



# CITY OF PERRIS PLANNING COMMISSION

## AGENDA

August 18, 2021

City Council Chambers  
Meeting to convene at 6:00 P.M.  
101 North "D" Street  
Perris, CA 92570

**1. CALL TO ORDER:**

**2. ROLL CALL:**

**Commissioners:** Jimenez, Gomez, Lopez,  
Vice-Chair Hammond, Chair Shively

**3. INVOCATION:**

**4. PLEDGE OF ALLEGIANCE:** Commissioner Jimenez

**5. PRESENTATION:**

A. Recognition for former Planning Commissioner Alfonso Hernandez

**6. CONSENT CALENDAR:**

A. Planning Commission Minutes for August 04, 2021

**7. PUBLIC HEARING:**

**A. Development Plan Review (DPR) 20-00013 and Tentative Parcel Map 21-05153 (TPM 37967)** – A proposal to consolidate four existing parcels into three lots to facilitate the construction and operation of three non-refrigerated industrial/warehouse buildings totaling approximately 283,179 square feet (SF), on 15.6 acres located at the southwest corner of Perris Boulevard and Morgan Street in the Light Industrial zone of the Perris Valley Commerce Center Specific Plan (PVCCSP). **Applicant:** Kevin Rice, Patriot Development Partners.

**REQUESTED ACTION:** ADOPT Resolution No. 21-17 adopting Mitigated Negative Declaration 2360 and approving Development Plan Review 20-00013 and Tentative Parcel Map (TPM 37967) to facilitate the development of three non-refrigerated industrial/warehouse buildings totaling approximately 283,179 square feet on a 15.6-acre site located at the southwest corner of Perris Boulevard and Morgan Street, based on the findings and subject to Conditions of Approval.

**B. Ordinance Amendment 21-05110** – An Ordinance Amendment to retitle and amend, in its entirety, Chapter 19.81 (Second Dwelling Units) of Title 19 of the Perris Municipal Code in order to update the City’s accessory dwelling unit and junior accessory dwelling unit regulations so that such regulations are consistent with Government Code Sections 65852.2 and 65852.22 and in support of the Regional Housing Needs Assessment of the City. Applicant: City of Perris

**REQUESTED ACTION:** Adopt Resolution No. 21-15 recommending that the City Council find that Ordinance Amendment 21-05110 is Statutorily Exempt from CEQA pursuant to Public Resources Code Section 21080.17 and adopt Ordinance Number (Next in Order) retitling and amending, in its entirety, Chapter 19.81 (Second Dwelling Units) of Title 19 of the Perris Municipal Code, which retitles Chapter 19.81 to “Accessory Dwelling Units and Junior Accessory Dwelling Units” and updates the City’s accessory dwelling unit and junior accessory dwelling unit regulations so that such regulations are consistent with Government Code Sections 65852.2 and 65852.22.

**8. BUSINESS ITEM:**

- A. Nomination of Planning Commission Chair and Vice-Chair
- B. Nomination of Two Planning Commissioners for the AD HOC Committee

**9. PUBLIC COMMENTS:**

*Anyone who wishes to address the Planning Commission regarding items not on the agenda may do so at this time. Please walk up to the podium and wait for the Chairperson to recognize you. Please speak clearly, give your name, spell your last name, and address for accurate recording in the minutes. Each speaker will be given three (3) minutes to address the Planning Commission.*

**10. COMMISSION MEMBERS ANNOUNCEMENTS OR REPORTS:**

**11. DIRECTOR OF DEVELOPMENT SERVICES REPORTS AND/OR INFORMATION:**

**12. ADJOURNMENT**

**COVID-19 REMOTE PUBLIC COMMENT/CITIZEN PARTICIPATION**

*With the intent of adhering to the new community guidelines from the Center for Disease Control, the City of Perris will allow for remote public comment and participation at the upcoming Planning Commission meeting via Zoom. Public Comment is limited to three (3) minutes.*

**ZOOM MEETING INFORMATION**

When: August 18, 2021, 06:00, PM Pacific Time (US and Canada)  
Topic: Planning Commission Meeting

Join Zoom Meeting using the below link or call-in number:

<https://zoom.us/j/642558532>

Meeting ID: 642 558 532

One tap mobile

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Dial by your location

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+1 312 626 6799 US (Chicago)

During the Planning Commission meeting, if you wish to speak for public comment on any item, please select the raise hand icon next to your name. The moderator will grant you access to speak. Public Comment is limited to (3) three minutes.

# **Planning Commission Agenda**

**CITY OF PERRIS  
August 18, 2021**

# Item

# 5A

**Recognition for  
Former Planning Commissioner  
Alfonso Hernandez**

# **Planning Commission Agenda**

**CITY OF PERRIS  
August 18, 2021**

# Item 6A

**Planning Commission Minutes for  
August 04, 2021**

# ***CITY OF PERRIS***

## **MINUTES:**

Date of Meeting: August 4, 2021

05:56 PM

Place of Meeting: City Council Chambers

Commission Members Present: Isaac Lopez, Elizabeth Jimenez, Dwayne Hammond, and Jack Shively.

1. CALL TO ORDER:
2. ROLL CALL: Commissioners: Lopez, Jimenez, Gomez, Vice-Chair Hammond, Chair Shively
3. INVOCATION:
4. PLEDGE OF ALLEGIANCE: Commissioner Lopez
5. PRESENTATION:
6. CONSENT CALENDAR:

A. Planning Commission Minutes for July 21, 2021

The Chair called for a motion.

M/S/C: Moved by Dwayne Hammond, seconded by Isaac Lopez to Approve A.  
Planning Commission Minutes for July 21, 2021

AYES: Isaac Lopez, Elizabeth Jimenez, Dwayne Hammond, Jack Shively.

NOES:

ABSENT: Guadalupe Gomez.

ABSTAIN:

7. PUBLIC HEARING:

- A. Draft Community Services Master Plan (2021 – 2031) – Proposal to comprehensively update the existing 2005 Parks and Recreation Master Plan focused on assessing the current and future needs and equitable access to community services, parks and recreation. Applicant: City of Perris Community Services Department REQUESTED ACTION: Adopt Resolution No. 21-14 to recommend that the City Council approve and adopt the Community Services Master Plan (2021-2031).

Planning Manager Phung, introduced Arcenio Ramirez to provide the presentation.

Community Services Manager Ramirez, presented the item to the Commission.

Consultant Jeff Milkus of Green Play, presented to the Commission.

Community Services Manager Ramirez, concluded the presentation.

Commissioner Jimenez, commented on potential safety, density, and vagrancy concerns.

Consultant Jeff Milkus, commented on safety elements provided within the master plan.

Commissioner Jimenez, asked how the public can report potential safety concerns within the parks.

Commissioner Lopez, inquired on the funding for these projects.

Chair Shively, requested clarification on park ambassadors.

Community Services Manager Ramirez, commented on the role that the park ambassador plays.

Chair Shively, commented on adding zoning layers into a park plan map.

Consultant Jeff Milkus, clarified the maps within the master plan.

Chair Shively, asked if there was any discussion to try and obtain sponsors that could potentially adopt a park to assist on maintenance.

Director of Community Services Chavez, commented on the park adoption process.

Commissioner Jimenez, asked on the sustainability of the parks master plan.

Staff commented on the future sustainability of the parks.

City resident Nannette Plascencia, commented that safety is the primary priority for the community.

Vice Chair Hammond, provided documents that were distributed to all Commissioners, Staff, and public at this meeting.

Vice Chair Hammond, commented that City residents should be more involved in the park oversight process and mediation.

Chair Shively, noted that he is in support of having City residents more involved in the oversight process.

Commissioner Jimenez, commented on the parks meeting recommendation and the changing recreational needs of local residents.

Assistant City Manager Khuu, clarified the review process of the parks master plan.

Vice Chair Hammond, commented on his recommendations for the parks master plan.

Chair Shively, noted that he thinks more people will be required in order to oversee all the future parks and activities.

Assistant City Manager Carlos, presented to the Commission.

Commissioner Jimenez, asked if school districts were involved and the yearly review process for the document.

Community Services Manager Ramirez, clarified that school districts were involved and explained the yearly review process.

Vice Chair Hammond, commented that an outside commission of City residents would be helpful.

Commissioner Jimenez, noted her approval of the plan and requested that further information for safety monitoring be sought.

Commissioner Lopez, thanked Staff for the master plan and appreciated the improvement of local parks in the City.

The Chair called for a motion.

M/S/C: Moved by Elizabeth Jimenez, seconded by Dwayne Hammond to Approve A. Draft Community Services Master Plan (2021 – 2031) – Proposal to comprehensively update the existing 2005 Parks and Recreation Master Plan focused on assessing the current and future needs and equitable access to community services, parks and recreation. Applicant: City of Perris Community Services Department

REQUESTED ACTION: Adopt Resolution No. 21-14 to recommend that the City Council approve and adopt the Community Services Master Plan (2021-2031)

AYES: Isaac Lopez, Elizabeth Jimenez, Dwayne Hammond, Jack Shively.

NOES:

ABSENT: Guadalupe Gomez.

ABSTAIN:

Meeting went into recess from 7:48 to 7:53pm.

8. BUSINESS ITEM:

A. Nomination of Planning Commission Chair and Vice-Chair

Planning Manager Phung, introduced the item to the Commission.

Chair Shively, asked Staff if the Planning Commission nomination can continue or if Commissioner Gomez needs to be present.

Staff stated the item can be continued to the next meeting on August 18th.

The Commission came to a consensus to continue this item to the next Planning Commission meeting.

The Chair called for a motion.



M/S/C: Moved by Elizabeth Jimenez, seconded by Dwayne Hammond to Continue A.  
Nomination of Planning Commission Chair and Vice-Chair

AYES: Isaac Lopez, Elizabeth Jimenez, Dwayne Hammond, Jack Shively.

NOES:

ABSENT: Guadalupe Gomez.

ABSTAIN:

B. Nomination of Two Planning Commissioners for the AD HOC Committee

The Commission came to a consensus to continue this item until the next Planning Commission meeting on August 18th.

The Chair called for a motion.

M/S/C: Moved by Dwayne Hammond, seconded by Isaac Lopez to Continue B.  
Nomination of Two Planning Commissioners for the AD HOC Committee

AYES: Isaac Lopez, Elizabeth Jimenez, Dwayne Hammond, Jack Shively.

NOES:

ABSENT: Guadalupe Gomez.

ABSTAIN:

9. PUBLIC COMMENTS: Anyone who wishes to address the Planning Commission regarding items not on the agenda may do so at this time. Please walk up to the podium and wait for the Chairperson to recognize you. Please speak clearly, give your name, spell your last name, and address for accurate recording in the minutes. Each speaker will be given three (3) minutes to address the Planning Commission.

10. COMMISSION MEMBERS ANNOUNCEMENTS OR REPORTS:

Commissioner Jimenez, commented on the development on the City, the friendliness of Chick-fil-A employees, and returning to teaching.

Commissioner Lopez, provided his well wished for kids returning to school and noted his brother is returning to school for his senior year.

Vice Chair Hammond, noted his approval for the Goetz Rd improvements, the Morgan Park Phase 2 grand opening, and appreciated Staff and the Commission for raising the bar for projects in the City.

Chair Shively, commented on the Green Valley park grand opening.

11. DIRECTOR OF DEVELOPMENT SERVICES REPORTS AND/OR INFORMATION:

Planning Manager Phung, commented on outgoing Commissioner Alfonso Hernandez being present at the next meeting for service recognition, signing up for Ethics and harassment training, scheduling the high density development tour, and the next Planning Commission meeting being August 18th.

12. ADJOURNMENT COVID-19 REMOTE PUBLIC COMMENT/CITIZEN PARTICIPATION  
With the intent of adhering to the new community guidelines from the Center for Disease Control, the City of Perris will allow for remote public comment and participation at the

upcoming Planning Commission meeting via Zoom. Public Comment is limited to three (3) minutes.

The Chair called for a motion.

M/S/C: Moved by Dwayne Hammond, seconded by Isaac Lopez to Approve 12.

ADJOURNMENT COVID-19 REMOTE PUBLIC COMMENT/CITIZEN PARTICIPATION

With the intent of adhering to the new community guidelines from the Center for Disease Control, the City of Perris will allow for remote public comment and participation at the upcoming Planning Commission meeting via Zoom. Public Comment is limited to three (3) minutes.

AYES: Isaac Lopez, Elizabeth Jimenez, Dwayne Hammond, Jack Shively.

NOES:

ABSENT: Guadalupe Gomez.

ABSTAIN:

# **Planning Commission Agenda**

**CITY OF PERRIS  
August 18, 2021**

# Item

# 7A

**Development Plan Review (DPR) 20-00013 and  
Tentative Parcel Map 21-05153 (TPM 37967)**



# CITY OF PERRIS

## PLANNING COMMISSION AGENDA SUBMITTAL

**MEETING DATE:**

August 18, 2021

**SUBJECT:**

**Development Plan Review (DPR) 20-00013 and Tentative Parcel Map 21-05153 (TPM 37967)** – A proposal to consolidate four existing parcels into three lots to facilitate the construction and operation of three non-refrigerated industrial/warehouse buildings totaling approximately 283,179 square feet (SF), on 15.6 acres located at the southwest corner of Perris Boulevard and Morgan Street in the Light Industrial zone of the Perris Valley Commerce Center Specific Plan (PVCCSP). **Applicant:** Kevin Rice, Patriot Development Partners.

**REQUESTED ACTION:**

**ADOPT Resolution No. 21-17** adopting Mitigated Negative Declaration 2360 and approving Development Plan Review 20-00013 and Tentative Parcel Map (TPM 37967) to consolidate four existing parcels into three lots to facilitate the development of three non-refrigerated industrial/warehouse buildings totaling approximately 283,179 square feet on a 15.6-acre site located at the southwest corner of Perris Boulevard and Morgan Street, based on the findings and subject to Conditions of Approval.

**CONTACT:**

Candida Neal, Interim Development Services Director

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**PROJECT DESCRIPTION AND BACKGROUND:**

Patriot Development Partners (Applicant) is requesting a Development Plan Review (DPR) and Tentative Parcel Map (TPM 37967) to consolidate four existing parcels into three lots to facilitate the construction of three non-refrigerated industrial/warehouse buildings. The project site is an irregularly shaped upside-down L configuration, surrounded by existing industrial development consisting of four existing parcels totaling approximately 15.6 acres. Building 1, the largest building, will be situated along the south side of Morgan Street, with the truck court facing the adjacent industrial development to the south of the project site. Building 2 will be located at the southwest corner of Perris Boulevard and Morgan Street. Building will be situated along the west side of Perris Boulevard. The truck courts for Buildings 2 and 3 will be located between the two buildings with frontage on Perris Boulevard.

The project site is currently under a California Land Conservation Act contract (Williamson Act contract), and applications have been submitted to the City and are in the process of non-renewal and removal from the contract as the site is no longer used or viable for agricultural uses and is mapped by the Department of Conservation as Urban and Built-Up Land (DOC 2016). Removal of the land from the Williamson Act contract involves a two-step process that includes a Partial Tentative Cancellation action followed by Partial Final Cancellation action, which will be

accomplished by the City Council as separate actions. A condition of approval has been added to require removal of the land from the Williamson Act Contract prior to grading permit issuance.

**ANALYSIS:**

***Zoning and Specific Plan Consistency***

The existing site is currently vacant and located in the Perris Valley Commerce Center Specific Plan (PVCCSP). The is located within the Light Industrial (LI) zoning district of the PVCCSP. The LI zone allows for light industrial uses and related activities, including manufacturing, research, warehouse and distribution, assembly of non-hazardous materials, and retail related to manufacturing. The proposed project is consistent with this designation as it proposes a warehouse which is characterized as a light industrial use.

The site is surrounded by the following zoning and land uses as outlined below:

Surrounding Zoning:

North: Light Industrial (LI)  
 South: Light Industrial (LI)  
 West: Light Industrial (LI)  
 East: Light Industrial (LI)

Surrounding Land Uses:

North: Warehouse  
 South: Warehouse  
 West: Warehouse  
 East: Vehicle services and installation facilities, and storage facilities

***Perris Valley Commerce Center Specific Plan Development Standards***

The proposed project lot coverage, floor area ratio (FAR), structure height, and setbacks comply with the Light Industrial (LI) zoning standards of the Perris Valley Commerce Center Specific Plan. See the table below for development compliance.

| <b>TABLE 1: DEVELOPMENT STANDARD SUMMARY (PVCCSP)</b>                                 |   |                         |                 |
|---|---|-------------------------|-----------------|
| <b>PVCCSP (LI) Development Standards</b>  | <b>Required</b>   | <b>Provided</b>         | <b>Complies</b> |
| <b>Min. Lot Size</b>  | 15,000 SF   | Building 1 - 144,705 SF | <b>Yes</b>      |
|   |   | Building 2 - 63,847 SF  | <b>Yes</b>      |
|   |   | Building 3 - 74,600 SF  | <b>Yes</b>      |
| <b>Lot Coverage</b>   | 50% max   | 41%                     | <b>Yes</b>      |
| <b>Floor Area Ratio (FAR)</b>   | .75 max   | 0.447                   | <b>Yes</b>      |
| <b>Structure Height</b>   | 50' max   | 40'                     | <b>Yes</b>      |
| <b>Front Setback (Arterial)<br/>Taken from Morgan Street and<br/>Perris Boulevard</b> | 25'<br>(15'+5' per 10' of structure<br>height over 20') | All buildings - 25'     | <b>Yes</b>      |
| <b>Street Side Setback (Local) Taken<br/>from Sinclair Street</b>                     | 15'<br>(10'+5' per 10' of structure<br>height over 20') | Building 3 - 173'+      | <b>Yes</b>      |
| <b>Side Yard (non-residential)</b>  | 0'  | Buildings 1 & 2 - 42'+  | <b>Yes</b>      |
|   |   | Building 3 - 40'+       | <b>Yes</b>      |
| <b>Rear Setback<br/>(loading/unloading activities)</b>                                | 0'  | Building 1 - 135'       | <b>Yes</b>      |
| <b>Landscape Coverage</b>   | 12%   | 16%                     | <b>Yes</b>      |

**Access & Circulation**

The narrow, L-shape site constrains development. Separating truck and passenger vehicle circulation presented challenges to the project design. Future medians on Perris and Morgan will limit access to right-in, and right-out only. Truck access is prohibited on Perris Boulevard and is provided for all three buildings from two driveways along Morgan Street, on either side of Building 1. The primary truck access driveway is situated between Buildings 1 and 2 and will be constructed to a width of 50-feet and the secondary truck access, located on the west side of Building 1 will be constructed to a width of 40-feet. Two auto only access drives will be constructed along Perris Boulevard, located between Buildings 2 and 3 and on the south side of Building 3, and will be constructed to a width of 28-feet to accommodate for only emergency fire access and auto vehicles. Due to the site configuration constraints, passenger vehicles will also have access through the truck access drives along Morgan.

To minimize auto and truck conflicts, auto parking is located adjacent to the building to greatest extent possible so employees can walk adjacent to the building and avoid crossing the truck aisle. Also, the area where there is auto parking across a truck aisle, a condition has been put in place for a walkway adjacent to the park stall so there is a control point for employees to walk along with signage to direct them to a lighted crosswalk for pedestrian safety (e.g., lighted signage, striping, and marking) to be approved by the City Engineer where any comingling of truck access and passenger vehicle parking exists. Also, since the site exceeds the auto parking requirements by twenty-nine spaces, all the 16 employee parking spaces in the Building 2 and 3 truck courts will be eliminated. In addition, the two parking spaces at the northeast corner of the driveway leading into the truck court for Building 3 will be eliminated.

**Parking**

The Parking and Loading Standards of the P.M.C. Section 19.69 applies to Project and requires that all industrial developments provide off-street parking. The parking requirement calculation is derived by applying the ratio for warehousing. Table 2 below provides a summary of the type and the required number of parking stalls by use compared to the number of stalls provided.

| <b>Table 2. PARKING REQUIREMENTS FOR WAREHOUSE (Per Section 19.69 of the PMC)</b> |                   |   |                        |                        |                           |                 |
|---|-------------------|---|------------------------|------------------------|---------------------------|-----------------|
|   | <b>Size</b>       | <b>City Ratio</b>   | <b>Spaces Required</b> | <b>Proposed Spaces</b> | <b>Recommended Spaces</b> | <b>Complies</b> |
| <b>Building 1</b>   | <b>144,705 SF</b> | 1:1,000 1 <sup>st</sup> 20,000 SF<br>1: 2,000 2 <sup>nd</sup> 20,000 SF | <b>83</b>              | <b>104</b>             | <b>104</b>                | <b>Yes</b>      |
| <b>Building 2</b>   | <b>63,874 SF</b>  | 1:1,000 1 <sup>st</sup> 20,000 SF<br>1: 2,000 2 <sup>nd</sup> 20,000 SF | <b>43</b>              | <b>39</b>              | <b>34</b>                 | <b>Yes</b>      |
| <b>Building 3</b>   | <b>74,600 SF</b>  | 1:1,000 1 <sup>st</sup> 20,000 SF<br>1: 2,000 2 <sup>nd</sup> 20,000 SF | <b>48</b>              | <b>60</b>              | <b>48</b>                 | <b>Yes</b>      |
| <b>Total Project Site</b>   | <b>283,179 SF</b> |   | <b>174</b>             | <b>203</b>             | <b>186</b>                | <b>Yes</b>      |

Table 2 shows that, the parking proposed by the applicant is short four spaces for Building 2, even though the overall parking exceeds the parking requirements. With the reduction in parking recommended by staff, Building 2 will be nine spaces short. Since the total project has twelve more spaces than required by code, there will be ample parking for the project. To ensure that the parking is accessible to Building 2, a condition of approval will require reciprocal access to all

driveway aisles and parking. The project is also providing four (4) bike parking spaces exceeding the three required for the site.

### ***Employee Amenity Area***

Buildings over 100,000 square feet must have at least one (1) indoor employee amenity and two (2) outdoor employee amenities. As Building 1 is over 100,000, it is required to have necessary amenities. To comply with this requirement staff is conditioning the outdoor amenities to be provided at the potential office area for Building 1, along with an outdoor break area with a trellis cover seating if office areas are proposed at either of the two entrances. Also, an indoor recreation amenity will be required in the building prior to issuance of an occupancy permit that could consist of lounge area, game room or etc.

### ***Landscaping***

The applicant has submitted a conceptual landscape plan that conforms to the requirements of the Landscaping Ordinance. The proposed on-site landscaping area totals approximately 88,000 square feet or 16%, exceeding the minimum requirement of 12% on-site landscaping. Landscaping has been provided along the project perimeters and throughout the parking areas, adjacent to buildings, and trash enclosures, and all parking rows are framed by end planters, and additional landscape islands are provided for approximately every 10 ten parking spaces.

### ***Fencing and Lighting***

The truck courts will be framed by 14-foot concrete screen walls to screen truck loading activities from the public right-of-way. The western and southern property boundaries will be separated from adjacent uses by 8-foot high wrought iron fencing.

The project will include lighting within the parking areas, loading docks, along walkways, along the public right-of-way, and on all three buildings. The lighting will consist of energy efficient building wall-mounted and pole-mounted lighting consistent with Section 19.02.110 of the City of Perris Municipal Code, and designed to provide adequate lighting for security, (1) foot-candle of illumination, pursuant to the requirements of the PVCCSP. All lighting, including security lighting will be shielded and directed away from the public right-of-way and adjacent properties.

### ***Building Elevations/Architecture***

The building architecture provides substantial façade articulation through accented materials and features, projections and recessed elements. Accents include significant use of blue reflective glazing at the street-fronting main entrances to the building and on the clerestory windows used throughout, along with concrete accent panels painted in various shades of grey and black, and wood textured and colored tiles set against primarily white concrete walls.

## **ENVIRONMENTAL CONSIDERATIONS AND CEQA PROCESS**

The potential impacts associated with the project were evaluated in Draft Initial Study Mitigated Negative Declaration (MND) No. 2360, which was prepared with a Mitigation Monitoring and Reporting Program and circulated for a 30-day period to the State Clearinghouse, Responsible Agencies, and interested parties for review and comment, pursuant to §15703 (a) of CEQA.

Comments were received by the Riverside County Flood Control and Water Conservation District (RCFC) dated June 25, 2021, Metropolitan Water District of Southern California (MWD) dated July 6, 2021, March Joint Powers Authority (MJPA) dated June 9, 2021, Rincon Band of Luiseno Indians dated June 21, 2021, Golden State Environmental Justice Alliance (GSEJA) dated July 7, 2021, Southwest Regional Council of Carpenters (SWRCC) July 7, 2021, and Agua Caliente Band of Cahuilla Indians dated July 19, 2021.

The City prepared a Response to Comments to address the comment letters received and included the comment letters and City responses in the Final IS/MND draft, available at the following webpage: <https://www.cityofperris.org/home/showpublisheddocument/14332>. All written comments have been made a part of the public record. The textual changes made to the Final IS/MND did not constitute a “substantial revision” as defined by CEQA; therefore, recirculation of the IS/MND was not required. All potential effects of the proposed project have been reduced to less than significant levels with the implementation of mitigation measures. Therefore, a final Mitigated Negative Declaration (No. 2360) has been prepared.

