a legally noticed public hearing on Conditional Use Permit 19-05067, and considered public testimony and materials in the staff reports and accompanying document and exhibit; and, at which time all interested persons were given full opportunity to be heard and to present evidence; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Commission of the City of Perris as follows:

**Section 1.** The above recitals are all true and correct, and incorporated herein by this reference.

**Section 2.** The Planning Commission has determined that the project is exempt from review under the California Environmental Quality Act ("CEQA") pursuant to Article 19 Section 15311 (Accessory Structures), Class 11(a) for on-premise signs.

**Section 3.** Based on the information contained in the staff report and supporting exhibits and all oral and written presentations and testimony made by City staff and members of the public, the Planning Commission hereby finds the following:

**EXHIBIT E**

**Conditional Use Permit 19-05067 Findings:**

1. The proposed location of the conditional use is in accord with the objectives of this Title and the purposes of the zone in which the site is located.

As conditioned, the proposed location of the CUP is in accord with the objectives of the Conditional Use Permit provisions of the City's Zoning Code, Chapter 19.61, in that the proposed onsite freeway sign is necessary and desirable for the existing business to advertise the goods and services for sale in order to attract and direct persons to the existing business for maximum public convenience. Further, the sign is an appropriate accessory use that requires specific conditions and constraints to ensure compatibility with surrounding uses and protect the aesthetics and public, health, and welfare of the community.

2. The proposed plan is consistent with the City's General Plan and conforms to all specific plans, zoning standards, applicable subdivision requirements, and other ordinances and resolutions of the city.

The proposed CUP is consistent with the City's General Plan, in that it meets the intent of the PVCCSP, in that it provides advertising for an existing use that is consistent with the PVCCSP and conforms to applicable provisions of the City's Sign Regulations and Zoning Ordinance and other applicable resolutions. Further, the proposed sign is intended to promote the existing use, which serves existing and future residents and businesses of the City of Perris. The location and size of the sign meet applicable City's Sign Code Regulations, which implements the General Plan.

3. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

The proposed location of the CUP and the conditions under which it will operate and be maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity, in that the project has been conditioned to meet relevant Zoning Code and applicable building and safety standards, which are intended to protect the public health, safety and welfare of the community.

4. The architecture proposed is compatible with community standards and protects the character of adjacent development.

The architectural design of the proposed sign is compatible with the existing onsite building, meets the intent of the Perris Valley Commerce Center Specific Plan in that it provides a high-quality design through the use of varied colors, textures and materials. In addition, the architectural design also meets the development standards outlined for Electronic Freeway signs in the City's Sign Regulations and as such, protects the character of adjacent development.

5. The landscaping plan ensures visual relief and provides an attractive environment for the public's enjoyment.

The proposed CUP is consistent with the City's Sign Regulations pertaining to landscaping, in that the sign has been placed within a landscape planter and provides for a landscaped area at the base of the sign that is 100SF as required, to ensure visual relief and provide an attractive backdrop for the sign structure.

**Section 4.** Based on the information contained in the staff report and supporting exhibits and all oral and written presentations and testimony made by City staff and members of the public, the Planning Commission finds the project is exempt from review under the California Environmental Quality Act ("CEQA") pursuant to Article 19 Section 15311 (Accessory Structures), Class 11(a) for on-premise signs and approves Conditional Use Permit 19-05067 to construct a 25' tall, 100 SF, double-faced, internally illuminated freestanding freeway sign located adjacent to the I-215 Freeway at 820 W. Rider Street, within a Business Professional Office Zone in the PVCCSP, based on the information and findings presented in the staff report and subject to the Conditions of Approval attached hereto as Exhibit A and incorporated herein by this reference.

**Section 5.** The Planning Commission 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 Chairperson shall sign and the Secretary shall certify to the passage and adoption of this Resolution.

**ADOPTED, SIGNED, and APPROVED** this 19<sup>th</sup> day of June 2019.

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CHAIRPERSON, PLANNING COMMISSION

ATTEST:

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Secretary, Planning Commission

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

I, Kenneth Phung, SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF PERRIS, DO HEREBY CERTIFY that the foregoing Resolution Number 19-13 was duly adopted by the Planning Commission of the City of Perris at a regular meeting of said Planning Commission on 19th day of June 2019, and that it was so adopted by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Secretary, Planning Commission

**RESOLUTION NUMBER (Next in Order)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING APPEAL # 19-05164 FOR CONDITIONAL USE PERMIT 19-05067, A PROPOSAL TO CONSTRUCT A 25' TALL, 100 SF, DOUBLE-FACED ILLUMINATED, ON-SITE, FREESTANDING FREEWAY SIGN LOCATED AT 820 W. RIDER STREET ON A 2.5-ACRE SITE WITHIN THE BUSINESS PROFESSIONAL OFFICE (BPO) ZONE OF THE PERRIS VALLEY COMMERCE SPECIFIC PLAN (APN: 317-170-033) AND MAKING FINDINGS IN SUPPORT THEREOF.**

**WHEREAS**, the applicant filed Conditional Use Permit 19-05067 (herein referred to as “the Project”) to allow for the construction of a 25’ tall, 100 SF, double-faced, internally illuminated freestanding freeway sign located adjacent to the I-215 Freeway at 820 W. Rider Street, within a Business Professional Office Zone in the Perris Valley Commerce Center Specific Plan (“sign” or “project”); and

**WHEREAS**, on June 19, 2019, the Planning Commission conducted a legally noticed public hearing on the Project (Conditional Use Permit 19-05067), and considered public testimony and materials in the staff reports and accompanying document and exhibit; and, at which time all interested persons were given full opportunity to be heard and to present evidence; and