### **AIRPORT LAND USE COMMISSION**

The proposed project is located approximately 1.7 miles south of the March Air Reserve Base (MARB) and is subject to the MARB/Inland Port Airport Land Use Compatibility Plan (MARB/IPA LUCP, 2014). The project is located within the MARB/IPA LUCP Compatibility Zone B1-APZ II, encompassed by areas of high noise (levels in excess of 65dB CNEL). Additionally, APZ II has a limit of 50 people per acre. The project is an allowed use in the adopted MARB ALUC and is designed and conditioned to meet the 2014 MARB/Inland Port Airport Compatibility Plan to minimize impacts to employees within the subject area. There was no requirement to forward the project to the Airport Land Use Commission (ALUC) for a consistency determination as no legislative action is included in the project proposal. The PVCCSP requires this project to comply with various mitigation measures relating to the Compatibility Zone B1-APZ II, Avigation Easement, noise, land use and density limitations, property disclosures, lighting, development restrictions, all of which have been incorporated as conditions of project approval.

### **AGRICULTURAL PRESERVE PARTIAL TENTATIVE CANCELLATION:**

The entirety of the 15.6-acre project site is located within a larger area known as Perris Agricultural Preserve No. 1, Map 56, which is an existing land conservation contract, recorded as Instrument No. 19066, February 27, 1970, in Riverside County. Before the project can be developed as proposed, the applicant was required to petition the City to remove the 15.6-acres within the Land Development Contract. The process to remove a portion of land within a land conservation contract known as a Partial Cancellation and involves a two-step process consisting of a Partial Tentative Cancellation action, followed by a Partial Final Cancellation by the Council. The Partial Tentative Cancellation process is currently underway and will involve separate City Council actions.

### **RECOMMENDATION:**

**ADOPT Resolution No. 21-17** adopting Mitigated Negative Declaration 2360 and approving Development Plan Review 20-00013, and Tentative Parcel Map (37967) to facilitate the development of three non-refrigerated industrial/warehouse building totaling approximately



283,179 square feet on a 15.6-acre site located at the southwest corner of Perris Boulevard and Morgan Street, based on the findings and subject to Conditions of Approval.

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**BUDGET (or FISCAL) IMPACT:**

All costs associated with the project are borne by the applicant.

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Prepared by: Chantal Power, AICP, Contract Planner  
REVIEWED BY: Kenneth Phung, Planning Manager

**Attachments:**

Exhibit A – Resolution with Conditions of Approval (Planning, Engineering, Public Works, Community Services, Building, and MMRP)  
Exhibit B – Aerial Map  
Exhibit C – PVCCSP Land Use Plan  
Exhibit D – MARB Zone  
Exhibit E – Site Plan, Landscape, Architecture  
Exhibit F - Response to Comments available online at:

<https://www.cityofperris.org/home/showpublisheddocument/14332>

Exhibit G – MND, MMRP, Initial Study - MND 2360, Initial Study and Associated Studies are on File at the Planning Department and available online at:

<https://www.cityofperris.org/departments/development-services/planning/environmental-documents-for-public-review/-folder-276>

## EXHIBIT A

Reso 21-17 with Conditions of Approval  
(Planning, Engineering, Public Works,  
Community Services, Building, and MMRP)

**RESOLUTION NUMBER NO. 21-17**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PERRIS , COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ADOPTING MITIGATED NEGATIVE DECLARATION NUMBER 2360 AND APPROVING DEVELOPMENT PLAN REVIEW 20-00013 AND TENTATIVE PARCEL MAP (TPM 37967), TO CONSOLIDATE FOUR EXISTING PARCELS INTO THREE PARCELS TO FACILITATE THE DEVELOPMENT OF THREE NON-REFRIGERATED INDUSTRIAL/WAREHOUSE BUILDINGS EQUALING APPROXIMATELY 283,179 SQ. FT., ALONG WITH REQUIRED IMPROVEMENTS ON A 15.6-ACRE SITE LOCATED AT THE SOUTHWEST CORNER OF PERRIS BOULEVARD AND MORGAN STREET SUBJECT TO CONDITIONS OF APPROVAL AND THE FINDINGS NOTED HEREIN.**

**WHEREAS**, the applicant, Kevin Rice with Patriot Development Partners, proposes to consolidate four existing parcels into three parcels and construct three non-refrigerated industrial/warehouse buildings along with the required improvements on a 15.6-acre site located at the southwest corner of Perris Boulevard and Morgan Street; and

**WHEREAS**, a Development Plan Review (DPR 20-00013) and Tentative Parcel Map (TPM 37967) applications were submitted for consideration of architectural design and site layout and operations; and

**WHEREAS**, proposed Development Plan Review 20-00013 and Tentative Parcel Map 37967 are considered a “Project” as defined by the California Environmental Quality Act (“CEQA”); and

**WHEREAS**, the applicant filed a petition for a Partial Tentative Cancellation of the Perris Agricultural Preserve No. 1, Map 56 Williamson Act (the “Land Contract”) to remove approximately 15.6 acres (the “Project site”) out of the Land Contract and such petition includes a proposal for a specified alternative use of the land consistent with Government Code §51282(e) and the City of Perris Municipal Code §19.74.040(B)(1) (the “petition”), which will be accomplished by separate City Council action and made a condition of project approval; and

**WHEREAS**, an Initial Study and Mitigated Negative Declaration #2360 was prepared for the above-mentioned application and petition, which includes Development Plan Review 20-00013 and Tentative Parcel Map 37967 (the “Project”) and was publicly reviewed for a thirty (30) day period in accordance with CEQA, from June 9, 2021, to July 8, 2021; and

**WHEREAS**, the Project is located within the Airport Overlay Zone (AOZ) of the 2014 March Air Reserve Base/Inland Port Airport Lands Use Compatibility Plan which the site is within Airport Overlay Zone B1-APZ II (Inner Approach/Departure Zone), which restricts non-residential uses to 50 people per average acre and 100 people per a single acre.; and

**WHEREAS**, staff determined that the Project is consistent with the 2014 March Air Reserve Base/Inland Port Airport Lands Use Compatibility Plan (MARB ALUCP), and therefore does not require ALUC (Airport Land Use Commission) review; and

**WHEREAS**, a duly noticed public hearing was held on August 18, 2021, at which time all interested persons were given full opportunity to be heard and to present evidence; and

**WHEREAS**, prior to taking action, the Planning Commission 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 by members of the public and City staff during all Project meetings and hearings; and

**WHEREAS**, all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF PERRIS** does resolve as follows:

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

**Section 2.** Based on the forgoing, the information contained in the staff report and supporting exhibits and all oral and written presentations, testimony made by City staff and members of the public presented at the public hearing on August 18, 2021, the Initial Study prepared for the Project (including all comments received), substantial evidence in light of the whole record, and in accordance with the City of Perris (“City”) guidelines for implementing the CEQA, the Planning Commission hereby determines pursuant to Section 15074 of the CEQA Guidelines that all potential significant effects on the environment can be reduced to a less than significant level through mitigation measures; the design of the development; the City’s zoning code; and standard requirements of the City, state and federal regulatory agencies; therefore a Mitigated Negative Declaration (2360) has been prepared, with findings that:

- A. No significant environmental effects would occur and there is no substantial evidence, in light of the whole record, that the Project may have a significant effect on the environment, and a Mitigated Negative Declaration (2360) has been prepared.
- B. The City has complied with the California Environmental Quality Act (CEQA).
- C. Determinations of the Planning Commission reflect the independent judgment of the City.

**Section 3.** Based on the forgoing, the information contained on the staff report and supporting exhibits and all oral and written presentations and testimony made by City staff and members of the public presented at the public hearing on August 18, 2021, the Planning Commission hereby finds the following:

**Development Plan Review 20-00013**

- A. *The location, size, design, density and intensity of the proposed development and improvements are consistent with the City's General Plan, any applicable Specific Plans, the purposes and provisions of this Title, the purposes of the Zone in which the site is located, and the development policies and standards of the City.*

The Project proposes three industrial/warehouse buildings within the Light Industrial (LI) zone of the Perris Valley Commerce Center Specific Plan (the "PVCCSP") which allows for light industrial uses such as warehouses. Therefore, the Project meets or exceeds all applicable development standards, General Plan policies and Specific Plan requirements.

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

The subject site is an irregular shape, but proposes to create three parcels, one for each of the proposed non-refrigerated industrial/warehouse buildings that meet or exceed all applicable standards parcel shape, and size, and is situated in an urbanized area with access to the full range of required utilities and services. The PVCCSP requires a minimum lot width of 75' and minimum lot depth of 100'. Each of the proposed parcels meets the lot width and depth requirements as follows: Parcel 1 proposes a lot depth of 322' and lot width of 1,028.45'; Parcel 2 proposes a lot depth of 265.68' and a lot width of 434.04'; Parcel 3 proposes a lot depth of 265.68' and a lot depth of 743.11'. Therefore, the subject site is physically suitable for the type of development proposed.

- C. *The proposed development and the conditions under which it would be operated or maintained is compatible with abutting properties and will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.*

As conditioned, the proposed Project will not be detrimental to the public health, safety or welfare, or injurious to property and improvements in the vicinity or to the general welfare of the City. The Project is surrounded by similar uses and facilities and has been designed and conditioned to protect the public health, safety and welfare and other properties in the vicinity. Additionally, an Initial Study and Mitigated Negative Declaration was prepared for the Project and reduced any potential impacts of the development to a less than significant level.

The Project site is located approximately 1.75 miles southeast of the March Air Reserve Base/Inland Port Airport and is subject to its Airport Land Use Compatibility Plan (ALUCP). The Project site is within Zone B1 – APZ II (Inner Approach/Departure Zone), within which industrial uses of this type are not prohibited or discouraged due to safety risks.

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

As conditioned, the proposed architecture meets or exceeds the design standards for the PVCCSP Light Industrial (LI) Zone. The Project proposes an architecturally enhanced building with varying roofline heights, steel canopy awnings, glazed glass building elements at the main street facing entrances to the buildings. Finishes on the exterior of the building include vintage wood cement board siding, concrete panels painted in various shades of grey and black, set against white concrete walls.

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

Good quality landscaping is provided throughout the site, including street trees along Perris Boulevard and Morgan Street. Multi-layered, drought-tolerant landscaping including flowering trees and shrubs will be provided in large landscape areas along and within the setback areas of the site. Approximately 16% of the Project site will be landscaped which exceeds the 12% coverage required in the PVCCSP.

- F. The safeguards necessary to protect the public health, safety and general welfare have been required for the proposed project.*

The Project has been conditioned to protect the public health, safety and general welfare and an Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program has been prepared for the purpose of mitigating any potential impacts of the Project to a level that is less than significant.

### **Tentative Parcel Map 37967**

- A. The proposed map is consistent with applicable General Plan and Specific Plans.*

The proposed Tentative Parcel Map (TPM) has been reviewed by the City Engineer and Planning Department to ensure compliance with the City codes and all other applicable regulations. The Project site has a General Plan land use designation of Specific Plan (Perris Valley Commerce Center Specific Plan) and is zoned as SP with an underlying Light Industrial (LI) zoning classification. The proposed warehouse is permitted in the "LI" zone within the PVCCSP. No General Plan or Specific Plan Amendments are proposed in connection to the Project and the request to consolidate the four existing parcels into three parcels to facilitate the construction of three non-refrigerated industrial/warehouse buildings is consistent with the permitted uses and all applicable policies and requirements of the General Plan and the PVCCSP.

- B. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.*

The site is located in General Plan Planning Area 3: Agricultural Conversion Area, which identifies this area as historically used for agricultural purposes but notes that the proximity to the I-215 corridor suggests that conversion from agriculture to commercial and industrial uses could enhance the City's economy. The site is also surrounded by

industrial and commercial developments and located in the Light Industrial “LI” zone of the PVCCSP, which allows for light industrial warehouse development. As noted above, no General Plan or Specific Plan Amendments are proposed in connection to the project as the proposal is consistent with the General Plan vision for Planning Area 3, and the allowable uses within the PVCCSP LI zone.

*C. That the site is physically suitable for the type of the proposed development.*

The 15.6-acre site is a relatively flat, parcel with frontages along Morgan Street and Perris Boulevard. Though the overall Project site is irregularly shaped, the consolidation of the four existing parcels into three parcels will create individual parcels for each of the three proposed industrial/warehouse buildings that are less irregular and meet the lot dimension requirements of the PVCCSP. As such, the proposed Project type is physically suitable for the site.

*D. That the site is physically suitable for the density of the proposed development.*

Both collectively as a whole project, and individually for each proposed parcel and the associated building, the project meets allowable lot coverage and F.A.R. requirements. As an overall project, the total lot coverage is 41.68%, where 50% lot covered is permitted, and a total F.A.R. of .45, where .75 is permitted. Building 1 which will be sited on Parcel 1 proposes a lot coverage of 48.46% and a F.A.R. of .50. Building 2 which will be sited on Parcel 2 proposes a lot coverage of 41.68% and a F.A.R. of .43. Building 3 which will be sited on Parcel 3 proposes a lot coverage of 36.69% and a F.A.R. of .38. Morgan Street is a designated truck route that funnels truck traffic to I-215 via Indian Avenue, Redlands Avenue, and Harley Know Boulevard. Utilities exist within the adjacent streets and can be logically extended. On-site storm drain facilities will be constructed as part of the Project to collect off- and on-site flows and direct them into the master storm drain facilities serving the area. As such, the proposed Project density is physically suitable for the site.

*E. That the design of the map or the type of improvements will not cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.*

Pursuant to the California Environmental Quality Act and the Guidelines for Implementation of the California Environmental Quality Act, a Mitigated Negative Declaration (MND) #2360 was prepared for the Project that determined that less than significant impacts to wildlife and their habitat would occur as a result of the Project with implementation of the required mitigation measures. The site is vacant and located in an urban setting, surrounded by a mix of industrial and commercial uses. The Mitigation Monitoring and Reporting Program is attached to the MND #2360 and was publicly reviewed for a 30-day period, extending from June 9, 2021, to July 8, 2021, as required. Comments were received from various agencies and the MND #2360 was revised, accordingly. The MND #2360 is available at the City of Perris Development Services Department and posted on the City website.

- F. That the design of the map or the type of improvements will not cause serious public health problems.*

The TPM includes all the necessary roadway, sanitary sewer, water and drainage infrastructure easements and dedications to facilitate development that will not cause serious public health issues in the immediate vicinity of the Project. The Project MND #2360 determined that less than significant public health impacts would occur as a result of the Project, and mitigation measures will ensure short-term construction impacts are mitigated to an insignificant level.

- G. The design of the subdivision of the type of improvements will not conflict with easements of record or easements established by court judgment, acquired by public at large, for access through or use of property within the proposed subdivision. In this connection the planning director may recommend approval of a map if he/she finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to the ones previously acquired by the public.*

The Project, as conditioned, will not conflict with easements of any kind that provide access through or use of the property. Parcels are being consolidated to create three parcels, where four currently exist for the purpose of creating independent parcels for each of the three proposed non-refrigerated industrial/warehouse buildings. The three development parcels are fully accessible from public streets. The project, as conditioned, shall provide interior access easements for interior parcels. Utility easements through the site are being retained.

- H. All requirements of CEQA have been met.*

As noted in Section 2, the project has complied with the requirements of CEQA and has mitigated any potential significant effects of the proposal to a level that is less than significant.

- I. That the discharge of waste from the proposed subdivision into an existing community sewer system would not result in violation of existing requirements prescribed by a state regional water quality control board pursuant to division 7 (commencing with section 13000) of the Water Code.*

The project area is located within the Santa Ana Regional Water Quality Control Board (RWQCB District 8) jurisdiction. Prior to grading permit issuance for the Project a Notice of Intent shall be filed with District 8 for coverage under the State National Pollutant discharge Elimination System (NPDES) General Construction Permit for discharge of storm water associated with construction. The Project is also required to prepare and provide a Storm Water Pollution Prevention Plan (SWPPP) and Project-specific Water Quality Management Plans (WQMPs), which comply with the City of Perris Water Quality Ordinance 1194, which revised Chapter 14.22 of the City of Perris



Municipal Code. These will assure that all surface and storm water run-off does not violate RWQCB District 8 requirements.

In addition, the Project will not discharge waste into an existing sewer system that would result in a violation. Eastern Municipal Water District (EMWD) is responsible for wastewater collection and treatment in Perris. The project is conditioned to collect and convey all 100-year tributary and onsite runoff to Line G in Sinclair Street. The Perris Valley Regional Water Reclamation Facility (PVRWRF) will serve this site. The PVRWRF has adequate current and future capacity to serve the Project and therefore is not at risk of resulting in a water quality violation.

**Section 4.** Based on the forgoing, 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 presented at the public hearing on August 18, 2021, the Planning Commission adopts Mitigated Negative Declaration 2360 and mitigation measures.

**Section 5.** Based on the forgoing, the information contained on the staff report and supporting exhibits and all oral and written presentations and testimony made by City staff and members of the public presented at the public hearing on August 18, 2021, the Planning Commission hereby approves Development Plan Review 20-00013 for the Project subject to the Conditions of Approval attached to this Resolution.

**Section 6.** 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 7.** The Chairperson shall sign, and the Secretary shall certify to the passage and adoption of this Resolution.

**ADOPTED, SIGNED and APPROVED** this 18<sup>th</sup> day of August 2021.

\_\_\_\_\_  
CHAIRPERSON, PLANNING COMMISSION

ATTEST:

\_\_\_\_\_  
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 21-17 was duly adopted by the Planning Commission of the City of Perris at a regular meeting of said Planning Commission on the 18<sup>th</sup> day of August 2021, and that it was so adopted by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Secretary, Planning Commission

**Attachments:** Conditions of Approval (Planning, Engineering, Public Works, Community Services, Building and the Mitigation Monitoring and Reporting Program)

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

**CONDITIONS OF APPROVAL**

**Development Plan Review 20-00013**

**August 18, 2021**

**PROJECT:** Proposal to consolidate four existing parcels into three parcels to facilitate the construction and operation of three non-refrigerated industrial/warehouses along with required improvements on a 15.6-acre site on the southwest corner of Perris Boulevard and Morgan Street.

**Applicant:** Patriot Development Partners, Kevin Rice

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**General Requirements:**

1. **Approval Period for Development Plan Review 20-00013.** In accordance with P.M.C. Section 19.50.080, Expiration and Extension of Time, this approval shall expire three (3) years from the date of Planning Commission approval. Within three years, the applicant shall demonstrate the beginning of substantial construction as contemplated by this approval, which shall thereafter be diligently pursued to completion, or substantial utilization. A maximum of three (3) one-year extensions may be requested. A written request for extension shall be submitted to the Planning Division at least ten (10) days prior to the initial (and any subsequent extension) expiration of the Development Plan Review.
2. **Approval Period for Tentative Parcel Map (TPM 37967).** In accordance with the Subdivision Map Act, the recordation of the final map shall occur within two (2) years from the City Council approval, unless an automatic extension is granted by the State of California. The applicant may apply for a maximum of five (5) one-year extensions to permit additional time to record the final map. A written request for an extension shall be submitted to the Planning Division at least thirty (30) days prior to the initial (and subsequent extensions) expiration of Tentative Parcel Map approval.
3. **Mitigation Monitoring Program.** The project shall fully comply with all provisions of the adopted Mitigation Monitoring and Reporting Program (MMRP) for Mitigated Negative Declaration 2360 (MND 2360). The MMRP Checklist is attached to reduce potential traffic, biological resources, cultural, geology/soils, and hydrology impacts, and shall be implemented in accordance with the timeline, reporting and monitoring intervals listed.
4. **City Ordinances and Business License.** The subject business shall maintain compliance with all local and City Ordinances, including but not limited to an annual fire inspection and maintenance of a City business license.
5. **Specific Plan Compliance.** The project shall conform to the Light Industrial (LI) zone standards of the Perris Valley Commerce Center Specific Plan (PVCCSP).
6. **Internal Property Reciprocal Access and Parking.** The property owner/developer shall provide for reciprocal access easements for ingress, egress, and parking for the three proposed parcels, including a reciprocal access easement that provides internal circulation access through the property from Parcel 2 which will serve as the primary truck access for all three

parcels.

7. **Conformance to Approved Plans.** Development of the project site, building elevations, and conceptual landscaping shall conform substantially to the approved set of plans presented at the August 18, 2021, Planning Commission meeting, or as amended by these conditions. Any deviation shall require appropriate Planning Division review and approval.
8. **Term of Approval.** This approval shall be used within three (3) years of approval date; otherwise it becomes null and void. By use is meant the beginning of substantial construction pursuant to this approval within the three (3) year period which is thereafter diligently pursued to completion, or the beginning of substantial utilization contemplated by this approval. A maximum of three (3) one-year time extensions shall be permitted.
9. **Building Official/Fire Marshal.** The proposed project shall adhere to all requirements of the Building Official/Fire Marshal. The applicant shall submit a fire access and fire underground plan prior to construction drawings. 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. All Planning Division and Engineering Department Conditions of Approval shall be reproduced in full on construction drawings and grading plans, located immediately following the cover sheet of such plans. The applicant shall annotate each Condition on the construction plans to indicate the manner by which each condition has been satisfied (i.e., sheet and detail numbers).
10. **City Engineer's Conditions.** The project shall comply with all requirements of the City Engineer's Conditions of Approval dated July 28, 2021.
11. **Fire Department Conditions.** The project shall comply with all Conditions of Approval by the Fire Department dated January 25, 2021, consisting of the following requirements.
  - a. Evidence of sufficient fire flow of 4,000 GPM for 4 hours shall be provided. The City of Perris Building and Fire Marshal Water Available/Fire Flow Form shall be utilized. See attached Form. Complete Section A, then contact Eastern Municipal Water District for Section C information.
  - b. Provide a detailed fire department access plan that shows compliance with CFC § 503 and the City of Perris Guideline for Fire Department Access & Water Requirements for Commercial & Residential Development. The Guideline can be obtained: <https://www.cityofperris.org/home/showpublisheddocument?id=2405>.
  - c. On the site plan show the location of all existing and proposed fire hydrants.
12. **Public Works Conditions.** The project shall comply with all Conditions of Approval by the Public Works Department dated June 7, 2021.
13. **Community Services Conditions.** The project shall comply with all Conditions of Approval by Community Services dated August 11, 2021.

14. **ADA Compliance.** The project shall conform to all disabled access requirements in accordance with the State of California, Title 24, and Federal Americans with Disabilities Act (ADA).
15. **Building Conditions:** The project shall comply with all Conditions of Approval by the Building Department dated October 8, 2020.
16. **Southern California Edison.** The applicant shall contact the Southern California Edison (SCE) area service planner (951) 928-8323 to complete the required forms prior to commencement of construction.
17. **Exterior Downspouts.** Exterior downspouts are not permitted on the elevations of any building where exposed to public view. Interior downspouts are required.
18. **Screening of Roof-Mounted Equipment.** Parapet walls shall prevent public views of roof-mounted equipment.
19. **Utilities.** All utility facilities attached to buildings, including meters and utility boxes, shall be enclosed within cabinets, as appropriate, and/or painted to match the building to which they are affixed.
20. **Waste Hauling.** The developer shall use only the City-approved waste hauler for all construction and other waste disposal.
21. **Graffiti** located on site shall be removed within 48 hours. The site shall be maintained in a graffiti-free state at all times.
22. **Property Maintenance.** The project shall comply with provisions of Perris Municipal Code 7.06 regarding Landscape Maintenance, and Chapter 7.42 regarding Property Maintenance. In addition, the project shall comply with the one-year landscape maintenance schedule identified in Public Works Department Condition of Approval No. 5, dated June 7, 2021.
23. **Indemnification.** 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 DPR 20-00013 and TPM 37967. 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.
24. **Fish and Game Fee.** Within three (3) days of Planning Commission approval, the applicant shall submit a check to the City Planning Division, payable to "Riverside County Clerk-Recorder" for payment of State Fish and Game filing fees and the County documentary handling fee. In accordance with Section 711.4 of the State Fish and Game

Code, no project shall be operative, vested, or final until the filing fees have been paid.

25. **Preliminary Water Quality Management Plan (PWQMP).** A Preliminary WQMP was prepared for the proposed project site. All PWQMPs were determined to be in substantial compliance, in concept, with the Riverside County WQMP Manual requirements. Additional Engineering Department review is required to determine if the proposed retention basin is adequately sized to meet the minimum 100 year storm event volumes. The following two conditions apply:
- a. The development shall be subject to all provisions of City of Perris Ordinance Number 1194, which establishes stormwater/urban runoff management and discharge controls to improve water quality and comply with federal regulations, and any subsequent amendments, revisions, or ordinances pertaining thereto.
  - b. The structural BMPs selected for this project have been approved in concept. The owner shall submit a Final WQMP including plans and details providing the elevations, slopes, and other details for the proposed structural BMPs including the Retention Basin. The Public Work Department shall review and approve the Final WQMP text, plans and details.
26. **Construction Practices.** To reduce potential traffic, noise, and air quality impacts, the mitigation measures listed in the Mitigation Monitoring and Reporting Plan (MMRP) shall be listed and included with the "General Notes" on the construction drawings, and implemented in accordance with the timeline, reporting and monitoring intervals listed in the MMRP.

**Project-Specific Requirements:**

27. **Access.** Morgan Street driveways shall be limited to right-in, right-out only and be signed appropriately. Perris Boulevard driveways shall be limited to passenger vehicle access only and right-in, right-out only and shall be appropriately signed.
28. **Vehicle Parking Removal.** Since the site exceeds the vehicle parking requirements by twenty-nine spaces (i.e., 174 spaces required versus 203 spaces provided), all the employee parking in the truck court for buildings 2 and 4 will be conditioned to be eliminated, consisting of five spaces for building 2 and ten spaces for building 3. In addition, the two parking spaces at the northeast corner of the driveway leading into the truck court for building 3 will be eliminated.
29. **Landscaping and Pedestrian Access.** Pedestrian access shall be provided from all passenger vehicle parking areas in the form of sidewalks or pathways that are protected from vehicular and truck circulation. Any landscaping removed in order to incorporate pedestrian pathways shall be replaced to the greatest extent possible, maintain the minimum 12% landscaping requirement, by installing additional landscape fingers and/or triangles within the established parking areas.
30. **Outdoor Break Areas.** An outdoor break area should be provided at each office area location. It should include an eating area (tables and seating) covered by overhangs, patio covers, pergolas, etc. This area should be designed to create a sense of privacy and separation through

the use of enhanced landscaping and paving, as well as landscape screening/low garden walls or a combination thereof.

31. **Additional Amenities for Buildings Exceeding 100,00 Square Feet.** Building 1 shall require employee amenities such as, but not limited to cafeterias, exercise room, locker rooms and shower, walking trails and recreational facilities. Buildings 2 and 3 may share an additional amenity as described above.
32. **Screen Walls.** The colors and patterns shall complement the building materials and color palette of the buildings. The truck courts will be framed by 14-foot concrete screen walls to screen truck loading activities from the public right-of-way. The western and southern property boundaries will be separated from adjacent uses by 8-foot high wrought iron fencing.
33. **Partial Tentative and Partial Final Cancellation Process Completion.** Approval of this Project is conditioned upon the applicant completing the Partial Tentative and Partial Final Cancellation process through the City Council of the City of Perris, in accordance with Government Code § 51200 et seq, pursuant to the Williamson Act of 1965, and Perris Municipal Code Chapter 19.74, prior to grading permit issuance.
34. **Signs.** This approval does not include signs, which shall conform to the Perris Crossing Sign Program. Applicant shall apply for a separate sign permit and all signs shall be reviewed and approved by the Planning Division prior to the issuance of building permits.
35. **State, County and City Ordinances.** All tenants shall maintain in compliance with all State, County and City ordinances, including but not limited to an annual fire inspection and maintenance of a City business license.
36. **Location of Structures.** Locate all structures a maximum distance from the extended runway centerline.
37. **Prohibited Uses.** The following uses shall be prohibited:
  - a. No new dwellings allowed.
  - b. Children's schools, daycare centers, and libraries.
  - c. Hospitals, congregate care facilities, hotels/motels, restaurants, places of assembly.
  - d. Buildings with more than 2 above-ground floors.
  - e. Hazardous materials manufacture and storage of more than 6,000 gallons of nonaviation flammable materials per tank.
  - f. Noise sensitive outdoor nonresidential uses, including spectator-oriented sports stadiums, amphitheaters, concert halls and drive-in theaters.

- g. Critical community infrastructure facilities, including power plants, electrical substations, and public communications facilities.
  - h. Hazards to flight, including physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations. Land use development that may cause the attraction of birds to increase is also prohibited. Man-made features must be designed to avoid heightened attraction of birds. Flood control facilities should be designed to hold water for no more than 48 hours following a storm and be completely dry between storms.
  - i. Uses listed in AICUZ as not compatible in the APZ II.
  - j. Uses with more than 50 people per average acre and 100 people per single acre.
38. **March Air Reserve Base.** Notice regarding proximity to the March Air Reserve Base (i.e. to be provided by March Air Reserve Base) shall be given to all prospective purchasers of the property and tenants of the building.

**Detention Basin(s).** Any new detention basin(s) on the site (including aboveground infiltration areas) shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around infiltration areas that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. Landscaping in and around the infiltration areas shall not include trees that produce seeds, fruits, or berries.

39. **Electromagnetic Radiation.** The March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.

**Prior to Grading Permit Issuance:**

40. **Water Quality Management Plan (WQMP).** The applicant shall submit a final WQMP substantially in conformance with the approved Preliminary WQMP including, but not limited to, plans and details providing the elevations, slopes, and other details for the proposed structural source control BMPs, and vegetative swales. The Public Works Department shall review and approve the final WQMP plans and details.
41. **Planning Clearance.** The applicant shall first obtain clearance from the Planning Division verifying that all pertinent conditions of approval have been met.

**Prior to Building Permit Issuance:**

42. **Avigation Easement.** The landowner shall convey and have recorded an avigation easement to the March Inland Port Airport Authority. Contact March Joint Powers Authority at (951)



656-7000 for additional information.

43. **Site Lighting Plan.** The site lighting plan shall conform to the requirements of the City's adopted Mount Palomar Ordinance and be submitted to the Planning Division for final review and approval. Full cutoff fixtures shall be used to prevent light and glare above the horizontal plane of the bottom of the lighting fixture. A minimum of one (1) foot-candle of light shall be provided in parking and pedestrian areas.
44. **Trash Enclosures.** A covered trash enclosure constructed to City standards is required. The trash enclosure shall be easily accessible to the tenant and be screened by landscaping from the public view. The split-face blocked wall trash enclosure shall have an overhead trellis treatment. Elevations shall be included on final landscape plans for review and approval by the Planning Division.
45. **Landscaping Plans.** Prior issuance of building permits, three (3) copies of Construction Landscaping and Irrigation Plans shall be submitted to the Planning Division for approval, accompanied by the appropriate filing fee. The landscape and irrigation plan shall be prepared by a California registered landscape architect and conform to the requirements of Chapter 19.70 of the Municipal Code. The location, number, genus, species, and container size of the plants shall be shown. The landscaping shall be consistent with the conceptual landscape plan
  - a. **BMPs for Water Quality.** All BMPs (vegetated swales, detention basins, etc.) shall be indicated on the landscape plans with appropriate planting and irrigation, including the detention basin.
  - b. **Landscape Inspections.** The project applicant shall inform the on-site project manager and the landscape contractor of their responsibility to call for final landscape inspection after all the landscaping and irrigation has been installed and is completely operational. Before calling for a final inspection, a "Certificate of Compliance" form shall be completed and signed by the designer/auditor responsible for the project, and submitted to the project planner for approval.
46. **Fees.** Prior to the issuance of building permits, the developer shall pay the following fees:
  - a. Stephen's Kangaroo Rat Mitigation Fees of \$500.00 per acre
  - b. Development Impact Fees
  - c. Multiple Species Habitat Conservation Plan fees
  - d. Statutory school fees in effect to all appropriate school districts
  - f. RBBD fees
  - g. District drainage fees
  - h. All fees identified on Conditions of Approval from other departments or instituted prior to issuance of a building

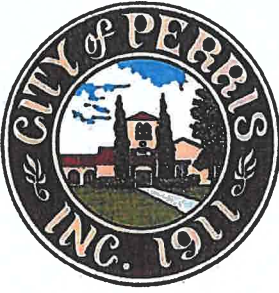
**Prior to Issuance of Occupancy Permits:**

47. **Assessment and Community Facilities Districts.** The project shall be annexed into any assessment, community facilities, or similar district that provides funding for maintenance,

services, or public improvements that benefit the project. The costs and benefits shall be described in the applicable district and annexation documents. The developer shall complete all actions required to complete such annexation prior to issuance of a Certificate of Occupancy. See Public Works/Engineering Conditions of Approval.

48. **On-Site Landscape Inspections.** The project applicant shall inform the on-site project manager and the landscape contractor of their responsibility to call for final landscape inspection after all the landscaping and irrigation has been installed and is completely operational. Before calling for a final inspection, a "Certificate of Compliance" form shall be completed and signed by the designer/auditor responsible for the project, and submitted to the project planner for approval.
49. **Final Inspection.** The applicant shall obtain occupancy clearance from the Planning Division by scheduling a final Planning inspection after final sign-offs from the Building Division and Engineering Department. Planning Staff shall verify that all pertinent conditions of approval have been met. The applicant shall have all required paving, parking, walls, site lighting, landscaping and automatic irrigation installed and in good condition.

End of Conditions



# CITY OF PERRIS

STUART E. MCKIBBIN, CONTRACT CITY ENGINEER

## CONDITIONS OF APPROVAL

P8-1427

July 28, 2021 - *Revised August 13, 2021*

DPR 20-00013 - Patriot Development

SW Corner of Morgan Street & Perris Boulevard

APN 303-080-007, -012, -017 & -018

Par 1 - PJ 23930 - MB 179-070

With respect to the Conditions of Approval for the above referenced project, the City of Perris requires that the developer/property owner provides the following street improvements and/or road dedications in accordance with the City of Perris Municipal Code Title 18. It is understood that the site plan correctly shows all existing and proposed easements, traveled ways, rights-of-way, and drainage courses with appropriate Q's and their omission may require the site plan to be resubmitted for further consideration. These ordinances and the following conditions are essential parts and requirement occurring in ONE is as binding as though occurring in all. They are intended to be complimentary and to describe the conditions for a complete design of the improvements. Unless otherwise noted, all offsite improvements as conditioned shall be installed prior to issuance of any occupancy permits. All questions regarding the true meaning of the conditions shall be referred to the City Engineer's office.

In the event of a conflict between any conditions stated below, those imposed by Planning Department and others, and requirements identified in the approved Traffic Impact Analysis, the most stringent in the opinion of the City shall prevail.

### **General Conditions:**

1. The project grading shall be in a manner to perpetuate existing natural drainage patterns. Any deviation from this, concentration or increase in runoff must have approval of adjacent property owners and City Engineer. The developer/property owner shall accept the offsite runoff and convey to acceptable outlet.

**DEPARTMENT OF ENGINEERING**  
24 SOUTH D STREET, SUITE 100, PERRIS, CA 92570  
TEL.: (951) 943-6504 - FAX: (951) 943-8416

2. Prior to commencement of any construction or installation of fencing in public right-of-way, an encroachment permit shall be obtained from the City Engineer's office.
3. Truck Access to the site shall be limited to and from I-215, Harley Knox Boulevard, Morgan Street, Redlands Avenue and Indian Avenue. Truck access to and from Perris Boulevard is prohibited.
4. Site circulation shall be such that auto and truck access and parking are distinct and separate; in the event of comingling, onsite pedestrian and traffic controls (e.g. lighted signage, striping and marking) shall be implemented and installed by the developer/property owner as recommended by the Traffic Engineer and as approved by the City Engineer.

**Prior to Recordation of the Final Map:**

5. The developer/property owner shall have approved improvement plans, executed subdivision agreement and posted securities.
6. Morgan Street is classified as a Secondary Arterial (94'/64') per the General Plan. Adequate right-of-way shall be dedicated along the property frontage to accommodate 47 feet of half width right-of-way plus the designated deceleration/designated right turn lane plus the 15 foot wide parkway. The width and the length of the deceleration designated right-turn lane shall be determined by a Traffic Engineer, per Caltrans standards, as approved by the City Engineer.

The dedication shall be offered to the public in perpetuity and shall be free from all encumbrances as approved by the City Engineer.

7. Perris Boulevard is classified as a Primary Arterial (128'/94') per the General Plan. Adequate right-of-way shall be dedicated along the property frontage to accommodate 64 feet half width right-of-way.

The dedication shall be offered to the public in perpetuity and shall be free from all encumbrances as approved by the City Engineer.

8. Property line corner cutbacks shall be dedicated per County of Riverside Standard No. 805.
9. Relinquish and waive rights to access to and from Morgan Street and Perris Boulevard on the Final Map, other than two (2) openings on Morgan Street and two (2) openings on Perris Boulevard as shown on the approved Tentative Parcel Map.

10. Interior access easements shall be provided for interior parcels.

11. All easements and/or rights-of-way shall be offered for dedication to the public or other appropriate agencies and shall continue in force

17. Basin design shall be per Riverside County Flood Control and Water Conservation District (RCCFCD) design standards and guidelines.
18. A designated right turn/deceleration lane shall be provided on eastbound Morgan Street, along the property frontage, from west of the easterly driveway to the existing designated right-turn lane. The width and the length of the said lane shall be determined by a Traffic Engineer, per Caltrans standards, as approved by the City Engineer. The right turn/deceleration lane shall be concrete (PCC) paved to withstand truck traffic as directed by the City Engineer.
19. The two driveways on Morgan Street *may accommodate autos and trucks* and shall be restricted to right-in/right-out only.
20. The two driveways on Perris Boulevard shall be designated for autos only and shall be restricted to right-in/right-out only.
21. The driveways shall be per County of Riverside Standard No. 207A.
22. The developer/property owner shall submit the following to the City Engineer for review and approval:
- a. Onsite Grading Plans and Erosion Control Plans – Plans shall show the approved WDID No.
  - b. Street Improvement Plans
  - c. Signing and Striping Plans
  - d. Final Drainage Plans, Hydrology and Hydraulic Report
  - e. Final WQMP (for reference)
  - f. Street Light Plans prepared by a registered Electrical Engineer per City of Perris Safety Lighting Standards

The design shall be in compliance with EMWD, RCCFCD, Riverside County Transportation Department, Caltrans, City of Perris and ADA most recent standards, criteria and requirements and in effect at the time of construction and shall be coordinated with the approved plans of the adjacent developments.

**Prior to Issuance of Building Permit:**

23. The project site is located within the limits of Perris Valley Area Drainage Plan (ADP) for which drainage fees have been adopted by City. Drainage fees shall be paid as set forth under the provisions of the "Rules and Regulations of Administration of Area Drainage Plan". Acreage for the project site's impervious area shall be provided.
24. Parcel Map 37967 shall be recorded.
25. Water and Sewer Improvement Plans, per Fire Department and Eastern Municipal Water District (EMWD) standards, shall be submitted to the City Engineer for approval.

26. Fire Department and EMWD approvals of the Water Improvement Plans are required prior to City Engineer's approval.
27. Paved access shall be provided to the proposed building per the Precise Grading Plan.
28. The developer/property owner shall submit a compaction certification from the Soils Engineer in compliance with the approved geotechnical/soils report.

**Prior to Issuance of Certificate of Occupancy:**

29. Morgan Street (Secondary Arterial – 94'/64') along the project frontage within the dedicated right-of-way shall be improved to provide for a 50 foot wide asphalt paving (using a TI of 9.0 and PG 70-10), 8 inch curb and gutter 32 feet south of centerline, a 6 foot wide sidewalk, Class II bike lane per the Active Transportation Plan and streetlights subject to the photometric analysis, per City of Perris, County of Riverside and Caltrans standards.

The deceleration/designated right-turn lane on Morgan Street along the project frontage shall be extended, the width and length shall be determined by a Traffic engineer as approved by the city Engineer.

If the existing pavement is in good condition, the developer/property owner may use grind and overlay technique as determined by the City Engineer.

30. The condition of the existing southbound pavement on Perris Boulevard along the property frontage shall be inspected by the City Engineer; any deficiency shall be repaired by the developer/property owner as directed by the City Engineer.
31. The driveways on Morgan Street shall be concrete paved to withstand truck traffic as directed by the City Engineer.
32. The developer/property owner shall provide for utility trench surface repair as directed by the City Engineer.
33. The developer/property owner shall pay the City \$150,000 for their contribution towards the implementation of interim and ultimate improvements to I-215/Ramona Expressway interchange, I-215/Harley Knox Boulevard interchange and other improvements. This one time contribution is above and beyond TUMF, DIF, RBBB and other City fees and it is not reimbursable.
34. Associated existing signing and striping shall be refreshed and any appurtenances damaged or broken during the development of this project shall be repaired or removed and replaced by the

until the City or the appropriate agency accepts or abandons such offers. All dedication shall be free from all encumbrances as approved by the City Engineer.

12. The following statement shall be added to the map:

**NOTICE OF DRAINAGE FEES.** Notice is hereby given that this property is located in the Perris Valley Area Drainage Plan which was adopted by the City of Perris pursuant to Ordinance and Section 66483, et seq, of the Government Code and that said property is subject to fees for said drainage area. Notice is further given that, pursuant to Ordinance 13-01, payment of the drainage fees shall be paid to the Riverside County Flood Control and Water Conservation District prior to issuance of the grading permit for the map, and that the property owner prior to issuance of the grading permit, shall pay the fee required at the rate in effect at the time of issuance of the actual permit.

13. The developer/property owner shall submit the following to the City Engineer for review and approval:

- a. Street Improvement Plan
- b. Signing and Striping Plan
- c. Final Drainage Plan, Hydrology and Hydraulic Report
- d. Final WQMP (for reference)
- e. Street Light Plan prepared by a registered Electrical Engineer per City of Perris Safety Lighting Standards

The design shall be in compliance with EMWD, RCFCD, Riverside County Transportation Department, Caltrans, City of Perris, and ADA most recent standards, criteria and requirements and in effect at the time of construction and shall be coordinated with the approved plans of the adjacent developments.

**Prior to Issuance of Grading Permit:**

14. Site circulation shall be such that auto and truck access and parking are distinct and separate.

15. The developer/property owner shall sign the consent and waiver form to join the City's Lighting and Landscape Districts, including the raised landscaped medians, and City's Flood Control District as appropriate. The proposed streetlights, traffic signals and the raised landscaped medians shall be maintained by the City and cost paid by the developer/property owner through the said annexations.

16. All 100-year tributary and onsite runoff shall be collected and conveyed to Line G in Sinclair Street. All runoff shall be treated onsite prior to discharge.

developer/property owner to the satisfaction of the City Engineer. Any survey monuments damaged or destroyed shall be reset by qualified professional pursuant to the California Business and Professional Code 8771.

A handwritten signature in black ink, appearing to read "Stuart E. McKibbin", with a long horizontal line extending to the right.

Stuart E. McKibbin  
Contract City Engineer





**CITY OF PERRIS**  
**PUBLIC WORKS DEPARTMENT**  
**LANDSCAPE DIVISION**

Weed Abatement

NPDES Services

Flood Control and Landscape Districts

# MEMORANDUM

**Date:** June 07, 2021  
**To:** Planning Department  
**From:** Michael Morales, CIP Manager  
**By:** Chris Baldino, Landscape Inspector **CB**

**Subject: DPR 20-00013 – Conditions of Approval**

Proposal to construct (3) speculative concrete tilt-up industrial buildings. Proposed 147,696 square foot building fronting Morgan Street is identified as building (1), the 64,596 square foot building proposed on the corner of Morgan St. and Perris Blvd. identified as building (2) and proposed 74,600 square foot building fronting Perris Boulevard is identified as building (3). The project site is located within the Light Industrial zone of the Perris Valley Commerce Center Specific Plan (PVCC-SP).

- 
- 1. Dedication and/or Landscape Maintenance Easement.** Offer of Dedication and Landscape Maintenance Easement for City landscape maintenance district shall be provided as follows:
    - **Perris Boulevard** – As Required by the City Engineer, provide offer of dedication as needed to provide for full half width street (128' ROW (64' half width), curb gutter, medians, sidewalk, and off-site landscaping requirements, per City General Plan, including minimum 17' public parkway. The City Engineer will verify existing dedications and may require additional roadway improvements. If additional roadway improvements are required, then Developer shall be required to install additional off-site landscape easement as required by the Public Works Department.
    - **Morgan Street** – Provide offer of dedication as needed to provide for full half width street (94' ROW (47' half width), curb gutter, painted medians, sidewalk and off-site landscaping requirements, per City General Plan, including minimum 12' public parkway.
  - 2. Landscape Maintenance Easement and Landscape Easement Agreement.** The developer shall provide, for review and approval, an Offer of Dedication and certificate of acceptance, complete with legal plat map and legal description to the City of Perris. In addition, if required by the City of Perris, the Developer shall provide a landscape easement and Landscape easement agreement, acceptable to the City of Perris. The City shall record the same with the Riverside County Recorder's Office, and the recorded instrument shall be returned to the City Clerk of the City of Perris for filing.
  - 3. Landscaping Plans.** Three (3) copies of Construction Landscaping and Irrigation Plans for the off-site landscaping, including any medians or other landscape areas along the dedications shall be submitted to the Planning Department for approval and shall be accompanied by the appropriate filing fee. The landscape and

irrigation plan shall be prepared by a registered landscape architect and conform to the requirements of Chapter 19.70 of the Municipal Code. The location, number, genus, species, and container size of the plants shall be shown. This landscape plan shall be titled "Off-site Landscape Plan for DPR 20-00013" and shall be exclusive of any private property, on-site landscaping. Elements of the Landscape Plan shall include but not be limited to:

- a. **Landscape Limits** – Limits of right-of-way areas or easement areas, defined by concrete mow curb, fully dimensioned, that are to be annexed into the Landscape Maintenance District. A planting palette and hardscape plan intended to meet the design intent of the Landscape Guidelines in effect for the area; or if no such guidelines exist the design intent of neighboring development, as determined by the Engineering Administration and Special Districts Division, including:
  - **Perris Blvd.** – The area has been improved with existing curb, gutter, and meandering sidewalk. Developer shall be required to install new landscape within existing parkway as follows: Figure 6.0-14, of the Perris Valley Commerce Center Specific Plan (PVCC-SP), for sizing and spacing requirements. Trees Primary: Platanus Acerifolia 'Blood Good' London Plane, Secondary Tree: Lagerstroemia Indica 'Watermelon' Crape Myrtle. Use drought resistant shrubs and groundcover intended to complement the existing parkways to the north of Perris Blvd. included but not limited to the following: Lantana Sellowiana, Rhamphiolepis 'Calra' Indian Hawthorne, Rosmarinus O. 'Prostratus' Creeping Rosemary', Muhlenbergia Rigens, Deer Grass, Phominum Tenx 'Atropurpureum' Purple Flax, Baccharis Pilularis 'Twin Peaks' Dwarf Coyote Bush.
  - **Perris Blvd. Median** – Existing raised mortared cobble median protected in place.
  - **Morgan Street** – Streetscape Landscape design guidelines and planting pallet for Secondary Arterial Streets, see Section 6.0-18, of the Perris Valley Commerce Center Specific Plan (PVCC-SP), for sizing and spacing requirements. Trees Primary: Lagerstroemia Indica L. Crape Myrtle, Secondary. Use drought resistant shrubs and groundcover intended to complement the existing parkways to the of surrounding development included but not limited to the following: Lantana camara 'Robpatrai' Patriot Rainbow Compact Lantana, Lantana x 'New Gold', Rhamphiolepis umbellate Dwarf Yedda Hawthorn, Dietes Fortnight Lily Yellow flower, Day Lily, Society Garlic Tricolor, Myopourm Parvifolium Putah Creek, Sellowiana Purple Lantana, Rosemarinus O. 'Prostratos' Creeping Rosemary.
- b. **Irrigation** – A list of irrigation system components intended to meet the performance, durability, water efficiency, and anti-theft requirements for Special District landscape areas as determined by the Engineering Administration and Special Districts Division. Components shall include, but not be limited to Salco or equal on flexible PVC risers, Sentry Guard Cable Guard and Union Guard, and backflow Wilkens Model 375 (or equal). Controller shall include an ET based controller with weather station that is centrally controlled capable and wi-fi ready (WeatherTrak ET Pro3 Smart Controller, or equal, with Rain Sensor). At the discretion of the Engineering Administration and Special Districts Division public landscape areas utilizing no more than 6 valves/stations, programmed to irrigate consecutively, and none simultaneously, may propose the use of an alternative ET based controller with weather station that is centrally controlled capable and wi-fi ready, such as the Weathermatic System or equal. Proposed system shall be complete with wireless weather station, aircard with flow, one year bundle service, blade antenna and flow sensor.
- c. **Benefit Zone Quantities** – Include a Benefit Zone quantities table (i.e. SF of planting areas, turf, number of trees, SF. of hardscape, etc.) in the lower right hand corner of the cover sheet for off-site landscape areas, indicating the amount of landscaping the district will be required to maintain.