**WHEREAS**, on June 19, 2019, the Planning Commission, at a legally noticed public hearing, considered the Project (Conditional Use Permit 19-05067), and voted to deny the Project, as follows:

1. The Strains business is within 225’ of the I-215 freeway and is adjacent to the I-215 East Frontage Road, which provides for clear, unobstructed view from the I-215 freeway to the business. Further, the location, color design, and orientation of the Strains Dispensary business provide for excellent visibility and allow the business to garner attention beyond the surrounding uses. As such, the business does not have physical barriers that would impede visibility of the business from the I-215 freeway.
2. The location, color design, and orientation of the Strains Dispensary business currently provides for excellent visibility and allows the business to garner attention beyond the surrounding uses. The proposed digital display for the freeway sign is not a necessary public need for functional information. The height, structural design, and digital display and overall design would create visual clutter and could undermine traffic safety by distracting commuters on

the frequently congested I-215 freeway, which could negatively affect the health, public safety, and welfare of residents.

3. Strains dispensary already advertise on an existing static freeway billboard sign along the west of the I-215 Freeway and pay to advertise on an existing electronic billboard sign on a rotation basis along with the east side of the I-215 within nearby proximity to the proposed sign. The addition of the proposed sign to this area would create a proliferation of freeway signage in the area, resulting in unnecessary clutter and a potential distraction to commuters on the frequently congested I-215 freeway, which could negatively affect the health, public safety, and welfare of residents.

**WHEREAS**, on June 26, 2019, Quiel Signs, timely submitted an appeal application to the City Council to contest the June 19, 2019, Planning Commission's unanimous decision to deny the Project, (Conditional Use Permit #19-05067) to construct a 25' tall, 100 SF, double-faced illuminated, on-site, freestanding freeway sign located at 820 W. Rider Street on a 2.5-acre site within the Business Professional Office (BPO) Zone of the Perris Valley Commerce Center Specific Plan (PVCCP); and

**WHEREAS**, the property for the proposed Appeal #19-05164 is more particularly described as Assessor Parcel Number 317-170-033; and

**WHEREAS**, Appeal #19-05164 would approve the request for a Conditional Use Permit 19-05067 to construct a 25' tall, 100 SF, double-faced illuminated, on-site, freestanding freeway sign located at 820 W. Rider Street on a 2.5-acre site within the Business Professional Office (BPO) Zone of the Perris Valley Commerce Specific Plan (PVCCP); and

**WHEREAS**, on July 30, 2019, the City Council conducted a duly noticed public hearing on the project and the appeal, at which time all interested persons were given full opportunity to be heard to present evidence; and

**WHEREAS**, prior to taking action, the City Council has heard, been presented with, and/or reviewed all of the information and data which constitutes the administrative record for the above-mentioned approvals, including all oral and written evidence presented to the City during all Project meetings and hearings; and

**WHEREAS**, all legal prerequisites for the adoption of this resolution have occurred; and

**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, and incorporated herein by this reference.



**Section 2.** The City Council further finds and determines that the City has complied with the California Environmental Quality Act based upon the information and findings contained in this Resolution, the staff report and its supporting exhibits, and all written and oral testimony and presentations made at the public hearing, and this finding and determination reflects the independent judgment of the City.

**Section 3.** The City Council has determined that the project is exempt from review under the California Environmental Quality Act (“CEQA”) pursuant to Article 19 Section 15311 (Accessory Structures), Class 11(a) for on-premise signs.

**Section 4.** The City Council has reviewed and considered the Project and Appeal #19-05167, prior to taking action on the applications and in making the decision certification, the City Council finds that:

1. The proposed location of the conditional use is in accord with the objectives of this Title and the purposes of the zone in which the site is located.

The proposed location of the CUP is in accord with the objectives of the Conditional Use Permit provisions of the City’s Zoning Code, Chapter 19.61, in that the proposed onsite freeway sign does adequately protect the aesthetics and public, health and welfare of the community and would not increase visual clutter and distract, obstruct or otherwise impede traffic circulation.

2. The proposed plan is consistent with the City's General Plan and conforms to the specific plan zoning standards, applicable subdivision requirements, and other ordinances and resolutions of the city.

The proposed CUP is consistent with the City’s General Plan, in that it meets the intent of the PVCCSP by providing necessary advertising for an existing use. Further, the appropriateness and overall visual appearance meets the intent of the City’s sign Regulations in that the type of sign would not contribute to excessive signage, resulting in visual clutter.

3. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

The proposed location of the CUP and the conditions under which it will operate and be maintained would not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity, in that the sign does not potentially increase risks to traffic on the I-215 freeway, which experiences frequent congestion. Further, the proposed digital display for the freeway sign meets a public need for functional information about the associated business. The height, structural design, and digital display and overall design would not create visual clutter and would not undermine traffic safety by distracting commuters and travelers on nearby roadways, and therefore does not negatively affect the health, public safety and welfare of residents.

4. The architecture proposed is compatible with community standards and protects the character of adjacent development.

The architectural design of the proposed sign is compatible with the intent of the PVCCP in that it does provide needed advertising based on the need for increased visibility.

5. The landscaping plan ensures visual relief and provides an attractive environment for the public's enjoyment.

The proposed landscaping plan ensures visual relief and provides for an attractive backdrop for the sign structure.

**Section 5.** Based on the foregoing, the information contained in the agenda submittal and supporting exhibits and all oral and written presentations and testimony made by City Staff and members of the public, the City Council hereby approves Appeal # 19-05164, and the Project, CUP 19-05067, overturning the Planning Commission's unanimous vote of denial, based on the information and findings presented in the staff report.

**Section 6.** 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 7.** 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 30<sup>th</sup> day of July 2019.

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Michael M. Vargas

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 Resolution Number (next in order) was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 30th day of July 2019, by the following called vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
City Clerk, Nancy Salazar