- d. **Meters** – Each District is required to be metered separately. All electrical and water meters shall be located in locations that are easily accessible to maintenance staff while not visually obtrusive in the street scene and away from street intersections. Show location of separate water and electrical utility meters intended to serve maintenance district areas exclusively. Show locations of water and electrical meter for landscape district. Show location of water and electrical meter for flood control district. Show location of electrical meter for Traffic signal and street lighting district, on respective plans. Coordinate location of meters on landscape and civil engineering plan.
  - e. **Controllers** - The off-site irrigation controllers are to be located within the right of way (preferably within the off-site landscape area). All point of connection equipment including irrigation controller pedestals, electrical meter pedestals, and backflow preventers are to be located in locations that are easily accessible to maintenance staff while not visually obtrusive in the street scene, and away from street intersections. Backflow preventers are to be screened on at least three sides with (5) gallon plant material. The fourth side shall be open to the back of the landscape area in order to allow the backflow cage to be opened without interference with plant materials. Backflow cages shall meet the required City of Perris Engineering Standards in effect at the time of approval.
  - f. **Recycled Water** - If applicable. The project landscape architect shall coordinate with EMWD to verify if the site will be served with recycled water and design all irrigation and landscape plans to meet the requirements of EMWD and provide additional irrigation components as needed.
  - g. **EMWD Landscape Plan Approval** – The project landscape architect shall submit a copy of all irrigation plans and specifications to EMWD for approval. The project landscape architect must confirm with EMWD that the plans have been approved by EMWD and submit written proof of approval by EMWD prior to the City approving the final Landscape Plans. Until the final landscape plan has been approved by the City of Perris, the maintenance areas depicted cannot be accepted by the City for maintenance. The developer shall coordinate both reviews to ensure acceptability of plans by both EMWD and the City of Perris, prior to approval by either agency.
  - h. **Landscape Weed Barrier** - Weed cloth with a minimum expected life of 10-years shall be required under all gravel, rock, and cobble.
  - i. **Wire Mesh and Gravel At Pull Boxes**- Provide wire mesh and gravel layer within valve boxes to prevent rodent intrusion
  - j. **Concrete Maintenance Band at Medians and Mortar Cobbled Turn Lane** – Provide a 12" wide concrete maintenance band (safety edge) around entire median. At turn pocket provide mortared cobbled creek bed, round stone sized 6" to 12".
  - k. **Perimeter Walls Graffiti Coating** – Provide anti-graffiti coating at all perimeter walls. Acceptable products shall include Vitrocem Anti-Graffiti Coating or equal.
4. **Landscape Inspections.** The project applicant shall inform the on-site project manager and the landscape contractor of their responsibility to call for only "OFF-SITE" landscape and irrigation inspections at the appropriate stages of construction. Inspections shall be scheduled at least two-working days (Monday through

Friday) prior to actual inspection. Contact Public Works-Engineering Administration/Special Districts at (951) 657-3280 to schedule inspections.

- **Inspection #1** - Trenches open, irrigation installed, and system pressurized to 150 PSI for four hours.
- **Inspection #2** - Soil prepared, and plant materials positioned and ready to plant.
- **Inspection #3** - Landscaping installed, irrigation system fully operational, and request for "Start of 1 year Maintenance Period" submitted, with all required turn-over submittal items provided to Public-Works Engineering Administration/Special Districts.
- **Turn-Over Inspection**– On or about the one-year anniversary of Inspection #3, Developer shall call for an inspection to allow the City to review and identify any potential irrigation system defects, dead plants, weed, debris or graffiti; stressed, diseased, or dead trees; mulch condition, hardscape or other concerns with the landscape installation; or to accept final turn over of the landscape installation. At his sole expense, the Developer shall be responsible for rectifying system and installation deficiencies, and the one-year maintenance period shall be extended by the City until all deficiencies are cured to the satisfaction of the City. If in the opinion of the City's Landscape Inspector the landscape installation is in substantial compliance with the approved landscaping plans, the irrigation and communication system is functioning as intended, and the landscape installation is found to be acceptable to the City, then the Inspector shall recommend to the City's Special District Coordinator to accept turn-over of water and electrical accounts, wi-fi communication contracts and the entire landscape installation.

5. **One Year Maintenance and Plant Establishment Period**-The applicant will be required to provide a minimum of a one (1) year maintenance and plant establishment period, paid at the sole expense of applicant. This one-year maintenance period commences upon the successful completion of Inspection #3 discussed above, and final approval by the City. During this one-year period the applicant shall be required to maintain all landscape areas free of weeds, debris, trash, and graffiti; and keep all plants, trees and shrubs in a viable growth condition. Prior to the start of the one-year maintenance period, the Developer shall submit a weekly Landscape Maintenance Schedule for the review and approval by the City's Special Districts Division. City shall perform periodic site inspections during the one-year maintenance period. The purpose of these periodic inspections is to identify any and all items needing correction prior to acceptance by the City at the conclusion of the one-year maintenance period. Said items needing correction may include but are not limited to: replacement of dead or diseased plant materials, weeding, replenishment of mulches, repair of damaged or non-functioning irrigation components, test of irrigation controller communications, etc. During this period, the City shall begin the annual assessment of the benefit zone in preparation for the landscape installation turn-over to City maintenance staff.
6. **Street/Off-Site Improvements.** The applicant shall submit street improvement plans, accompanied by the appropriate filing fee to the City Engineering Department. Details of treatments off-site improvements, including lighting shall meet both the City Engineer's Design Guidelines, and the additional requirements of the Engineering and Special Districts Division. Components shall include, but not be limited to:
  - a. **Street Lighting**-If street lighting is required, lighting shall meet the type, style, color and durability requirements, necessary for energy efficiency goals, maintenance and longevity of improvements of the City Engineer's Office. As determined by the City, new streetlights may be required to be deeded to City of Perris, and not SCE. Street lights deeded to City of Perris shall be constructed per LS-3 account billing standard, which shall include an individually metered pedestal for streetlights.
  - b. **Acceptance By Public Works/Special Districts**- Lighting District facilities required by the City Engineer's Office shall be installed and fully operational and approved by final inspection by the City Engineer's Office, and the City's Consulting Traffic Signal Inspection Team (Riverside County TLMA) at

(951) 955-6815. Prior to acceptance for maintenance of "Off-site" traffic signal and lighting facilities by the Public Works-Engineering and Administration Division/Special Districts, the developer shall contact the Public Works Special Districts Division at (951) 657-3280 to schedule the delivery of all required turn-over submittal items. Prior to acceptance into Lighting District 84-1, coordinate turn-over information pertaining to Street Lights, and Traffic Signal Electrical/SCE Service Meters with Wildan Financial Services, the City's Special Districts Consulting Firm at (951) 587-3564. (i.e. Provide electrical meter number, photo of pedestal, and coordinate "request for transfer of billing information" with SCE and City for all new service meters). Developer shall pay 18-month energy charges to the City of Perris for all off-site street lighting. Call Wildan Financial Services, Inc. for amount due, and to obtain receipt for payment. Obtain and provide a clearance form from Riverside County TLMA indicating completion of all punch list items from traffic signal construction. Submit one large format photo-copy of Traffic Signal as-built plans and timing sheets.

7. **Water Quality Management Plans.** The applicant shall submit a Preliminary and Final WQMP, accompanied by the appropriate filing fee to the Planning Department and City Engineering Department, respectively. Details for treatment control facilities shall meet both the Riverside County WQMP Design Guidelines, and the additional requirements of the Engineering and Special Districts Division intended to reduce long term maintenance costs and longevity of improvements. Components shall include, but not be limited to:
  - **Storm Drain Screens-**If off-site catch basins are required by the City Engineer's Office, connector pipe screens shall be included in new catch basins to reduce sediment and trash loading within storm pipe. Connector pipe screens shall the type, style, and durability requirements of the Public Work's Engineering Administration and Special Districts Division.
  - **WQMP Inspections-** The project applicant shall inform the on-site project manager and the water quality/utilities contractor of their responsibility to call for both "ON-SITE" and OFF-SITE" WQMP Inspections at the appropriate stages of construction. Contact CGRM at (909) 455-8520 to schedule inspections.
  - **Acceptance By Public Works/Special Districts-**Both on-site and off-site flood control/water quality facilities required for the project, as depicted in the Final WQMP, shall be installed and fully operational, and approved by final inspection by the City's WQMP Consultant, CGRM. The Developer shall obtain a final Clearance Letter from CGRM indicating compliance with all applicable Conditions of Approval for the approved WQMP. The developer shall deliver the same to the Public Works-Engineering and Administration Division/Special Districts. In addition, prior to acceptance by the City, the developer shall submit a Covenant and Agreement describing on-going maintenance responsibilities for on-site facilities per the approved WQMP, to the Public Works Engineering Administration and Special Districts Division. The Public Works Engineering Administration and Special Districts Division will review and approve the Covenant and Agreement. The City shall record the same with the Riverside County Recorder's Office, and the recorded instrument shall be returned to the City Clerk of the City of Perris for filing.
  
8. **Flood Control District #1 Maintenance Acceptance.** Flood Control District facilities required by the City Engineer's Office shall be installed and fully operational, and approved by final inspection by the City Engineer's Office. Prior to acceptance for maintenance of "Off-site" flood control facilities by the Public Works-Engineering and Administration Division/Special Districts the developer shall contact the Public Works Special Districts Division at (951) 657-3280 to schedule the delivery of all required turn-over submittal items including as-built storm drain plans in electronic PDF format, one large format photo-copy of as-built plans, storm drain

video report in electronic format, and hardcopy of video report with industry standard notations and still photos made during video runs (i.e. facilities sizes, off-sets or damage, facility type, dirt and debris, etc.). The flood control facilities shall be turned over in a condition acceptable to the City, and the developer shall make all necessary repairs and perform initial maintenance to the satisfaction of the City.

9. **Assessment Districts.** Prior to permit issuance, developer shall deposit \$5,250 per district, \$15,750 total due. Payment is to be made to the City of Perris, and the check delivered to the City Engineer's Office. Payment shall be accompanied by the appropriate document for each district indicating intent and understanding of annexation, to be notarized by property owner(s):
- **Consent and Waiver for Maintenance District No. 84-1** - New street lighting proposed by the project, as determined by the City Engineer.
  - **Consent and Waiver for Landscape Maintenance District No. 1** -New off-site parkway landscape proposed by the project along Perris Blvd and Morgan Street. This project shall pay its fair share of existing mortared cobbled median along Perris Blvd.
  - **Petition for Flood Control Maintenance District No. 1** -For Off-site Flood Control Facilities proposed by the project, as determined by the City Engineer.
- Original notarized document(s) to be sent to:  
Daniel Louie  
Wildan Financial Services  
27368 Via Industria, #200  
Temecula, CA 92590
- a. Prior to final map recordation or final certificate of occupancy the developer shall annex into the aforementioned districts, posting an adequate maintenance performance bond to be retained by the City as required by the City Engineer. Upon receipt of deposit and Consent and Waiver Forms, the developer shall work with City to meet all required milestones for annexations.
    - i. City prepares the Engineer's Reports which includes a description of the improvements to be maintained, an annual cost estimate and annual assessment amounts.
    - ii. Reports are reviewed and approved by the property owner. The assessment ballots will be based on these Reports.
    - iii. The Reports and corresponding resolutions are placed, for approval, on the City Council Meeting Agenda. City Council action will include ordering the assessment ballots and setting a Public Hearing for no sooner than 45 days. Property owner attendance at this City Council Meeting is not required.
    - iv. The assessment ballots are sent to the property owner and are opened by the City Clerk at the close of the Public Hearing. With a "YES" vote by the property owner the City Council can move forward with the Resolution that Confirms the Annexation. Property owner attendance at this Public Hearing is not required.
    - v. Confirmation by the City Council completes the annexation process and the condition of approval has been met.





**CITY OF PERRIS**  
COMMUNITY SERVICES

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# MEMO

**Date:** August 11, 2021

**To:** Kenneth Phung, Planning Manager  
Chantal Power, Project Planner

**From:** Sabrina Chavez, Director of Community Services

**Cc:** Arcenio Ramirez, Community Services Manager  
Jessica Galloway, Project Coordinator  
Joshua Estrada, Parks Coordinator

**Subject:** Conditions of Approval  
DPR 20-00013 – 3 Industrial Buildings

**Applicant:** Kevin Rice, Patriot Development Partners

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Community Services Staff reviewed DPR 20-00013 and offer the following comment(s):

### **Development Impact Fees**

- The Project is subject to payment of Industrial Park Development Impact Fees.
- This Project is subject to payment of Public Art Development Impact Fees.

### **Special Districts**

- The project shall annex into the Community Facilities District No. 2018-02 (Public Services)

### **Active Transportation Plan**

- Developer to provide a Class 2B Bicycle Lane on Perris Boulevard, as recommended by the Active Transportation Plan, refer to engineering conditions.
- Developer to provide a Class 2 Bicycle Lane on Morgan Street, as recommended by the Active Transportation Plan, refer to engineering conditions.



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

Planning Case File No(s): DEVELOPMENT PLAN REVIEW #20-00013

Case Planner: Chantal Power (951) 943-5003,

Applicant: Kevin Rice, Patriot Development Partners

Location: Southwest Corner of Morgan Street and Perris Blvd.

Project: Proposal to construct three spec concrete tilt-up industrial buildings one at 147,696 SF another at 64,596 SF and the last one at 74,600 SF

APN(s): 303-080-007, 012, 017 & 018

Reviewed By: David J. Martinez, CBO

Date: 10-08-2020

**BUILDING AND SAFETY CONDITIONS**

1. Shall comply with the latest adopted State of California 2019 editions of the following codes as applicable:
  - A. 2019 California Building Code
  - B. 2019 California Electrical Code
  - C. 2019 California Mechanical Code
  - D. 2019 California Plumbing Code
  - E. 2019 California Energy Code.
  - F. 2019 California Fire Code
  - G. 2019 California Green Building Standards Code.
2. You will be required to provide proper fire access to the entire site.
3. You will be required to comply with the EV Charging station requirements
4. The proposed new building will have to comply with both the ADA and Title 24 Access Regulations

**PRIOR TO ISSUANCE OF BUILDING/CONSTRUCTION PERMITS**

1. The following items shall be completed and/or submitted as applicable – prior to the issuance of building permits for this project:
  - A. Precise grading plans shall be approved

- B. Rough grading completed
- C. Compaction certification
- D. Pad elevation certification
- E. Rough grade inspection signed off

**FIRE CONDITIONS: To Be provided by Dennis Grubb**

**Mitigation Monitoring and Reporting Program  
Initial Study/Mitigated Negative Declaration  
Perris Boulevard and Morgan Street Industrial Park Project**

*Prepared for:*

**City of Perris**

Development Services Department, Planning Division

135 North "D" Street

Perris, California 92570

*Contact: Chantal Power, AICP, Contract Planner*

*Prepared by:*

**DUDEK**

27372 Calle Arroyo

San Juan Capistrano, California 92675

*Contact: Sean Kilkenny*

**AUGUST 2021**



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# 1 Introduction

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The California Environmental Quality Act (CEQA) requires that a public agency adopting a Mitigated Negative Declaration (MND) take affirmative steps to determine that approved mitigation measures are implemented after project approval. The lead or responsible agency must adopt a reporting and monitoring program for the mitigation measures incorporated into a project or included as conditions of approval. The program must be designed to ensure compliance with the MND during project implementation (California Public Resources Code, Section 21081.6(a)(1)).

This Mitigation Monitoring and Reporting Program (MMRP) will be used by the City of Perris (City) to ensure compliance with adopted mitigation measures identified in the MND for the proposed Perris Boulevard and Morgan Street Industrial Park Project (project) when construction begins. The City, as the lead agency, will be responsible for ensuring that all mitigation measures are carried out. Implementation of the mitigation measures would reduce impacts to below a level of significance for aesthetics, air quality, biological resources, cultural resources, geology and soils (paleontological resources), hazards and hazardous materials, and noise. Although the impacts would be less than significant, the project is required to adhere to applicable transportation and traffic mitigation identified in the Perris Valley Commerce Center Specific Plan EIR.

The remainder of this MMRP consists of a table that identifies the mitigation measures by resource for each project component. Table 1 identifies the mitigation monitoring and reporting requirements, list of mitigation measures, party responsible for implementing mitigation measures, timing for implementation of mitigation measures, agency responsible for monitoring of implementation, and date of completion. With the MND and related documents, this MMRP will be kept on file at the following location:

City of Perris  
Development Services Department, Planning Division  
135 North "D" Street  
Perris, California 92570

# 2 – Mitigation Monitoring and Reporting Program Table

**Table 1 Mitigation Monitoring and Reporting Program**

| Mitigation Measure  | Implementation Timing                | Party Responsible for Implementation | Party Responsible For Monitoring | Date of Completion/Notes |
|---|--------------------------------------|--------------------------------------|----------------------------------|--------------------------|
| <b>Aesthetics</b>   |                                      |                                      |                                  |                          |
| <b>MM-AES-1:</b> Prior to issuance of grading permits, the project developer shall provide evidence to the City that any temporary nighttime lighting installed for security purposes shall be downward facing and hooded or shielded to prevent security light spillage outside of the staging area or direct broadcast of security light into the sky.  | Prior to issuance of grading permits | Project applicant                    | City of Perris                   |                          |
| <b>Air Quality</b>  |                                      |                                      |                                  |                          |
| <b>PVCCSP MM Air 2:</b> Each individual implementing development project shall submit a traffic control plan prior to the issuance of a grading permit. The traffic control plan shall describe in detail safe detours and provide temporary traffic control during construction activities for that project. To reduce traffic City of Perris First Industrial Warehouse at Wilson Avenue 30 congestion, the plan shall include, as necessary, appropriate, and practicable, the following: temporary traffic controls such as flag person during all phases of construction to maintain smooth traffic flow, dedicated turn lanes for movement of construction trucks and equipment on- and off-site, scheduling of construction activities that affect traffic flow on the arterial system to off-peak hour, consolidating truck deliveries, rerouting of construction trucks away from congested streets or sensitive receptors, and/or signal synchronization to improve traffic flow. | Prior to issuance of grading permits | Project applicant                    | City of Perris                   |                          |
| <b>PVCCSP MM Air 3:</b> To reduce fugitive dust emissions, the development of each individual implementing development project shall comply with SCAQMD Rule 403.   | Prior to construction                | Project applicant                    | City of Perris                   |                          |



**MITIGATION MONITORING AND REPORTING PROGRAM**  
**PERRIS BOULEVARD AND MORGAN STREET INDUSTRIAL PARK PROJECT**

| Mitigation Measure  | Implementation Timing | Party Responsible for Implementation | Party Responsible For Monitoring | Date of Completion/Notes |
|---|-----------------------|--------------------------------------|----------------------------------|--------------------------|
| <p>The developer of each implementing project shall provide the City of Perris with the SCAQMD-approved dust control plan, or other sufficient proof of compliance with Rule 403, prior to grading permit issuance. Dust control measures shall include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Requiring the application of non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 20 days or more, assuming no rain);</li> <li>• Keeping disturbed/loose soil moist at all times;</li> <li>• Requiring trucks entering or leaving the site hauling dirt, sand, or soil, or other loose materials on public roads to be covered;</li> <li>• Installation of wheel washers or gravel construction entrances where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip;</li> <li>• Posting and enforcement of traffic speed limits of 15 miles per hour or less on all unpaved portions of the project site;</li> <li>• Suspending all excavating and grading operations when wind gusts (as instantaneous gust) exceed 25 miles per hour;</li> <li>• Appointment of a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation;</li> <li>• Sweeping streets at the end of the day if visible soil material is carried onto adjacent paved public roads and use of SCAQMD Rule 1186 and 1186.1 certified street sweepers or roadway washing trucks when sweeping streets to remove visible soil materials; and/or,</li> </ul> |                       |                                      |                                  |                          |

**MITIGATION MONITORING AND REPORTING PROGRAM**  
**PERRIS BOULEVARD AND MORGAN STREET INDUSTRIAL PARK PROJECT**

| Mitigation Measure  | Implementation Timing                | Party Responsible for Implementation | Party Responsible For Monitoring | Date of Completion/Notes |
|---|--------------------------------------|--------------------------------------|----------------------------------|--------------------------|
| <ul style="list-style-type: none"> <li>Replacement of ground cover in disturbed areas as quickly as possible.</li> </ul>  |                                      |                                      |                                  |                          |
| <p><b>PVCCSP MM Air 4:</b> Building and grading permits shall include a restriction that limits idling of construction equipment on site to no more than five minutes.</p>  | Prior to issuance of grading permits | Project applicant                    | City of Perris                   |                          |
| <p><b>PVCCSP MM Air 5:</b> Electricity from power poles shall be used instead of temporary diesel or gasoline-powered generators to reduce the associated emissions. Approval will be required by the city the City of Perris Building Division prior to issuance of grading permits.</p>   | Prior to issuance of grading permits | Project applicant                    | City of Perris                   |                          |
| <p><b>PVCCSP MM Air 6:</b> The developer of each implementing development project shall require, by contract specifications, the use of alternative fueled off-road construction equipment, the use of construction equipment that demonstrates early compliance with off-road equipment with the CARB in-use off-road diesel vehicle regulation (SCAQMD Rule 2449) and/or meets or exceeds Tier 3 standards with available CARB verified or USEPA certified technologies. Diesel equipment shall use water emulsified diesel fuel such as PuriNOx unless it is unavailable in Riverside County at the time of project construction activities. Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Perris Building Division prior to issuance of a grading permit.</p> | Prior to issuance of grading permits | Project applicant                    | City of Perris                   |                          |
| <p><b>PVCCSP MM Air 7:</b> During construction, ozone precursor emissions from mobile construction equipment shall be controlled by maintaining equipment engines in good condition and in proper tune per manufacturers' specifications to the satisfaction of the City of Perris Building Division. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction. Compliance with this measure</p>  | During construction                  | Project applicant                    | City of Perris                   |                          |

**MITIGATION MONITORING AND REPORTING PROGRAM**  
**PERRIS BOULEVARD AND MORGAN STREET INDUSTRIAL PARK PROJECT**

| Mitigation Measure   | Implementation Timing                | Party Responsible for Implementation | Party Responsible For Monitoring | Date of Completion/Notes |
|--|--------------------------------------|--------------------------------------|----------------------------------|--------------------------|
| shall be subject to periodic inspections by the City of Perris Building Divisions  |                                      |                                      |                                  |                          |
| <b>PVCCSP MM Air 8:</b> Each individual implementing development project shall apply paints using either high volume low pressure (HVLV) spray equipment with a minimum transfer efficiency of at least 50 percent or other application techniques with equivalent or higher transfer efficiency.  | During construction                  | Project applicant                    | City of Perris                   |                          |
| <b>PVCCSP MM Air 9:</b> To reduce VOC emissions associated with architectural coating, the project designer and contractor shall reduce the use of paints and solvents by utilizing pre-coated materials (e.g., bathroom stall dividers, metal awnings), materials that do not require painting, and require coatings and solvents with a VOC content lower than required under Rule 1113 to be utilized. The construction contractor shall be required to utilize "Super-Compliant" VOC paints, which are defined in SCAQMD's Rule 1113. Construction specifications shall be included in building specifications that assure these requirements are implemented. The specifications for each implementing development project shall be reviewed by the City of Perris Building Division for compliance with this mitigation measure prior to issuance of a building permit for that project. | Prior to issuance of building permit | Project applicant                    | City of Perris                   |                          |
| <b>PVCCSP MM Air 11:</b> Signage shall be posted at loading docks and all entrances to loading areas prohibiting all on-site truck idling in excess of five minutes.   | During construction and operation    | Project applicant                    | City of Perris                   |                          |
| <b>PVCCSP MM Air 12:</b> Where transport refrigeration units (TRUs) are in use, electrical hookups will be installed at all loading and unloading stalls in order to allow TRUs with electric standby capabilities to use them.  | During operation                     | Project applicant                    | City of Perris                   |                          |
| <b>PVCCSP MM Air 13:</b> In order to promote alternative fuels, and help support "clean" truck fleets, the developer/successor-in-interest shall provide building occupants and businesses with information related to   | Prior to operation                   | Project applicant                    | City of Perris                   |                          |

**MITIGATION MONITORING AND REPORTING PROGRAM**

**PERRIS BOULEVARD AND MORGAN STREET INDUSTRIAL PARK PROJECT**

| Mitigation Measure   | Implementation Timing                         | Party Responsible for Implementation | Party Responsible For Monitoring | Date of Completion/Notes |
|--|---|--------------------------------------|----------------------------------|--------------------------|
| <p>SCAQMD's Carl Moyer Program, or other state programs that restrict operations to "clean" trucks, such as 2007 or newer model year or 2010 compliant vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. If trucks older than 2007 model year would be used at a facility with three or more dock-high doors, the developer/successor-in-interest shall require, within one year of signing a lease, future tenants to apply in good-faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP [On-road Heavy Duty Voucher Incentive Program], HVIP [Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project], and SOON [Surplus Off-Road Opt-in for NOx] funding programs, as identified on SCAQMD's website (<a href="http://www.aqmd.gov">http://www.aqmd.gov</a>). Tenants would be required to use those funds, if awarded.</p> |   |                                      |                                  |                          |
| <p><b>PVCCSP MM Air 14:</b> Each implementing development project shall designate parking spaces for high-occupancy vehicles and provide larger parking spaces to accommodate vans used for ride sharing. Proof of compliance would be required prior to the issuance of occupancy permits.</p>  | <p>Prior to issuance of occupancy permits</p> | <p>Project applicant</p>             | <p>City of Perris</p>            |                          |
| <p><b>PVCCSP MM Air 18:</b> Prior to the approval of each implementing development project, the Riverside Transit Agency (RTA) shall be contacted to determine if the RTA has plans for the future provision of bus routing within any street that is adjacent to the implementing development project that would require bus stops at the project access points. If the RTA has future plans for the establishment of a bus route that will serve the implementing development project, road improvements adjacent to the project site shall be designed to accommodate future bus turnouts at locations established through consultation with the RTA.</p>   | <p>Prior to approval</p>                      | <p>Project applicant</p>             | <p>City of Perris</p>            |                          |

**MITIGATION MONITORING AND REPORTING PROGRAM**  
**PERRIS BOULEVARD AND MORGAN STREET INDUSTRIAL PARK PROJECT**

| Mitigation Measure  | Implementation Timing                 | Party Responsible for Implementation | Party Responsible For Monitoring | Date of Completion/Notes |
|---|---------------------------------------|--------------------------------------|----------------------------------|--------------------------|
| RTA shall be responsible for the construction and maintenance of the bus stop facilities. The area set aside for bus turnouts shall conform to RTA design standards, including the design of the contact between sidewalks and curb and gutter at bus stops and the use of ADA-compliant paths to the major building entrances in the project.  |                                       |                                      |                                  |                          |
| <b>PVCCSP MM Air 19:</b> In order to reduce energy consumption from the individual implementing development projects, applicable plans (e.g., electrical plans, improvement maps) submitted to the City shall include the installation of energy efficient street lighting throughout the project site. These plans shall be reviewed and approved by the applicable City Department (e.g., City of Perris Building Division) prior to conveyance of applicable streets.  |                                       | Project applicant                    | City of Perris                   |                          |
| <b>PVCCSP MM Air 20:</b> Each implementing development project shall be encouraged to implement, at a minimum, an increase in each building's energy efficiency 15 percent beyond Title 24, and reduce indoor water use by 25 percent. All reductions will be documented through a checklist to be submitted prior to issuance of building permits for the implementing development project with building plans and calculations.   | Prior to issuance of building permits | Project applicant                    | City of Perris                   |                          |
| <b>Biological Resources</b>   |                                       |                                      |                                  |                          |
| <b>MM-BIO-1:</b> Consistent with the requirements of the Multiple Species Habitat Conservation Plan (MSHCP), a pre-construction clearance survey shall be conducted within 30 days prior to ground-disturbing project activities, following the methodology prescribed in the MSHCP Burrowing Owl Survey Instructions. The single-day survey will consist of walking pedestrian transects within all suitable habitat on site and within a 500-foot buffer, searching for burrowing owl or signs of active use (i.e., pellets, whitewash). If no burrowing owl is observed or | Prior to and during construction      | Project applicant                    | City of Perris                   |                          |

**MITIGATION MONITORING AND REPORTING PROGRAM**  
**PERRIS BOULEVARD AND MORGAN STREET INDUSTRIAL PARK PROJECT**

| Mitigation Measure   | Implementation Timing | Party Responsible for Implementation | Party Responsible For Monitoring | Date of Completion/Notes |
|--|-----------------------|--------------------------------------|----------------------------------|--------------------------|
| <p>detected no further avoidance or mitigation measures are needed.</p> <p>If active burrows are identified during the pre-construction survey, a suitable buffer shall be established around the burrows for avoidance and shall remain in place for the duration the burrow is considered active. Construction activities may occur in other portions of the project site outside of the buffer. Additionally, a biological monitor shall be on site during construction activities that occur in close proximity to the buffer to ensure no harassment or encroachment into the buffer occurs. If complete avoidance of the active burrow and buffer is infeasible then additional measures shall be required to avoid direct take of a burrowing owl.</p> <p>If burrowing owls occupy the project site and cannot be avoided, active or passive relocation shall be used to exclude owls from their burrows, as agreed to by the City of Perris Planning Department and the California Department of Fish and Wildlife (CDFW). Relocation shall be conducted outside the breeding season or once the young are able to leave the nest and fly. Passive relocation is the exclusion of owls from their burrows (outside the breeding-season or once the young are able to leave the nest and fly) by installing one-way doors in burrow entrances. These one-way doors allow the owl to exit the burrow, but not enter it. These doors shall be left in place 48 hours to ensure owls have left the burrow. Artificial burrows shall be provided nearby. The project area shall be monitored daily for 1 week to confirm owl use of burrows before excavating burrows in the impact area. Burrows shall be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible pipe shall be inserted into the tunnels during excavation to maintain an escape route for any animals inside the burrow.</p> |                       |                                      |                                  |                          |

**MITIGATION MONITORING AND REPORTING PROGRAM**  
**PERRIS BOULEVARD AND MORGAN STREET INDUSTRIAL PARK PROJECT**

| Mitigation Measure   | Implementation Timing | Party Responsible for Implementation | Party Responsible For Monitoring | Date of Completion/Notes |
|--|-----------------------|--------------------------------------|----------------------------------|--------------------------|
| <p>In the event that more than three pairs of burrowing owl are observed within a project site during pre-construction surveys, 90% of the suitable habitat within that specific project site will require conservation and avoidance until the conservation goals for burrowing owl under the MSHCP have been met. If 90% cannot be avoided, then a Determination of Biologically Equivalent or Superior Preservation (DBESP) will be required for impacts to burrowing owl. The DBESP will require appropriate avoidance, minimization, and mitigation measures necessary to reduce impacts to burrowing owl and provision of a biological equivalent or superior preservation for the long-term conservation of the species. The avoidance, minimization, and mitigation measures will be consistent with MSHCP requirements and will be based on the 2012 CDFW staff report in consultation with CDFW.</p> <p>If off-site purchase of mitigation land is required, mitigation credits from a City of Perris and CDFW-approved mitigation bank, such as the Mojave Desert Tortoise Conservation Bank or similar conservation agency, will be purchased. In addition, if no credits are available, new conservation lands with owls or owl habitat may be purchased and secured as new conservation lands.</p> |                       |                                      |                                  |                          |
| <p><b>PVCCSP MM Bio 1:</b> In order to avoid violation of the MBTA and the California Fish and Game Code, site-preparation activities (removal of trees and vegetation) for all PVCCSP implementing development and infrastructure projects shall be avoided, to the greatest extent possible, during the nesting season (generally February 1 to August 31) of potentially occurring native and migratory bird species. If site-preparation activities for an implementing project are proposed during the nesting/breeding season (February 1</p>  | Prior to construction | Project applicant                    | City of Perris                   |                          |

**MITIGATION MONITORING AND REPORTING PROGRAM**  
**PERRIS BOULEVARD AND MORGAN STREET INDUSTRIAL PARK PROJECT**

| Mitigation Measure   | Implementation Timing                       | Party Responsible for Implementation          | Party Responsible For Monitoring | Date of Completion/Notes |
|--|---|---|----------------------------------|--------------------------|
| <p>to August 31), a pre-activity field survey shall be conducted by a qualified biologist prior to the issuance of grading permits for such project, to determine if active nests of species protected by the MBTA or the California Fish and Game Code are present in the construction zone. If active nests are not located within the implementing project site and an appropriate buffer of 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected bird nests (non-listed), or 100 feet of sensitive or protected songbird nests, construction may be conducted during the nesting/breeding season. However, if active nests are located during the pre-activity field survey, no grading or heavy equipment activity shall take place within at least 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected (under MBTA or California Fish and Game Code) bird nests (non-listed), or within 100 feet of sensitive or protected songbird nests until the nest is no longer active.</p> |   |   |                                  |                          |
| <b>Cultural Resources</b>  |   |   |                                  |                          |
| <p><b>MM-CUL-1:</b> Prior to the issuance of grading permits, the project proponent/developer shall retain a professional archaeologist meeting the Secretary of the Interior's Professional Standards for Archaeology (U.S. Department of Interior, 2012; Registered Professional Archaeologist preferred). The primary task of the consulting archaeologist shall be to monitor the initial ground-disturbing activities at both the subject site and any off-site project-related improvement areas for the identification of any previously unknown archaeological and/or cultural resources. Selection of the archaeologist shall be subject to the approval of the City of Perris Director of Development Services and no ground-disturbing activities shall occur at the site or within the off-site project improvement areas until the archaeologist has been approved by the City.</p>   | <p>Prior to issuance of grading permits</p> | <p>Project applicant and their contractor</p> | <p>City of Perris</p>            |                          |



**MITIGATION MONITORING AND REPORTING PROGRAM**  
**PERRIS BOULEVARD AND MORGAN STREET INDUSTRIAL PARK PROJECT**

| Mitigation Measure  | Implementation Timing | Party Responsible for Implementation | Party Responsible For Monitoring | Date of Completion/Notes |
|---|-----------------------|--------------------------------------|----------------------------------|--------------------------|
| <p>The archaeologist shall be responsible for monitoring ground-disturbing activities, maintaining daily field notes and a photographic record, and for reporting all finds to the developer and the City of Perris in a timely manner. The archaeologist shall be prepared and equipped to record and salvage cultural resources that may be unearthed during ground-disturbing activities and shall be empowered to temporarily halt or divert ground-disturbing equipment to allow time for the recording and removal of the resources.</p> <p>In the event that archaeological resources are discovered at the project site or within the off-site project improvement areas, the handling of the discovered resource(s) will differ, depending on the nature of the find. Consistent with California Public Resources Code Section 21083.2(b) and Assembly Bill 52 (Chapter 532, Statutes of 2014), avoidance shall be the preferred method of preservation for Native American/tribal cultural/archaeological resources. However, it is understood that all artifacts, with the exception of human remains and related grave goods or sacred/ceremonial/religious objects, belong to the property owner. The property owner will commit to the relinquishing and curation of all artifacts identified as being of Native American origin. All artifacts, Native American or otherwise, discovered during the monitoring program shall be recorded and inventoried by the consulting archaeologist.</p> <p>If any artifacts of Native American origin are discovered, all activities in the immediate vicinity of the find (within a 50-foot radius) shall stop and the project proponent and project archaeologist shall notify the City of Perris Planning Division and the Soboba Band of Luiseño Indians and the</p> |                       |                                      |                                  |                          |

**MITIGATION MONITORING AND REPORTING PROGRAM**  
**PERRIS BOULEVARD AND MORGAN STREET INDUSTRIAL PARK PROJECT**

| Mitigation Measure   | Implementation Timing | Party Responsible for Implementation | Party Responsible For Monitoring | Date of Completion/Notes |
|--|-----------------------|--------------------------------------|----------------------------------|--------------------------|
| <p>Pechanga Band of Luiseño Indians. A designated Native American representative from either the Soboba Band of Luiseño Indians or the Pechanga Band of Luiseño Indians shall be retained to assist the project archaeologist in the significance determination of the Native American as deemed possible. The designated Luiseño tribal representative will be given ample time to examine the find. The significance of Native American resources shall be evaluated in accordance with the provisions of CEQA and shall consider the religious beliefs, customs, and practices of the Luiseño tribe. If the find is determined to be of sacred or religious value, the Luiseño tribal representative will work with the City and consulting archaeologist to protect the resource in accordance with tribal requirements. All analysis will be undertaken in a manner that avoids destruction or other adverse impacts.</p> <p>In the event that human remains are discovered at the project site or within the off-site project improvement areas, mitigation measure MIM-CUL-2 shall immediately apply and all items found in association with Native American human remains shall be considered grave goods or sacred in origin and subject to special handling.</p> <p>Native American artifacts that are relocated/reburied at the project site would be subject to a fully executed relocation/reburial agreement with the assisting Luiseño tribe. This shall include, but not be limited to, an agreement that artifacts will be reburied on-site and in an area of permanent protection, and that reburial shall not occur until all cataloging and basic recordation have been completed by the consulting archaeologist.</p> <p>Native American artifacts that cannot be avoided or relocated at the project site shall be prepared for curation at an accredited curation facility in Riverside County that</p> |                       |                                      |                                  |                          |

**MITIGATION MONITORING AND REPORTING PROGRAM**  
**PERRIS BOULEVARD AND MORGAN STREET INDUSTRIAL PARK PROJECT**

| Mitigation Measure   | Implementation Timing      | Party Responsible for Implementation                       | Party Responsible For Monitoring | Date of Completion/Notes |
|--|----------------------------|--|----------------------------------|--------------------------|
| <p>meets federal standards (per 36 CFR Part 79) and available to archaeologists/researchers for further study. The project archaeologist shall deliver the Native American artifacts, including title, to the identified curation facility within a reasonable amount of time, along with applicable fees for permanent curation.</p> <p>Non-Native American artifacts shall be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal placement. Subsequent to analysis and reporting, these artifacts will be subjected to curation, as deemed appropriate, or returned to the property owner.</p> <p>Once grading activities have ceased and/or the archaeologist, in consultation with the designated Luiseño representative, determines that monitoring is no longer warranted, monitoring activities can be discontinued following notification to the City of Perris Planning Division.</p> <p>A report of findings, including an itemized inventory of artifacts, shall be prepared upon completion of the tasks outlined above. The report shall include all data outlined by the Office of Historic Preservation guidelines, including a conclusion of the significance of all recovered, relocated, and reburied artifacts. A copy of the report shall also be filed with the City of Perris Planning Division, the University of California, Riverside, Eastern Information Center (EIC) and the Luiseño tribe(s) involved with the project.</p> |                            |  |                                  |                          |
| <p><b>MM-CUL-2:</b> In the event that human remains (or remains that may be human) are discovered at the project site or within the off-site project improvement areas during ground-disturbing activities, the construction contractors, project archaeologist, and/or designated Luiseño tribal representative shall immediately stop all activities within</p>  | <p>During construction</p> | <p>Project applicant and their construction contractor</p> | <p>City of Perris</p>            |                          |

**MITIGATION MONITORING AND REPORTING PROGRAM**  
**PERRIS BOULEVARD AND MORGAN STREET INDUSTRIAL PARK PROJECT**

| Mitigation Measure   | Implementation Timing | Party Responsible for Implementation | Party Responsible For Monitoring | Date of Completion/Notes |
|--|-----------------------|--------------------------------------|----------------------------------|--------------------------|
| <p>100 feet of the find. The project proponent shall then inform the Riverside County Coroner and the City of Perris Planning Division immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b).</p> <p>If the coroner determines that the remains are of Native American origin, the coroner will notify the Native American Heritage Commission (NAHC), which will identify the "Most Likely Descendent" (MLD). Despite the affiliation with any Luiseño tribal representative(s) at the site, the NAHC's identification of the MLD will stand. The MLD shall be granted access to inspect the site of the discovery of Native American human remains and may recommend to the project proponent means for treatment or disposition, with appropriate dignity of the human remains and any associated grave goods. The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The disposition of the remains will be determined in consultation between the project proponent and the MLD. In the event that there is disagreement regarding the disposition of the remains, State law will apply and median with the NAHC will make the applicable determination (see Public Resources Code Section 5097.98(e) and 5097.94(k)).</p> <p>The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. The locations will be documented by the consulting archaeologist in conjunction with the various stakeholders and a report of findings will be filed with the Eastern Information Center (EIC).</p> |                       |                                      |                                  |                          |

**MITIGATION MONITORING AND REPORTING PROGRAM**  
**PERRIS BOULEVARD AND MORGAN STREET INDUSTRIAL PARK PROJECT**

| Mitigation Measure  | Implementation Timing                       | Party Responsible for Implementation                       | Party Responsible For Monitoring | Date of Completion/Notes |
|---|---|--|----------------------------------|--------------------------|
| <p><b>Geology and Soils</b></p> <p><b>MM-GEO-1:</b> Prior to the issuance of grading permits, the project proponent/developer shall submit to and receive approval from the City, a Paleontological Resource Impact Mitigation Monitoring Program (PRIMMP). The PRIMMP shall include the provision for a qualified professional paleontologist (or his or her trained paleontological representative) to be on-site for any project-related excavations that exceed three (3) feet below the pre-grade surface. Selection of the paleontologist shall be subject to approval of the City of Perris Planning Manager and no grading activities shall occur at the project site or within the off-site project improvement areas until the paleontologist has been approved by the City.</p> <p>Monitoring shall be restricted to undisturbed subsurface areas of older Quaternary alluvium. The approved paleontologist shall be prepared to quickly salvage fossils as they are unearthed to avoid construction delays. The paleontologist shall also remove samples of sediments which are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontologist shall have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens.</p> <p>Collected samples of sediments shall be washed to recover small invertebrate and vertebrate fossils. Recovered specimens shall be prepared so that they can be identified and permanently preserved. Specimens shall be identified and curated and placed into an accredited repository (such as the Western Science Center or the Riverside Metropolitan Museum) with permanent curation and retrievable storage.</p> | <p>Prior to issuance of grading permits</p> | <p>Project applicant and their construction contractor</p> | <p>City of Perris</p>            |                          |

**MITIGATION MONITORING AND REPORTING PROGRAM**  
**PERRIS BOULEVARD AND MORGAN STREET INDUSTRIAL PARK PROJECT**

| Mitigation Measure   | Implementation Timing   | Party Responsible for Implementation | Party Responsible For Monitoring | Date of Completion/Notes |
|--|---|--------------------------------------|----------------------------------|--------------------------|
| <p>A report of findings, including an itemized inventory of recovered specimens, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered specimens. The report and inventory, when submitted to the City of Perris Planning Division, will signify completion of the program to mitigate impacts to paleontological resources.</p>   |   |                                      |                                  |                          |
| <p><b>Hazards and Hazardous Materials</b></p>  |   |                                      |                                  |                          |
| <p><b>MM-HAZ-1:</b> Prior to the issuance of building permits, the project applicant shall retain a qualified contractor to remove and dispose of contaminated soil in the vicinity of soil sample B9-1, as identified in the May 2020 Soil Investigation Report, 3562 and 19519 North Perris Boulevard, Perris, California 92570, prepared by Hazard Management Consulting, or any updates to that report. The removal, transport, and disposal of refuse shall be done in accordance with all applicable local, state, and federal guidelines related to hazardous materials handling. A summary of the soil removal and disposal activities shall be provided to the City of Perris within a reasonable timeframe following completion of these activities.</p> | <p>Prior to issuance of building permits</p>  | <p>Project applicant</p>             | <p>City of Perris</p>            |                          |
| <p><b>PVCCSP MIM Haz 2:</b> Prior to the recordation of a final map, issuance of a building permit, or conveyance to an entity exempt from the Subdivision Map Act, whichever occurs first, the landowner shall convey an avigation easement to the MARB/March Inland Port Airport Authority.</p>  | <p>Prior to the recordation of a final map, issuance of a building permit, or conveyance to an entity exempt from the Subdivision Map Act</p> | <p>Project applicant</p>             | <p>City of Perris</p>            |                          |
| <p><b>PVCCSP MIM Haz 3:</b> Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky or above the horizontal plane.</p>  | <p>During construction</p>  | <p>Project applicant</p>             | <p>City of Perris</p>            |                          |

**MITIGATION MONITORING AND REPORTING PROGRAM**  
**PERRIS BOULEVARD AND MORGAN STREET INDUSTRIAL PARK PROJECT**

| Mitigation Measure   | Implementation Timing                    | Party Responsible for Implementation | Party Responsible For Monitoring | Date of Completion/Notes |
|--|--|--------------------------------------|----------------------------------|--------------------------|
| <p><b>PVCCSP MM Haz 4:</b> The following notice shall be provided to all potential purchasers and tenants:<br/>                     “This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example, noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business &amp; Profession Code 11010 13(A).”</p>   | <p>Prior to sale/lease of property</p>   | <p>Project applicant</p>             | <p>City of Perris</p>            |                          |
| <p><b>PVCCSP MM Haz 5:</b> The following uses shall be prohibited:<br/>                     Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.<br/><br/>                     Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.<br/><br/>                     Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.</p> | <p>During construction and operation</p> | <p>Project applicant</p>             | <p>City of Perris</p>            |                          |

**MITIGATION MONITORING AND REPORTING PROGRAM**  
**PERRIS BOULEVARD AND MORGAN STREET INDUSTRIAL PARK PROJECT**

| Mitigation Measure   | Implementation Timing                                  | Party Responsible for Implementation                       | Party Responsible For Monitoring | Date of Completion/Notes |
|--|--|--|----------------------------------|--------------------------|
| <p>Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.</p> <p>All retention and water quality basins shall be designed to dewater within 48 hours of a rainfall event.</p>  |  |  |                                  |                          |
| <p><b>PVCCSP MM Haz 6:</b> A minimum of 45 days prior to submittal of an application for a building permit for an implementing development project, the implementing development project applicant shall consult with the City of Perris Planning Department in order to determine whether any implementing project-related vertical structures or construction equipment would encroach into the 100-to-1 imaginary surface surrounding the MARB. If it is determined that there would be an encroachment into the 100-to-1 imaginary surface, the implementing development project applicant shall file a FAA Form 7460-1, Notice of Proposed Construction or Alteration. If FAA determines that the implementing development project would potentially be an obstruction unless reduced to a specified height, the implementing development project applicant and the Perris Planning Division would work with FAA to resolve any adverse effects on aeronautical operations.</p> | <p>Prior to submitting building permit application</p> | <p>Project applicant</p>                                   | <p>City of Perris</p>            |                          |
| <b>Noise</b>   |  |  |                                  |                          |
| <p><b>PVCCSP MM Noise 1:</b> During all project site excavation and grading on-site, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards. The construction contractors shall place all stationary construction equipment, so that emitted noise is directed away from the noise-sensitive receptors nearest the project site.</p>  | <p>Prior to and during construction</p>                | <p>Project applicant and their construction contractor</p> | <p>City of Perris</p>            |                          |



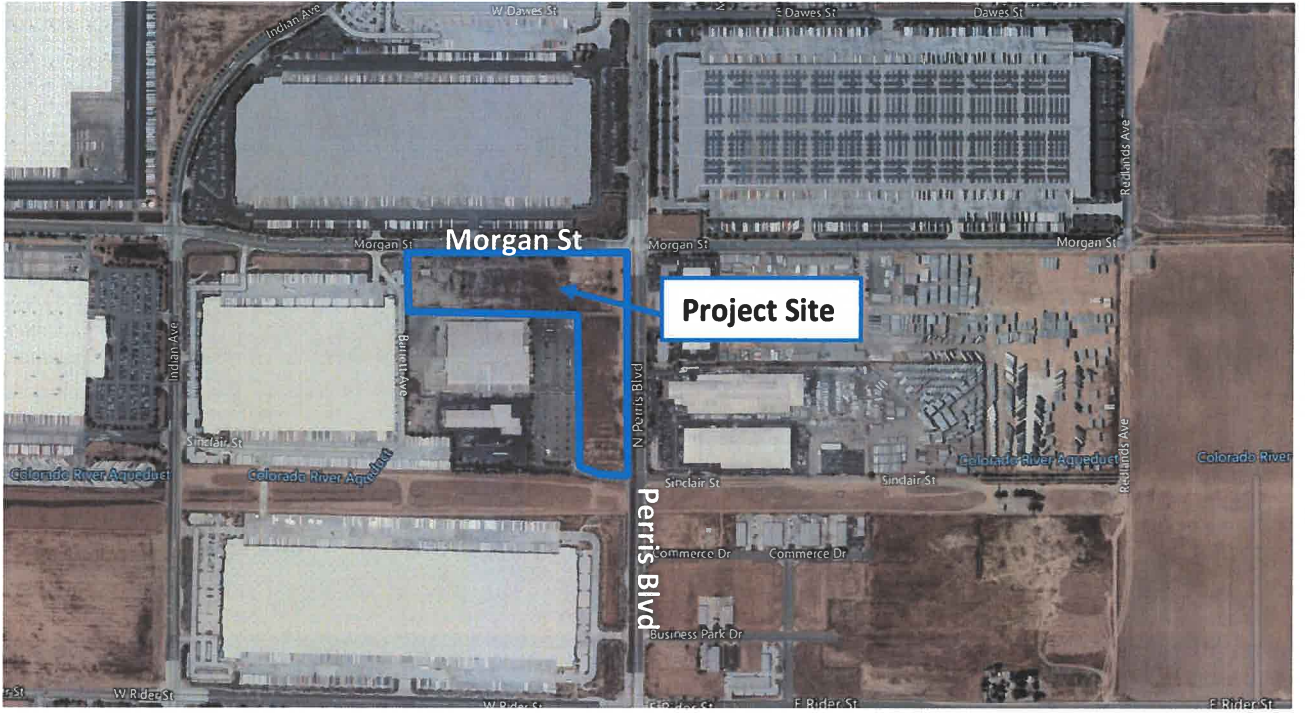
**MITIGATION MONITORING AND REPORTING PROGRAM**  
**PERRIS BOULEVARD AND MORGAN STREET INDUSTRIAL PARK PROJECT**

| Mitigation Measure  | Implementation Timing            | Party Responsible for Implementation                | Party Responsible For Monitoring | Date of Completion/Notes |
|---|----------------------------------|---|----------------------------------|--------------------------|
| <b>PVCCSP MM Noise 4:</b> Construction contractors of implementing development projects shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.  | Prior to and during construction | Project applicant and their construction contractor | City of Perris                   |                          |
| <b>Transportation</b>   |                                  |   |                                  |                          |
| <b>PVCCSP MM Trans 1:</b> Future implementing development projects shall construct on-site roadway improvements pursuant to the general alignments and right-of-way sections set forth in the PVCC Circulation Plan, except where said improvements have previously been constructed.   | Prior to construction            | Project applicant and their construction contractor | City of Perris                   |                          |
| <b>PVCCSP-MM Trans 3:</b> Each implementing development project shall participate in the phased construction of off-site traffic signals through payment of that project's fair share of traffic signal mitigation fees and the cost of other off-site improvements through payment of fair share mitigation fees which include NPRBBD (North Perris Road and Bridge Benefit District). The fees shall be collected and utilized as needed by the City of Perris to construct the improvements necessary to maintain the required level of service and build or improve roads to their build-out level.   | Prior to construction            | Project applicant and their construction contractor | City of Perris                   |                          |
| <b>PVCCSP MM Trans 4:</b> Prior to the approval of individual implementing development projects, the Riverside Transit Agency (RTA) shall be contacted to determine if the RTA has plans for the future provision of bus routing in the project area that would require bus stops at the project access points. If the RTA has future plans for the establishment of a bus route that will serve the project area, road improvements adjacent to the project site shall be designed to accommodate future bus turnouts at locations established through consultation with the RTA. RTA shall be responsible for the construction and maintenance of the bus stop facilities. The area set aside | Prior to approval                | Project applicant and their construction contractor | City of Perris                   |                          |

**MITIGATION MONITORING AND REPORTING PROGRAM**  
**PERRIS BOULEVARD AND MORGAN STREET INDUSTRIAL PARK PROJECT**

| Mitigation Measure   | Implementation Timing | Party Responsible for Implementation                | Party Responsible For Monitoring | Date of Completion/Notes |
|--|-----------------------|---|----------------------------------|--------------------------|
| for bus turnouts shall conform to RTA design standards, including the design of the contact between sidewalk and curb and gutter at bus stops and the use of ADA-compliant paths to the major building entrances in the project. |                       |   |                                  |                          |
| <b>PVCCSP MM Trans 5:</b> Bike racks shall be installed in all parking lots in compliance with City of Perris standards.   | During construction   | Project applicant and their construction contractor | City of Perris                   |                          |

**EXHIBIT B**  
**AERIAL MAP**



**EXHIBIT C**  
**PVCCSP LAND USE MAP**

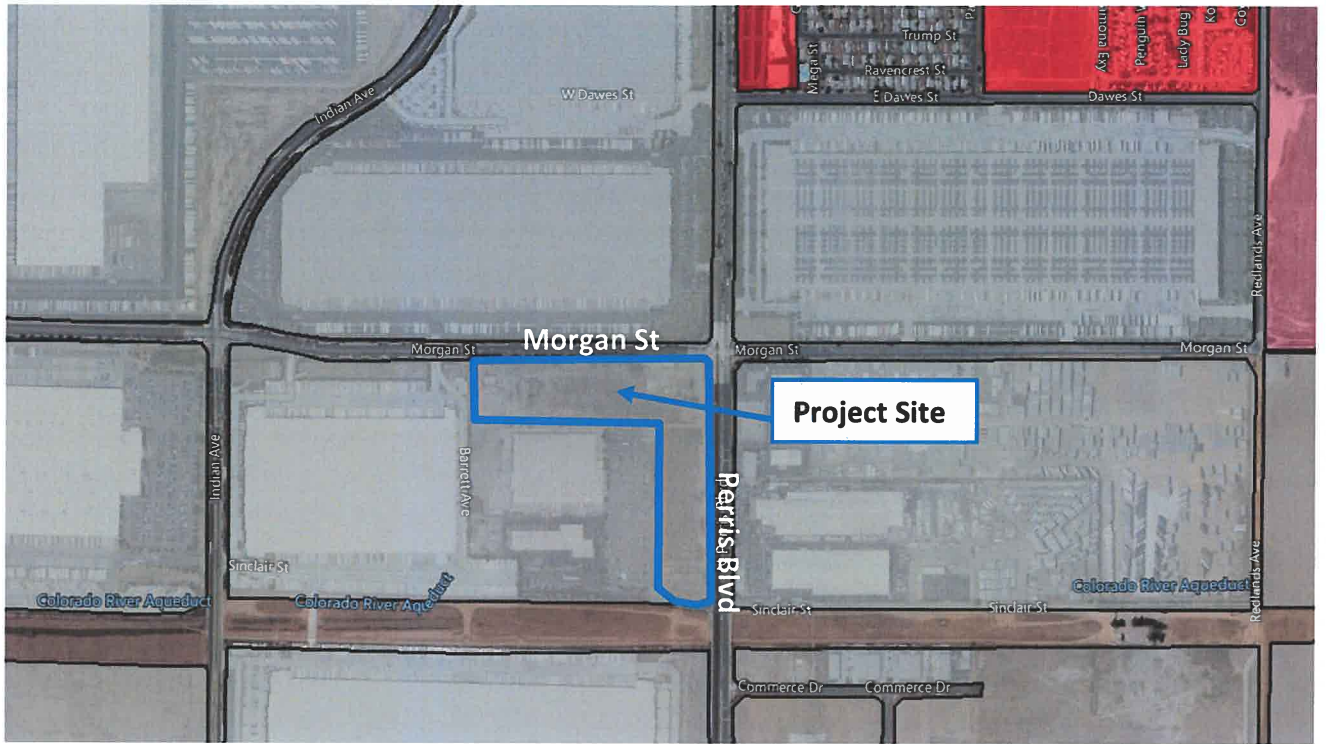
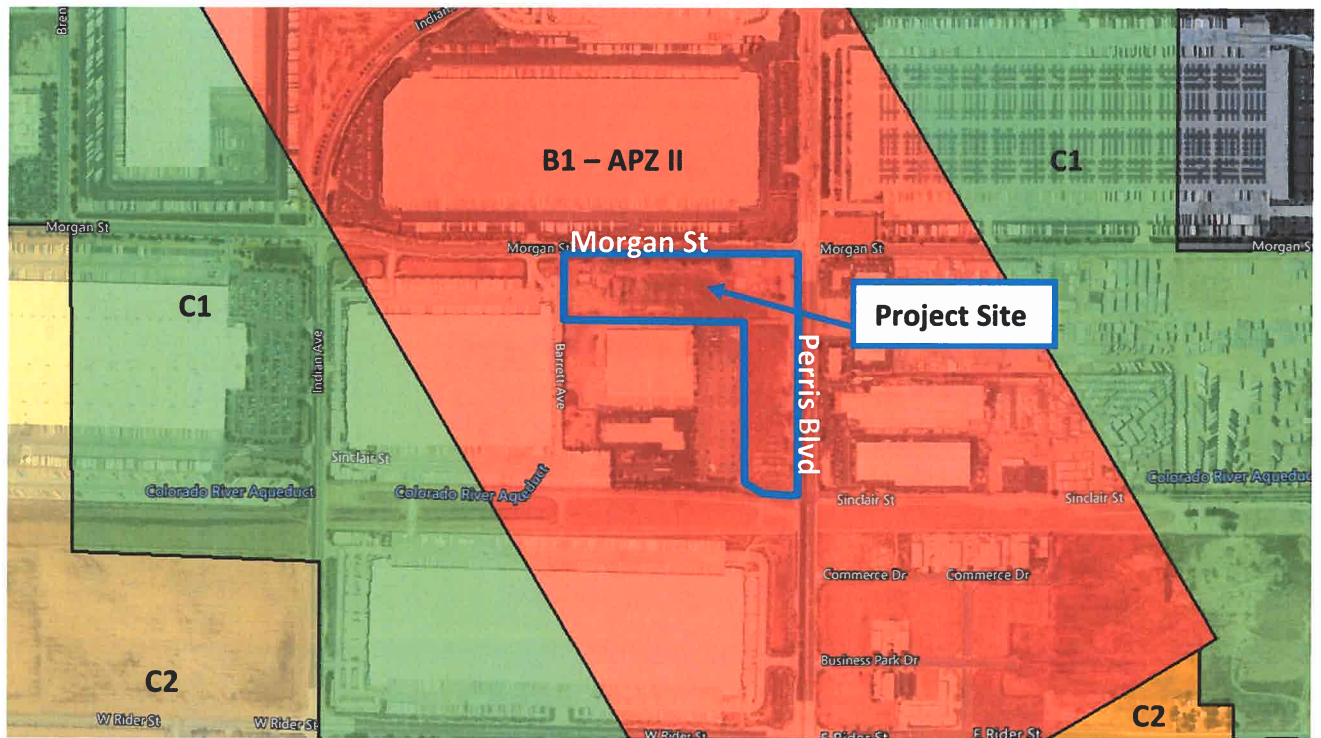


EXHIBIT D  
MARB ZONE





**EXHIBIT E**  
**PROJECT PLANS**

# MORGAN ST & PERRIST BLVD SITE

PERRIS, CA



BUILDING 3 SOUTHEAST CORNER @ PERRIS BLVD.

PATRIOT PARTNERS MORGAN ST.  
PERRIS, CA

PROJECT  
4th PLANNING SUBMITTAL



HERDMAN  
ARCHITECTURE + DESIGN  
A19-2188  
06.03.2021


TITLE SHEET


A0


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ENLARGED WEST ELEVATION - BUILDING 1


- 


A. PAINTED CONCRETE PANEL  
A. SW 6203 SPARE WHITE
- 


B. PAINTED CONCRETE PANEL  
B. SW 7668 MARCH WIND
- 


C. PAINTED CONCRETE PANEL  
C. SW 7669 SUMMITT GRAY
- 

D. PAINTED CONCRETE PANEL  
D. SW 7069: IRON ORE
- 

E. ACM METAL PANEL  
E. COLOR: MATTE BLACK
- 

F. WOOD LOOK TILE
- 

G. WHITE ANODIZED  
DECORATIVE BROWAND  
CANOPY
- 

H. BLACK ANODIZED  
DECORATIVE BROWAND  
CANOPY
- 

I. BLUE REFLECTIVE  
GLAZING WITH BLACK  
ANODIZED MULLIONS



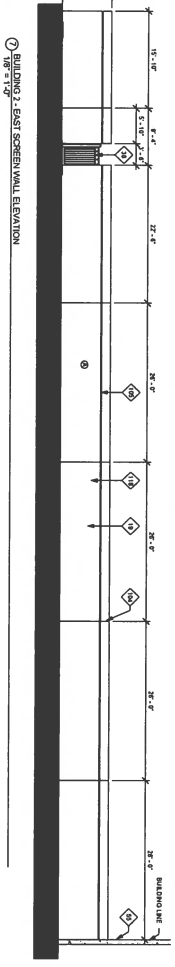
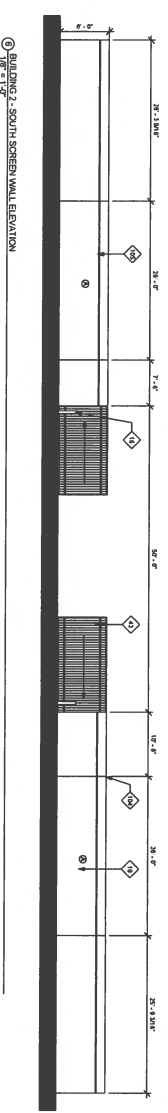
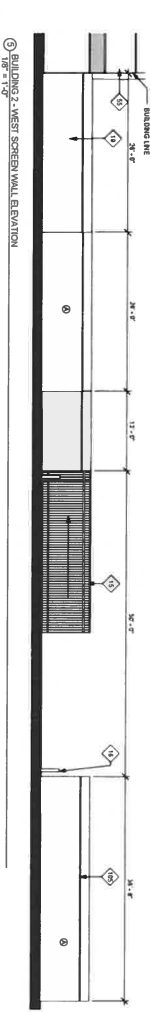
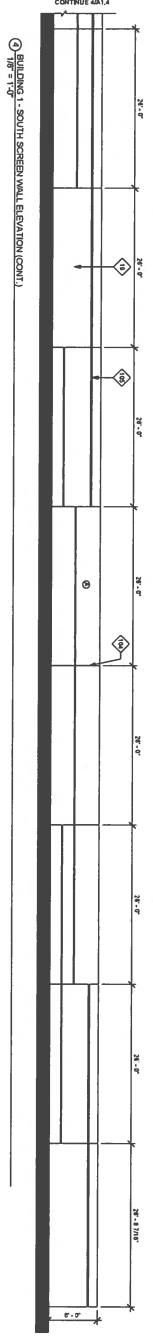
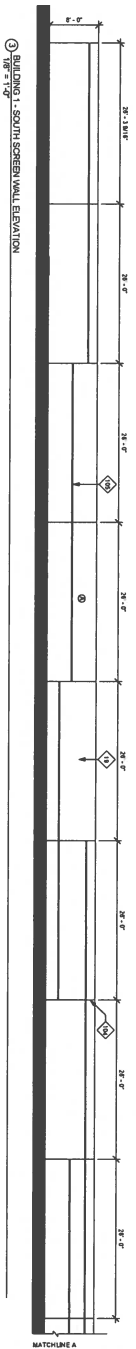
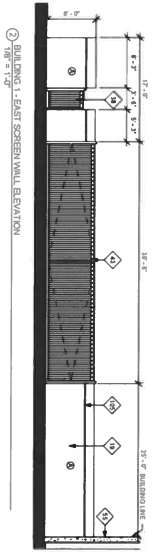
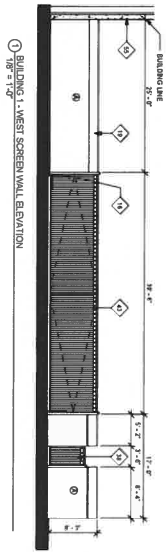
**HERDMAN**  
ARCHITECTURE + DESIGN

**PATRIOT PARTNERS**  
**MORGAN - PERRIS, CA**

05.19.2021  
H-AD JOB NO: A19-2188







- NOTES**
1. REFER TO THE ELECTRICAL OR MECHANICAL SCHEDULES FOR THE LOCATION OF ALL ELECTRICAL AND MECHANICAL EQUIPMENT.
  2. REFER TO THE ARCHITECTURAL SCHEDULES FOR THE LOCATION OF ALL ARCHITECTURAL EQUIPMENT.
  3. REFER TO THE STRUCTURAL SCHEDULES FOR THE LOCATION OF ALL STRUCTURAL EQUIPMENT.
  4. REFER TO THE FINISH SCHEDULES FOR THE LOCATION OF ALL FINISHES.
  5. REFER TO THE MATERIAL SCHEDULES FOR THE LOCATION OF ALL MATERIALS.
  6. REFER TO THE CONSTRUCTION SCHEDULES FOR THE LOCATION OF ALL CONSTRUCTION DETAILS.
  7. REFER TO THE GENERAL NOTES FOR THE LOCATION OF ALL GENERAL NOTES.
  8. REFER TO THE SPECIFICATIONS FOR THE LOCATION OF ALL SPECIFICATIONS.
  9. REFER TO THE CONTRACT DOCUMENTS FOR THE LOCATION OF ALL CONTRACT DOCUMENTS.
  10. REFER TO THE PERMITS FOR THE LOCATION OF ALL PERMITS.
  11. REFER TO THE REGULATIONS FOR THE LOCATION OF ALL REGULATIONS.
  12. REFER TO THE STANDARDS FOR THE LOCATION OF ALL STANDARDS.
  13. REFER TO THE CODES FOR THE LOCATION OF ALL CODES.
  14. REFER TO THE ORDINANCES FOR THE LOCATION OF ALL ORDINANCES.
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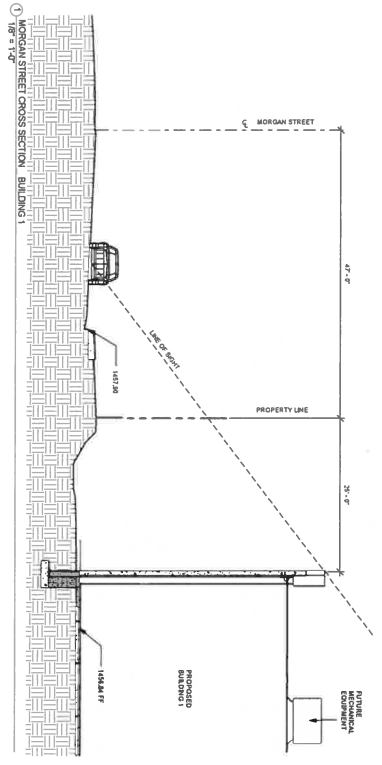
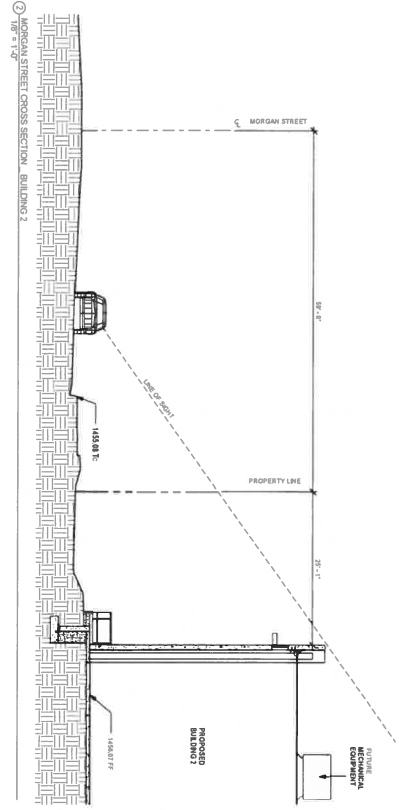
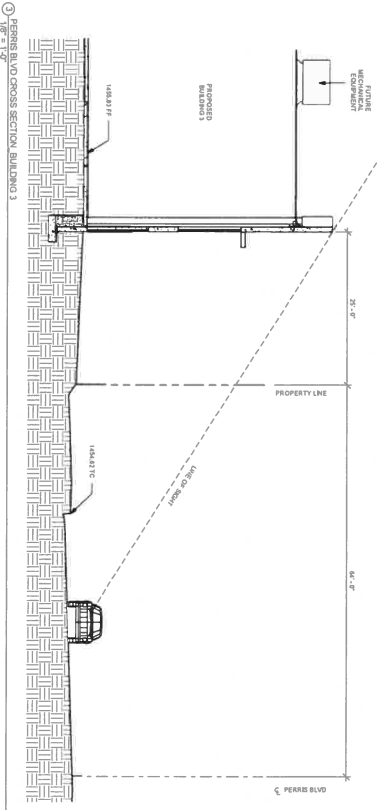
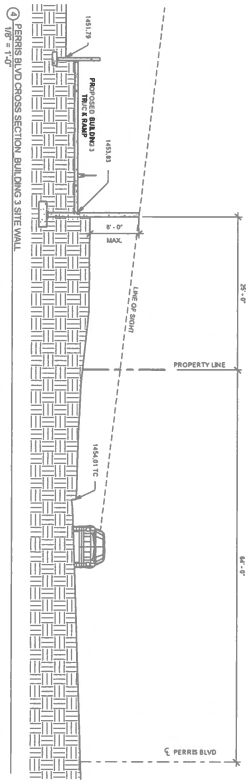
**LETTERS COLOR CODES**

|    |        |
|----|--------|
| 1  | WHITE  |
| 2  | BLACK  |
| 3  | RED    |
| 4  | GREEN  |
| 5  | BLUE   |
| 6  | BROWN  |
| 7  | YELLOW |
| 8  | PINK   |
| 9  | GRAY   |
| 10 | BLACK  |
| 11 | WHITE  |
| 12 | BLACK  |
| 13 | WHITE  |
| 14 | BLACK  |
| 15 | WHITE  |
| 16 | BLACK  |
| 17 | WHITE  |
| 18 | BLACK  |
| 19 | WHITE  |
| 20 | BLACK  |

**FINISHES**

1. WHITE ANODIZED ALUMINUM
2. BLACK ANODIZED ALUMINUM
3. POLYURETHANE PAINT
4. EPOXY PAINT
5. CONCRETE
6. BRICK
7. STUCCO
8. GYPSUM BOARD
9. METAL PANELS
10. GLASS
11. WOOD
12. TERRAZZO
13. GRANITE
14. MARBLE
15. CERAMIC TILE
16. POLYURETHANE PAINT
17. EPOXY PAINT
18. CONCRETE
19. BRICK
20. STUCCO
21. GYPSUM BOARD
22. METAL PANELS
23. GLASS
24. WOOD
25. TERRAZZO
26. GRANITE
27. MARBLE
28. CERAMIC TILE





**PROJECT**  
4th PLANNING SUBMITTAL

**PATRIOT PARTNERS MORGAN ST.**  
PERRIS, CA

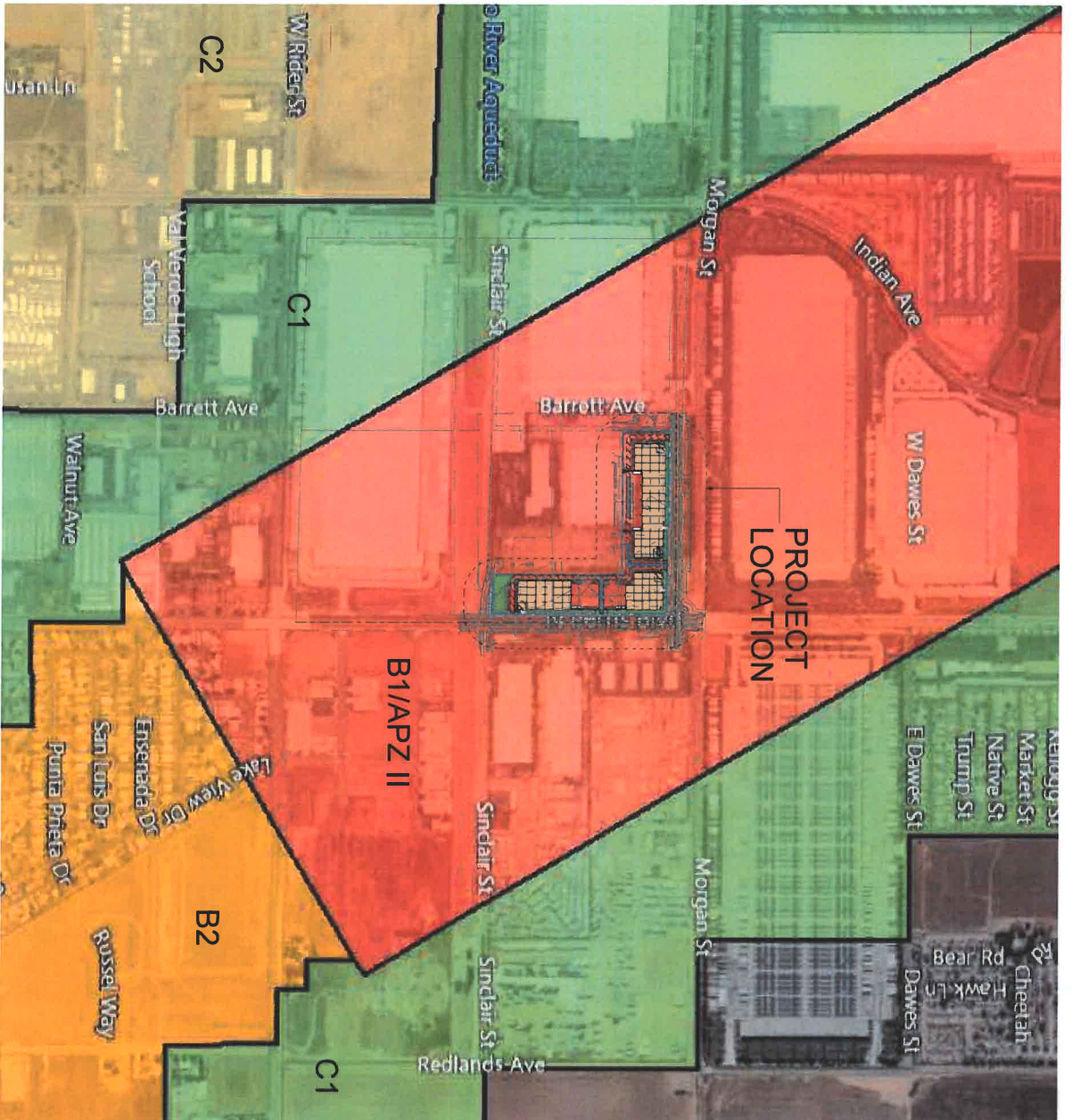


**HERDMAN**  
ARCHITECTURE + DESIGN  
A 19-2188  
05.20.2021

**SITE CROSS SECTIONS**

**A1.6**

DATE: 05/20/21



1 AIRPORT OVERLAY PLAN 1-15-2024

**Compatibility Criteria Table 1.**  
(Foot Notes on located at the end of Chapter 18.131)

| Zone                | Residential (R) / Other | Medium Density (MD) | Single Family (SF) | High Density (HD) | Prohibited Use                           | Other                           |
|---------------------|-------------------------|---------------------|--------------------|-------------------|--|---------------------------------|
| A (Low Density)     | No New Development      | 0                   | 0                  | 0                 | All non-residential uses are prohibited. | Commercial uses are prohibited. |
| B1 (High Density)   | No New Development      | 0                   | 0                  | 0                 | All non-residential uses are prohibited. | Commercial uses are prohibited. |
| B2 (High Density)   | No New Development      | 0                   | 0                  | 0                 | All non-residential uses are prohibited. | Commercial uses are prohibited. |
| C1 (Medium Density) | No New Development      | 0                   | 0                  | 0                 | All non-residential uses are prohibited. | Commercial uses are prohibited. |
| C2 (High Density)   | No New Development      | 0                   | 0                  | 0                 | All non-residential uses are prohibited. | Commercial uses are prohibited. |

PATRIOT PARTNERS MORGAN ST.  
PERRIS, CA

PROJECT  
4th PLANNING SUBMITTAL

HERDMAN  
ARCHITECTURE - DESIGN  
A19-2188  
06.20.2024

AIRPORT OVERLAY  
PLAN

A1.7

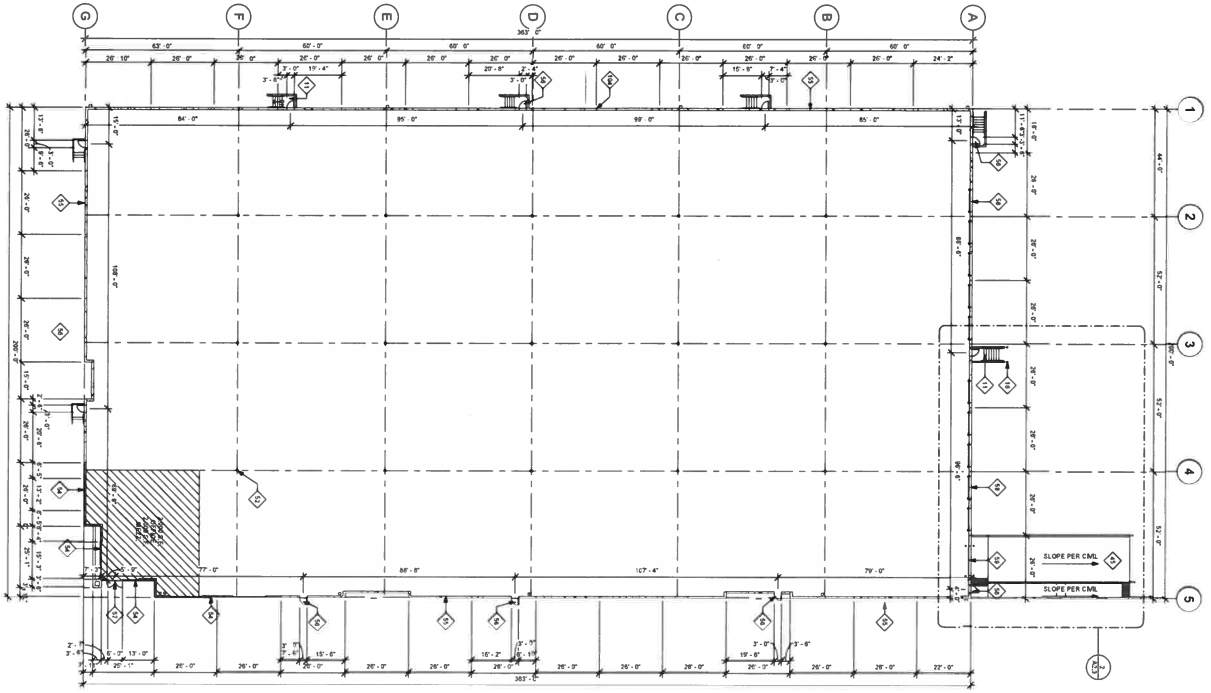
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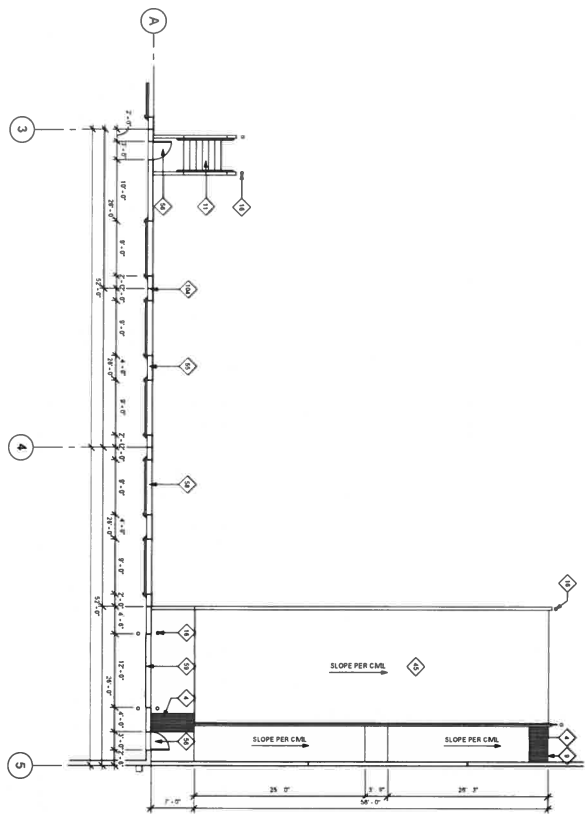




1 PROPOSED BUILDING 3 FLOOR PLAN  
1/8" = 1'-0"



2 PROPOSED BUILDING 3 TYPICAL DOCK SPACING  
1/8" = 1'-0"



| KEYNOTES  | FLOOR PLAN GENERAL NOTES                              |
|---|---|
| 1. THINWALL DOORS                                     | 1. FINISH FLOOR SLAB EDGE IS REFER TO C&M DIMENSIONS  |
| 2. ZONE FROM FACED STEEL W/CONCRETE WALL WALLS        | 2. FINISH FLOOR SLAB EDGE IS REFER TO C&M DIMENSIONS  |
| 3. REFER TO C&M AND STRUCTURE DOCK SCHEDULE           | 3. FINISH FLOOR SLAB EDGE IS REFER TO C&M DIMENSIONS  |
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| 29. FINISH FLOOR SLAB EDGE IS REFER TO C&M DIMENSIONS | 29. FINISH FLOOR SLAB EDGE IS REFER TO C&M DIMENSIONS |
| 30. FINISH FLOOR SLAB EDGE IS REFER TO C&M DIMENSIONS | 30. FINISH FLOOR SLAB EDGE IS REFER TO C&M DIMENSIONS |







**LEGAL DESCRIPTION:**

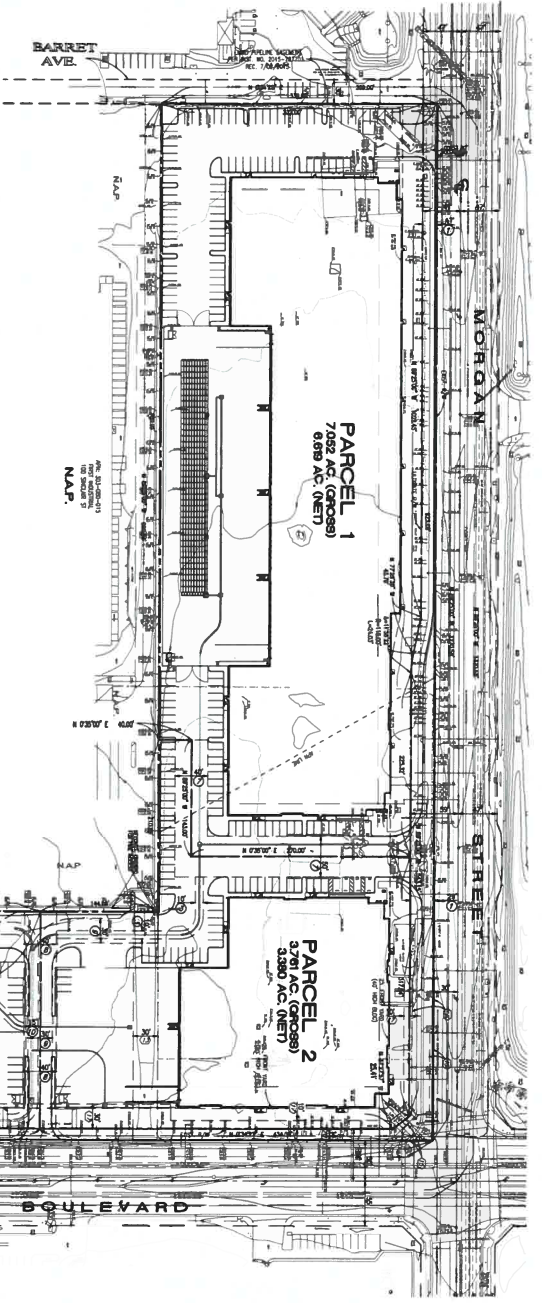
ALL OF THE CORNER CORNER OF CORNER OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, BEING A SUBDIVISION OF PARCEL 1 OF THAT CERTAIN CERTIFICATE OF COMPLIANCE FOR LOT LINE ADJUSTMENT NO. 98-0017, RECORDED JULY 2, 1998 AS INSTRUMENT NO. 274606 OF OFFICIAL RECORDS OF SAID COUNTY.

**BUILDING TABULATION:**

| USE                      | AREA            | HEIGHT   | STORIES  |
|--------------------------|-----------------|----------|----------|
| OFFICE                   | 1,134 AC        | 4        | 4        |
| RETAIL                   | 1,134 AC        | 4        | 4        |
| RESIDENTIAL              | 1,134 AC        | 4        | 4        |
| INDUSTRIAL               | 1,134 AC        | 4        | 4        |
| AGRICULTURE              | 1,134 AC        | 4        | 4        |
| RECREATION               | 1,134 AC        | 4        | 4        |
| RELIGIOUS                | 1,134 AC        | 4        | 4        |
| EDUCATIONAL              | 1,134 AC        | 4        | 4        |
| HEALTH CARE              | 1,134 AC        | 4        | 4        |
| COMMUNITY CENTER         | 1,134 AC        | 4        | 4        |
| ARTS AND CRAFTS          | 1,134 AC        | 4        | 4        |
| RESEARCH AND DEVELOPMENT | 1,134 AC        | 4        | 4        |
| MANUFACTURING            | 1,134 AC        | 4        | 4        |
| WAREHOUSE                | 1,134 AC        | 4        | 4        |
| STORAGE                  | 1,134 AC        | 4        | 4        |
| UTILITY                  | 1,134 AC        | 4        | 4        |
| OTHER                    | 1,134 AC        | 4        | 4        |
| <b>TOTAL AREA</b>        | <b>1,134 AC</b> | <b>4</b> | <b>4</b> |

**TENTATIVE PARCEL MAP NO. 37967**

IN THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
BEING A SUBDIVISION OF PARCEL 1 OF THAT CERTAIN CERTIFICATE OF COMPLIANCE FOR LOT LINE ADJUSTMENT NO. 98-0017, RECORDED JULY 2, 1998 AS INSTRUMENT NO. 274606 OF OFFICIAL RECORDS OF SAID COUNTY



**AREA SUMMARY:**

| PARCEL | ACROSS AREA | LENGTH   | AREA     | PERCENTAGE |
|--------|-------------|----------|----------|------------|
| 1      | 7,082 AC    | 1,134 AC | 7,082 AC | 100%       |
| 2      | 3,708 AC    | 1,134 AC | 3,708 AC | 100%       |
| 3      | 4,788 AC    | 1,134 AC | 4,788 AC | 100%       |

**EXISTING EASEMENTS:**

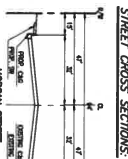
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2. EASEMENT FOR THE CONVEYANCE OF WATER TO THE CITY OF PERRIS TO BE DESCRIBED BY THE CITY OF PERRIS.
3. EASEMENT FOR THE CONVEYANCE OF WATER TO THE CITY OF PERRIS TO BE DESCRIBED BY THE CITY OF PERRIS.
4. EASEMENT FOR THE CONVEYANCE OF WATER TO THE CITY OF PERRIS TO BE DESCRIBED BY THE CITY OF PERRIS.
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9. EASEMENT FOR THE CONVEYANCE OF WATER TO THE CITY OF PERRIS TO BE DESCRIBED BY THE CITY OF PERRIS.
10. EASEMENT FOR THE CONVEYANCE OF WATER TO THE CITY OF PERRIS TO BE DESCRIBED BY THE CITY OF PERRIS.

**PROPOSED EASEMENTS:**

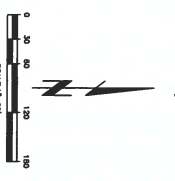
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9. EASEMENT FOR THE CONVEYANCE OF WATER TO THE CITY OF PERRIS TO BE DESCRIBED BY THE CITY OF PERRIS.
10. EASEMENT FOR THE CONVEYANCE OF WATER TO THE CITY OF PERRIS TO BE DESCRIBED BY THE CITY OF PERRIS.

**ZONING:**

ALL PROPOSED EASEMENTS ARE SUBJECT TO THE ZONING REGULATIONS OF THE CITY OF PERRIS. THE CITY OF PERRIS HAS REVIEWED THIS PARCEL MAP AND HAS DETERMINED THAT THE PROPOSED EASEMENTS ARE IN ACCORDANCE WITH THE ZONING REGULATIONS OF THE CITY OF PERRIS.



**NOTES:**  
DATE OF PREPARATION: 06/15/2020  
PROJECT ADDRESS: 15308  
ENGINEER: J. M. WARD  
ENGINEER SITE: 6 MOUNT LAM  
NUMBER OF PROPOSED PARCELS: 3



**UTILITY PROVIDER'S:**  
WATER & SEWER:  
PERRIS WATER & SEWER DEPARTMENT  
15308  
PERRIS, CA 92570  
PHONE: (951) 418-4118

**TELEPHONE CABLE:**  
PERRIS COMMUNICATIONS  
15308  
PERRIS, CA 92570  
PHONE: (951) 418-4118

**ELECTRIC:**  
SOUTHWEST ELECTRIC COMPANY  
15308  
PERRIS, CA 92570  
PHONE: (951) 418-4118

**DESIGN:**  
SUNSHINE DESIGN GROUP  
15308  
PERRIS, CA 92570  
PHONE: (951) 418-4118

**ARCHITECT:**  
HEIDMAN ARCHITECTURE  
AND DESIGN, INC.  
10800  
PERRIS, CA 92518  
PHONE: (714) 389-2800

**OWNER/DEVELOPER:**  
PATRIOT DEVELOPMENT PARTNERS  
34210 WOODBURN STREET  
DANA POINT, CA 92629  
PHONE: (949) 952-4134

**ENGINEER:**  
TJ Thielen Engineering, Inc.  
ONE SHAWNEE LANE SUITE 200  
DANA POINT, CA 92629  
PHONE: (949) 461-1911

**SURVEYOR:**  
PATRIOT LAND SURVEYING  
15308  
PERRIS, CA 92570  
PHONE: (951) 418-4118







## EXHIBIT F

Response to Comments available online at:

<https://www.cityofperris.org/home/showpublisheddocument/14332>

## EXHIBIT G

MND, MMRP, Initial Study - MND 2360, Initial Study and Associated Studies are on File at the Planning Department and available online at:

<https://www.cityofperris.org/departments/development-services/planning/environmental-documents-for-public-review/-folder-276>

# **Planning Commission Agenda**

**CITY OF PERRIS  
August 18, 2021**

## **Item 7B**

**Ordinance Amendment 21-05110**



# CITY OF PERRIS

## PLANNING COMISION

### AGENDA SUBMITAL

**MEETING DATE:** August 11, 2021

**SUBJECT:** **Zone Text Amendment 21-05110** – An Ordinance Amendment to comprehensively update Chapter 19.81 of the zoning code to regulate secondary dwelling units in compliance with State law and in support of the Regional Housing Needs Assessment of the City.

**Applicant:** City of Perris

**REQUESTED ACTION:** **Adopt Resolution No. 21-15** recommending adoption of Zone Text Amendment No 21-05110 repealing and replacing Perris Municipal Code Section 19.81 – Second Dwelling Units with Perris Municipal Code Section 19.81 – Accessory Dwelling Units and Junior Accessory Dwelling Units.

**CONTACT:** Candida Neal, Interim Director Development Services Department

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#### **PROJECT DESCRIPTION AND BACKGROUND:**

On January 1, 2020, changes to Government Code Sections 65852.2 and 65852.22 went into effect. These changes modified the permitting and regulation of Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) and made null and void any ordinance that was not in revised statutes. As a result, for the past eighteen months the City has been relying on the State legislation to regulate ADUs and JADUs.

To comply with the new state mandates, Zone Text Amendment 21-05110 will replace Perris Municipal Code (PMC) Section 19.81 – Second Dwelling Units with PMC Section 19.81 – Accessory Dwelling Units. Consistent with State law, the zoning amendment will allow ADUs in any area zoned for single family residential uses and allow ADUs to be constructed in existing multi-family projects.

On July 21, 2021, the Planning Commission held a public hearing on Zone Text Amendment 21-15 and continued the public hearing to allow staff time to provide additional information.

#### **ANALYSIS:**

##### **Planning Commission Questions**

To respond to the Planning Commission questions, staff reviewed the *Accessory Dwelling Unit Handbook*, December 2020 and contacted California Housing and Community Development

(HCD) staff for clarification on Planning Commission concerns. The concerns and the HCD staff responses are described below.

***One Block Definition***

GC 85852.2 (d)(1) states that local government cannot require accessory dwelling units to provide parking when . . . *there is a car share vehicle located within one block of the accessory dwelling unit.*

- Can a community define what a block is?

ADU staff response was that the Government Code Section established the distance as one city block and that is the distance required. Any further definition could be in conflict with the Statute.

- Can a community can establish a distance requirement for the block requirement?

During the discussion, Planning Commissioners recognized that blocks length varies from one area to another and considered establishing a specific distance. However, ADU staff indicated that establishing a specific distance could place an undue burden on the construction of Accessory Dwelling Units.

***Ministerial Approval***

GC 85852.2 (a)(3) A permit application for an accessory dwelling unit or a junior Accessory dwelling unit shall be considered and *approved ministerially without discretionary review or a hearing.*

- Perris Planning Division currently reviews all residential building requests, new construction, additions or modifications for zoning code compliance. If the local Ordinance requires that the new ADU be compatible with the architecture of the primary structure, is this considered a discretionary action?

Local government may apply development and design standards as part of a ministerial review that include, but are not limited to, parking, height, setback, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Resources.

***Short Term Rental Limits***

- Do cities have to include a provision that the property will not be rented for less than 30 days?

Cities do not have to prohibit short term rentals. However, if it is the City's intent to reserve the ADUs for local residents, limits should be included in the City ADU Ordinance.

- If this limitation is not included, will it impact the City's ability to count the ADU as an affordable housing unit?

Once the unit is permitted, there is no control over how it is used. In meeting local RHNA requirements, the City will have to use your local data and knowledge as to what income group this unit is actually serving.

***Minimum Size***

The City of Perris is interested in establishing a minimum unit size based on occupancy. It would be 320 and based on the California Building Code occupancy requirements which are 220 sf for the unit + 100 sf for person.

- Can cities establish a minimum unit size for all JADUs and Converted ADUs as well?

Cities can establish minimum and maximum size requirements, but they cannot be tied to actual occupancy. For example, the ordinance can establish a minimum size of 320 square feet. Communities cannot enforce the California Building Code Occupancy requirements and an ADU ordinance cannot limit the maximum number of people that reside in a unit.

However, a local ADU Ordinances can also establish maximum sizes for some types of ADUs. Without an ADU ordinance, cities must allow any ADU that is no more than 1,200 square feet. By adopting an ADU ordinance a city can limit the maximum size to 1,000 square feet. Cities cannot limit the size of Converted ADUs either in single family dwellings or multi-family projects.

**Ordinance Changes**

At their July meeting, Planning Commission directed staff to make the specific changes to the draft ordinance. After consultation with HCD, only one substantive change was made to the draft ordinance. Section 19.81.100(e) was revised as follows:

*Additional Floor Area.* Building envelope may be increased by up to 150 square feet to accommodate a new entrance. JADU total area shall not exceed the maximum size defined in Section 19.81.100(c).

**Supplemental Materials**

The Planning Commission also suggested that staff review supplemental materials that will help explain the ordinance and ADUs to the public. Staff is working on a matrix that will list all the development standards by type of ADU. In addition, staff is investigating programs that provide pre-approved plans for ADUs.

**RECOMMENDATION:**

Staff recommends the Planning Commission adopt Resolution No. 20-15 recommending to the City Council adoption of the Statutory Exemption for Zone Text Amendment No. 21-05110 and Zone Text Amendment 21-05110.

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**BUDGET (or FISCAL) IMPACT:** Costs for staff preparation of this item are included in the General Fund Budget.

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**Prepared by:** Kenneth Phung, Planning Manager and  
Candida Neal, Interim Development Services Director

**REVIEWED BY:** Candida Neal, Interim Development Services Director

**Exhibits:** Exhibit A – Planning Commission Resolution  
Exhibit B – City Council Ordinance  
Exhibit C – Draft ADU Ordinance  
Exhibit D – Planning Commission Agenda Submittal July 21, 2021

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# EXHIBIT A – PLANNING COMMISSION RESOLUTION



**RESOLUTION NUMBER 21-15**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE ORDINANCE AMENDMENT 21-05110 TO RETITLE AND AMEND, IN ITS ENTIRETY, CHAPTER 19.81 (SECOND DWELLING UNITS) OF TITLE 19 OF THE PERRIS MUNICIPAL CODE, IN ORDER TO UPDATE THE CITY'S ACCESSORY DWELLING UNIT AND JUNIOR ACCESSORY DWELLING UNIT REGULATIONS SO THAT SUCH REGULATIONS ARE CONSISTENT WITH GOVERNMENT CODE SECTIONS 65852.2 AND 65852.22 AND FIND THAT THE PROPOSED ORDINANCE IS STATUTORILY EXEMPT FROM CEQA PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.17; AND MAKING FINDINGS RELATED THERETO.**

**WHEREAS**, the City of Perris supports and will assist the development of accessory dwelling units and junior accessory dwelling units by amending Chapter 19.81, Second Dwelling Units, to comply with Government Code Sections 65852.2 and 65852.22; and

**WHEREAS**, Ordinance Amendment 21-05110 and its attachments, as attached in Exhibit C, (collectively hereafter referred to as "Ordinance Amendment 21-05110") will retitle and amend, in its entirety, Chapter 19.81 (Second Dwelling Units) of Title 19 of the Perris Municipal Code, relating to Second Dwelling Units in order to update the City's accessory dwelling unit and junior accessory dwelling unit regulations to be consistent with Government Code Sections 65852.2 and 65852.22; and

**WHEREAS**, on July 21, 2020, the Planning Commission conducted a legally noticed public hearing for Ordinance Amendment 21-05110 with the proposed changes shown in Exhibit C and continued the public hearing to the regularly scheduled Planning Commission on August 11, 2021; and

**WHEREAS**, on August 11, 2021, the Planning Commission conducted a legally noticed public hearing for Ordinance Amendment 21-05110 with the proposed changes shown in Exhibit C; and

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

**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 are incorporated herein by this reference.

**Section 2.** The Planning Commission has reviewed and considered the proposed Ordinance Amendment 21-05110. The Planning Commission further finds and determines that the City has complied with the California Environmental Quality Act and Ordinance Amendment 21-05110 is Statutorily Exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17 which states that CEQA does not apply to the adoption of an ordinance by a city or county to implement provisions of Government Code Sections 65852.2. and 65852.22. This Ordinance is being adopted to implement provisions of Government Code Sections 65852.2. and 65852.22. This determination reflects the independent judgment of the Planning Commission.

**Section 3.** Based upon the forgoing, all oral and written presentations made by members of the public and City staff, including, but not limited to, the agenda report and its attachments/exhibits, at the public hearings on July 21, 2021 and August 11, 2021, this Planning Commission finds, in regard to the proposed Ordinance Amendment 21-05110, which retitles and amends, in its entirety, Chapter 19.81 of Title 19 of the Perris Municipal Code, as follows:

Ordinance Amendment 21-05110:

- A. The proposed Ordinance Amendment 21-05110 will not result in a significant adverse effect on the environment. The California Environmental Quality Act (CEQA) states that the project is Statutorily Exempt pursuant to Public Resources Code Section 21080.17 which states that CEQA does not apply to the adoption of an ordinance by a city or county to implement provisions of Government Code Sections 65852.2. and 65852.22. This Ordinance Amendment 21-05110 is being adopted to implement provisions of Government Code Sections 65852.2. and 65852.22.
- B. The proposed Ordinance Amendment 21-05110 will not conflict with the goals, policies, and implementation measures set forth in the General Plan and Zoning Ordinance because the purpose of the Ordinance Amendment is to support and promote affordable housing by encouraging the development of Accessory Dwelling Units and Junior Accessory Dwelling Units. The Zoning Code simplifies the requirements for constructing Accessory Dwelling Units and Junior Accessory Dwelling Units so that they will be compatible with the existing neighborhood.
- C. The proposed Ordinance Amendment 21-05110 will not have a negative effect on public health, safety, or the general welfare of the community because the Accessory Dwelling Units and Junior Accessory Dwelling Units Ordinance in its entirety, simplifies the process for permitting these units and promotes development of affordable housing that enhance the built environment and support further the city goals for providing affordable housing that is compatible with the surrounding neighborhoods.

**Section 4.** Based upon the forgoing, all oral and written presentations made by members of the public and City staff, including, but not limited to, the agenda report and its attachments/exhibits, at the public hearing on July 21, 2021 and August 11, 2021, the Planning

Commission hereby recommends that the City Council find that Ordinance Amendment 21-05110 is Statutorily Exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17 and adopt Ordinance Amendment 21-05110, which is attached hereto as Exhibit C and which retitles and amends, in its entirety, Chapter 19.81 of Title 19 of the Perris Municipal Code.

**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 11<sup>th</sup> day of August 2021.

\_\_\_\_\_  
CHAIRPERSON, PLANNING COMMISSION

Attest:

\_\_\_\_\_  
Secretary, Planning Commission

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

I, Kenneth Phung, Designee Secretary of the Planning Commission of the City of Perris, do hereby certify that the foregoing Resolution Number 21-15 was duly adopted by the Planning Commission meeting held on the 11<sup>th</sup> day of August 2021, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Designee Secretary of the Planning Commission

Exhibit C: Proposed Chapter 19.81 of Title 19 of the Perris Municipal Code, relating to  
Accessory Dwelling Units and Junior Accessory Dwelling Units

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# EXHIBIT B – CITY COUNCIL ORDINANCE

**ORDINANCE NUMBER next in order**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, RETITLING AND AMENDING, IN ITS ENTIRETY, CHAPTER 19.81 (SECOND DWELLING UNITS) OF TITLE 19 OF THE PERRIS MUNICIPAL CODE IN ORDER TO UPDATE THE CITY'S ACCESSORY DWELLING UNIT AND JUNIOR DWELLING UNIT REGULATIONS SO THAT SUCH REGULATIONS ARE CONSISTENT WITH GOVERNMENT CODE SECTIONS 65852.2 AND 65852.22; TO FINDING THAT THIS ORDINANCE IS STATUTORILY EXEMPT FROM CEQA PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.17; AND MAKING FINDINGS RELATED THERETO.**

**WHEREAS**, the City of Perris supports and will assist the development of accessory dwelling units and junior accessory dwelling units by amending Chapter 19.81, Second Dwelling Units, to comply with Government Code Sections 65852.2 and 65852.22; and

**WHEREAS**, this Ordinance (Ordinance Amendment 21-05110) and its Exhibit 1 (collectively referred to as the "Ordinance") will retitle and amend, in its entirety, Chapter 19.81 (Second Dwelling Units) of Title 19 of the Perris Municipal Code in order to update the City's accessory dwelling unit and junior accessory dwelling unit regulations to be consistent with Government Code Sections 65852.2 and 65852.22; and

**WHEREAS**, on July 21, 2021 and August 11, 2021, the Planning Commission conducted a legally noticed public hearing for this Ordinance, which is attached hereto, and recommended approval of this Ordinance to City Council after considering all oral and written testimony from members of the public and City staff, including, but not limited to, all staff reports and exhibits and accompanying documents; and

**WHEREAS**, on \_\_\_\_\_, 2021, the City Council conducted a legally noticed public hearing for this Ordinance, and has considered all oral and written testimony from members of the public and City staff, including, but not limited to, all staff reports and exhibits and accompanying documents; and

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

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

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

**Section 2.** The City Council has reviewed and considered this Ordinance. The City Council further finds and determines that the City has complied with the California

Environmental Quality Act and this Ordinance is Statutorily Exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17 which states that CEQA does not apply to the adoption of an ordinance by a city or county to implement to provisions of Government Code Sections 65852.2. and 65852.22. This Ordinance is being adopted to implement provisions of Government Code Sections 65852.2. and 65852.22. This determination reflects the independent judgment of the City Council.

**Section 3.** Based upon the forgoing, all oral and written presentations made by members of the public and City staff, including, but not limited to, the agenda report and its attachments/exhibits, at the public hearing on \_\_\_\_\_, the City Council finds, regarding this Ordinance, as follows:

Ordinance Amendment 21-05110:

- A. This Ordinance will not result in a significant adverse effect on the environment. The California Environmental Quality Act (CEQA) states that the project is Statutorily Exempt pursuant to Public Resources Code Section 21080.17 which states that CEQA does not apply to the adoption of an ordinance by a city or county regulations to implement to provisions of Government Code Sections 65852.2. and 65852.22. This Ordinance is being adopted to implement provisions of Government Code Sections 65852.2. and 65852.22.
- B. This Ordinance will not conflict with the goals, policies, and implementation measures set forth in the General Plan and Zoning Ordinance because the purpose of the Ordinance is to support and promote affordable housing by encouraging the development of Accessory Dwelling Units and Junior Accessory Dwelling Units. The Zoning Code simplifies the requirements for constructing Accessory Dwelling Units and Junior Accessory Dwelling Units so that they will be compatible with the existing neighborhood.
- C. This Ordinance will not have a negative effect on public health, safety, or the general welfare of the community because the Accessory Dwelling Units and Junior Accessory Dwelling Units Ordinance in its entirety, simplifies the process for permitting these units and promotes development of affordable housing that enhance the built environment and support further the city goals for providing affordable housing that is compatible with the surrounding neighborhoods.

**Section 4.** Based upon the forgoing, all oral and written presentations made by members of the public and City staff, including, but not limited to, the agenda report and its attachments/exhibits, at the public hearing on \_\_\_\_\_, the City Council hereby approves this Ordinance (Ordinance Amendment 21-05110), which retitles and amends, in its entirety, Chapter 19.81 of Title 19 of the Perris Municipal Code as provided in Exhibit 1 of this Ordinance.

**Section 5.** Chapter 19.81 of Title 19 of the Perris Municipal Code is retitled and amended in its entirety as provided in Exhibit 1 of this Ordinance.

**Section 6.** 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 7.** The Mayor shall sign this Ordinance and the City Clerk shall certify to the 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.

**ADOPTED, SIGNED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2021.**

\_\_\_\_\_  
Mayor, Michael J. Vargas

ATTEST:

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

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

I, **Nancy Salazar**, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Ordinance Number \_\_\_\_ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the \_\_\_\_ day of \_\_\_\_\_, 2021, by the following called vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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

Exhibit 1: Retitle and Amendments to Chapter 19.81 of Title 19 of the Peris Muincipal Code

ORDINANCE NO. \_\_\_\_\_

Page 4

**Exhibit 1**  
**Retitle and Amendments to Chapter 19.81 of Title 19 of the Peris Muincipal Code**

01006.0005/729005.1



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# EXHIBIT C – ACCESSORY DWELLING UNIT ORDINANCE

## CHAPTER 19.81 – ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

### Sec. 19.81.010 – Purpose

The purpose of this section is to establish regulations and procedures for reviewing permitting Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) consistent with California Government Code Section 65852.2 and 6852.22, or any successor statute.

### Sec. 19.81.020 – Definitions

A

*Accessory Dwelling Unit (ADU)* – is a dwelling unit that is either attached to, detached from, or contained within the principal dwelling unit located or proposed on a site zoned for residential use.

*Accessory Structure* – is a structure that is located on the same lot as the primary dwelling. An accessory structure may be either attached or detached from the primary dwelling and must have a use that is incidental to the main use. Examples of residential accessory uses include, but are not limited to, storage sheds, garages, studios.

*Attached ADU* – an accessory dwelling unit created by new construction that is attached to the primary dwelling unit by a shared wall, floor, or ceiling. Attached ADUs cannot be constructed in a multi-family project.

B

*By-right* – Zoning allows development to proceed without the need for a discretionary permit including but not limited to a conditional use permit, variance, or zoning amendment.

C

*Car Share Vehicle* – Car sharing organizations offer members use of cars on a short-term basis.

*Converted ADU* – an accessory dwelling unit created by the conversion of existing floor area within either the primary dwelling unit or an accessory structure or by total replacement of an existing accessory structure with an ADU.

D

*Detached ADU* – an accessory dwelling unit located on the same parcel and is created by new construction that is detached, or separate from, the primary dwelling unit. Detached ADUs may be constructed on single-family parcels or multi-family properties.

E

*Efficiency Kitchen* – For purposes of establishing a JADU, an efficiency kitchen shall be defined as an area that shall include a sink, food preparation counter and food storage area. A plug-in food preparation appliance, such as a microwave or hot plate, may also be provided.

*Existing Building Envelope* – The existing walls and roofs of a dwelling that separate interior space for exterior space. A space enclosed by at least two walls and a roof is within the existing building envelope.

J

*Junior Accessory Dwelling Unit (JADU)* – a dwelling unit accessory to and entirely contained within an existing or proposed single family dwelling. A JADU may have a bathroom or may share a bathroom with the Primary Dwelling Unit.

K

*Kitchen* – An area that includes a cooking appliance, sink, refrigerator and food preparation and storage area.

M

*Ministerial Action* – A permit application considered an approved without discretionary review or a hearing.

*Minor Adjustment* – Defined in Perris Municipal Code Section 19.54.020 (9), a minor adjustment to specific development standards may be approved by the Development Services Director.

*Multi-family Dwelling* – An existing building that contains more than one dwelling unit and is located within a zoning district that allows multi-family dwellings.

P

*Primary Dwelling Unit* – may be any of the following an existing single-family dwelling, a proposed single-family dwelling, or an existing multi-family structure.

*Proposed Dwelling* – a dwelling that has applied for a permit and that meets the requirements for permitting.

*Public Transit* – a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes and are available to the public.

T

*Tandem parking* – When two or more vehicles are parked lined up one behind the other.

U

*Underlying Zoning* – The zoning district in which a parcel is located on the City of Perris Zoning Map or within a Specific Plan.

**Sec. 19.81.030 – Applicability**

Any construction, establishment, alteration, enlargement, or modification of an ADU or a JADU shall comply with the requirements of this chapter and the City’s building and fire codes. An ADU or JADU shall be deemed:

- (a) Consistent with the General Plan designation and zoning for the parcel on which the ADU or JADU is located.
- (b) Within the allowable density for the parcel on which the ADU or JADU is located.

**Sec. 19.81.040 – Review Authority**

- (a) *Building Permit Approval - Compliance with Underlying Zoning.* ADUs and JADUs that meet the applicable Development Standards described in this chapter and the requirements of the underlying zoning shall be approved by Building Permit review. Building permit approval is a ministerial action.
- (b) *Minor Adjustment Approval.* An ADU that exceeds the maximum height standards may be permitted subject to approval of a Minor Adjustment if the proposed unit meets the standards outlined in PMC Section 19.54.020 and it can be demonstrated that the proposed ADU is designed so that it does not negatively impact the neighboring properties.

**Sec. 19.81.050 – Location**

- (a) ADUs and Junior ADUs are permitted on sites that have an existing or primary dwelling unit and with underlying zoning that allow single-family homes by-right or conditional use.
- (b) ADUs are permitted on sites that have existing multi-family residences and with underlying zoning districts allow multi -family homes by-right.
- (c) Junior ADUs are not permitted on sites where a portion of the Primary Dwelling has been converted to an ADU.
- (d) Junior ADUs are not permitted on sites with multi-family projects.

**Sec. 19.81.060 – Development Standards for All ADUs.**

Except as modified by this Chapter all ADUs shall conform to the requirements of the underlying residential zoning district and the zoning code in addition to the standards listed below.

- (a) *Minimum Lot Area.* There shall be no minimum lot area required to establish an ADU and/or junior ADU.

- (b) *Building Height.* Shall not exceed 16 feet unless the proposed ADU is within the existing building envelope or permitted by Minor Adjustment approval.
- (c) *Minimum Unit Size.* Must have a minimum of 320 square feet floor area.
- (d) *Setbacks.* All units must have an entrance separate from the primary dwelling entrance.
  - a. Front yard. Determined by underlying zone.
  - b. Side and Rear yards. Minimum four feet or underlying zone requirement whichever is less.
  - c. When a property is adjacent to an alley, the side or rear yard setback may be reduced with the Minor Adjustment approval.
- (e) *Architectural Design.* The architectural design of the ADU shall be compatible with the architectural style and materials used in the Primary Dwelling.
- (f) *Exterior Entrance.* All units must have an entrance separate from the primary dwelling entrance.
- (g) *Garage Doors.* When garages are converted to ADUs or Junior ADUs the garage door for vehicles must be replaced with a wall that matches the existing architecture.
- (h) *Bathroom.* A separate bathroom is required.
- (i) *Kitchen.* A kitchen area is required.
- (j) *Fire Sprinklers.* Fire sprinklers are required when the Primary Dwelling Unit has fire sprinklers.
- (k) *Underlying Zoning Standards.* Lot coverage, distance requirements between structures and other standards established by the underlying zoning may be applied so long as the application of the requirements do not prohibit construction of an ADU with a floor area that is eight hundred (800) square feet or less, or a peak height above grade that is no more than sixteen (16) feet, or with side and rear yard setbacks that are no less than four (4) feet.

**Sec. 19.81.070 – Specific Development Standards for Single-Family – Attached ADUs**

In addition to the Development Standards outlined in Section 19.81.060, Attached ADUs shall comply with the following standards.

- (a) *Zoning.* ADUs are allowed in any zoning that permits a single-family residence by-right.
- (b) *Maximum Number of Units on a Site.* No more than 1 Primary Dwelling Unit, 1 Attached ADU are permitted.
- (c) *Maximum Unit Size.* The attached ADU shall have an area no more than 50% of the floor area in the primary dwelling.
  - a. Studios and 1-bedroom units – 850 square feet.
  - b. More than 1-bedroom units – 1,000 square feet.
- (d) *Parking Requirements.* Except as provided in Section 19.81.120, one parking space shall be required.

**Sec. 19.81. 080 – Specific Development Standards for Single-Family – Detached ADUs**

In addition to the Development Standards outlined in Section 19.81.060, Detached ADUs shall comply with the following standards.

- (a) *Zoning.* ADUs are allowed in any zoning that permits a single-family residence by-right.
- (b) *Maximum Number of Units on a Site.* No more than 1 Primary Dwelling Unit, 1 Detached ADU and 1 JADU are permitted.
- (c) *Maximum Unit Size.*
  - a. Studios and 1-bedroom units – 850 square feet.

- b. More than 1-bedroom units – 1,000 square feet.
- (d) *Setbacks.* underlying
  - a. Front yard. Determined by underlying zone.
  - b. Side and Rear yards. Minimum four feet or underlying zone whichever is less.
  - c. When a property is adjacent to an alley, the side or rear yard setback may be reduced with the Minor Adjustment approval.
- (e) *Parking Requirements.* Except as provided in Section 19.81.120, one parking space shall be required.

**Sec. 19.81.090 – Specific Development Standards for Single-Family – Converted ADUs**

In addition to the Development Standards outlined in Section 19.81.060, Converted ADUs shall comply with the following standards.

- (a) *Zoning.* ADUs and JADUs are allowed in any zoning that permits a single-family residence by-right.
- (b) *Maximum Number of Units on a Site.* No more than 1 Primary Dwelling Unit and 1 Converted ADU. No JADUs are permitted.
- (c) *Maximum Size.* No Limit.
- (d) *Building Envelope.* The Converted ADU must be constructed within the existing floor area of the Primary Dwelling.
- (e) *Additional Floor Area.* Building envelope may be increased by up to 150 square feet to accommodate a new entrance to the Converted ADU.
- (f) *Setbacks.* Determined by underlying zone.
- (g) *Parking Requirements*
  - a. Primary Dwelling. When a garage is converted to an ADU, the parking for the Primary Dwelling does not have to be replaced.
  - b. ADU. None.

**Sec. 19.81.100 – Specific Development Standards for JADUs**

In addition to the Development Standards outlined in Section 19.81.060, JADUs ADUs shall comply with the following standards.

- (a) *Zoning.* JADUs are allowed in any zoning that permits a single-family residence by-right.
- (b) *Maximum Number of JADUs on a site.* One.
- (c) *Maximum Unit Size.* The maximum floor area of a JADU shall not exceed 500 square feet.
- (d) *Building Envelope.* The JADU must be constructed within the existing building envelope of the Primary Dwelling.
- (e) *Additional Floor Area.* Building envelope may be increased by up to 150 square feet to accommodate a new entrance to the JADU. JADU total area shall not exceed the maximum size defined in Section 1981.100(c).
- (f) *Exterior Entrance.* JADU must have an entrance separate from the Primary Dwelling entrance.
- (g) *Parking Requirements.* None.

**Sec. 19.81.110 – Specific Development Standards for ADUs in Multi-Family Sites**

In addition to the Development Standards outlined in Section 19.81.060, Multi-family ADUs shall comply with the following standards.

- (a) *Zoning.* ADUs are allowed on residential and mixed use zoned properties with existing multi-family dwellings.
- (b) *Maximum Number of Units.*
  - a. *Converted Units* – At least one and no more than 25% of the existing number of units.
  - b. *Detached Units* – Two.
- (c) *Location.*
  - a. Site must have an existing multi-family structure and
  - b. ADUs must be located within portions of the structure that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, and garages.
- (d) *Multi-Family Sites.* The number of new multi-family units permitted in a multi-family project shall not exceed 25% of the existing multi-family units and shall be calculated in the following manner:
  - a. Previously approved ADUs shall not count towards the existing multi-family dwellings.
  - b. Fractions shall be rounded down to the next lower number of dwelling units, except that at least one ADU shall be permitted; and
  - c. Multi-family projects approved and built as a single complex shall be considered one lot, regardless of the number of parcels or buildings.
- (e) *Maximum Unit Size.*
  - a. Studios and 1-bedroom units – 850 square feet.
  - b. More than 1-bedroom units – 1,000 square feet.
- (f) *Type of ADUs.*
  - a. Permitted. Converted or Detached ADUs
  - b. Prohibited. Attached ADUs and JADUs
- (g) *Parking Requirements.*
  - a. *Converted Units* – None.
  - b. *Detached Units* – One per ADU.

**Sec. 19.81.120 – Parking Standards**

- (a) *Parking Requirements.* Parking shall comply with Chapter 19.69.020, except as modified by the requirements of this Chapter.
  - a. Unless, the requirement is exempted or waived by other provisions of this Chapter, each ADU shall have one designated off-street parking space.
  - b. Tandem parking and parking within the rear and side yard setbacks are permitted unless findings can be made by City staff demonstrating that the design or location would create dangerous life or fire safety conditions.
  - c. When a garage or carport is demolished or converted to an ADU, replacement parking is not required.
- (b) *Parking Not Required.* ADUs do not need to provide parking when one of the following standards is met.
  - a. The property is within ½ mile walking distance of public transit, or
  - b. The ADU is within an architecturally and historically significant historic district.

- c. The ADU is part of the Primary Dwelling or an accessory structure.
- d. When on-street parking permits are required but not offered to the occupant of the ADU.
- e. When there is a carshare vehicle located within one block of the ADU.

**Sec. 19.81.130 – Operational Requirements for All ADUs and JADUs.**

(a) *No Separate Conveyance.*

- a. Single-Family ADUs and JADUs. An ADU or JADU may be rented, but no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling.
- b. Multi-Family ADUs. An ADU may be rented, but no ADU may be sold or otherwise conveyed separately from the lot and the other dwellings.

(b) *Short-Term Lodging.* An ADU or JADU permitted by this Chapter shall not be rented for periods of thirty (30) days or less.

(c) *Covenant and Recordation.*

Prior to issuance of a building and/or grading permit for an ADU, the property owner shall record a covenant with the County Recorder's Office, the form and content of which is satisfactory to the City Attorney. This deed restriction shall remain in effect so long as the ADU and/or junior accessory unit remains on the lot. The deed restriction document shall notify future owners of the following:

- a. Prohibition on the separate conveyance of the property,
- b. Approved size and attributes of the units or units,
- c. Restrictions on short-term rentals, and
- d. One unit on the property must be owner-occupied when a JADU is on the site.



**EXHIBIT D – PLANNING COMMISSION  
SUBMITTAL JULY 11, 2021**



# CITY OF PERRIS

## PLANNING COMMISSION

### AGENDA SUBMITTAL

**MEETING DATE:** July 21, 2021

**SUBJECT:** **Ordinance Amendment 21-05110** – An Ordinance Amendment to retitle and amend, in its entirety, Chapter 19.81 (Second Dwelling Units) of Title 19 of the Perris Municipal Code in order to update the City’s accessory dwelling unit and junior accessory dwelling unit regulations so that such regulations are consistent with Government Code Sections 65852.2 and 65852.22.

**Applicant:** City of Perris

**REQUESTED ACTION:** **Adopt Resolution No. (next in order)** recommending that the City Council find that Ordinance Amendment No. 21-05110 is Statutorily Exempt from CEQA pursuant to Public Resources Code Section 21080.17 and adopt Ordinance No. (Next in Order) retitling and amending, in its entirety, Chapter 19.81 (Second Dwelling Units) of Title 19 of the Perris Municipal Code, which retitles Chapter 19.81 to “Accessory Dwelling Units and Junior Accessory Dwelling Units” and updates the City’s accessory dwelling unit and junior accessory dwelling unit regulations so that such regulations are consistent with Government Code Sections 65852.2 and 65852.22.

**CONTACT:** Candida Neal, Interim Director Development Services Department

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#### **PROJECT DESCRIPTION AND BACKGROUND:**

On January 1, 2020, changes to Government Code Sections 65852.2 and 65852.22 went into effect. These changes modified the permitting and regulation of Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) and made null and void any ordinance that was not in revised statutes. As a result, for the past eighteen months the City has been relying on the State legislation to regulate ADUs and JADUs.

To comply with the new state mandates, Ordinance Amendment 21-05110 will retitle and amend, in its entirety, Chapter 19.81 (Second Dwelling Units) of Title 19 of the Perris Municipal Code (PMC). Chapter 19.81 will be retitled to “Accessory Dwelling Units and Junior Accessory Dwelling Units.” Further, Chapter 19.81 will be amended in its entirety to be consistent with State law. The proposed Ordinance Amendment 21-05110 will allow ADUs in any area zoned for single family residential uses and allow ADUs to be constructed in existing multi-family projects.

## ANALYSIS:

### Types of ADUS

State Accessory Dwelling Unit statutes define six types of units and establish location requirements, development standards and parking regulations based on the following:

- **Junior Accessory Dwelling Units** or JADUs are not permitted by the current zoning code, JADUs are smaller than ADUs and contained entirely within an existing or proposed single family dwelling. Unlike ADUs which must have their own bathroom facilities, a JADU may share a bathroom with the primary dwelling unit. JADUs can be constructed on single family sites that have either an Attached ADU or a Detached ADU. They are not permitted on single family sites with a Converted Unit or on a multi family site.
- **Single Family ADUs** are allowed on any site with an existing or proposed single family dwelling. They can be one of three types:
  - *Attached Single Family ADUs* share a wall or a portion of a wall with the Primary Dwelling or an existing accessory structure; or
  - *Detached Single Family ADUs* are located in structures separate from the Primary Dwelling; or
  - *Converted Single Family ADUs* are located within the existing Primary Dwelling. New construction in Converted ADUs is limited to 150 square feet. The new area can only be used for entrances.
- **Multi-Family ADUs** are allowed on properties with multi-family homes or mixed use development and can be either Detached Multi-Family Units or Converted Multi-Family Family ADUs. Converted units must be constructed within nonresidential areas of the building such as attics, utility rooms or basements.

### State Government Code Requirements

The amendments to Government Code Sections 65852.2 and 65852.22 encourage development of additional housing by reducing and eliminating restrictions on ADUs and JADUs. Cities can only modify these conditions to make them less restrictive. For example, a City could reduce the number of parking spaces required for an Single Family Attached ADU to zero, but could not increase the standard to 2 spaces. These regulations are incorporated into Ordinance Amendment 21-05110 and discussed below.

- **Ministerial Review Process.** State law requires cities to review all ADU and JADU applications through administrative process. Time limits ensure that the ADU or JADU is approved or denied within 60 days of submitting a complete application.
- **Location.** Cities must allow ADUs and JADUs in any single-family residential, multi-family or mixed-use zoning district that allows residential uses by right or with a conditional use permit. Minimum lot size requirements are prohibited.

- **Development Standards of the Underlying Zoning.** Cities are allowed to enforce the development standards of the underlying zoning such as setback requirements, height restrictions and lot coverage as long as enforcement of those standards does not prevent construction of an ADU that meets the following standards:
  - Floor area of 800 square feet or less,
  - Above-grade height of 16 feet or less, and
  - Rear and side yard setbacks no less than 4 feet.
  
- **Maximum Number of Dwellings on Site.**
  - Single Family Sites an Attached ADU or a Detached ADU can also construct a JADU for a total of three dwelling units on the site.
  - Single Family Sites a Converted ADU cannot construct a JADU and will be limited to two dwelling units on the site.
  - Multi-Family Projects can have 2 Detached Units. Maximum number of Converted ADUs on a multi-family site is 25% of the total units. Duplexes and triplexes are allowed to construct one Converted ADU.
  
- **Maximum Unit Size.**
  - JADUs – 500 square feet.
  - Single-Family Attached ADU – No more than 50% of the floor area in the Primary Dwelling Unit *and* 850 square feet for studio and one-bedroom units and 1,000 square feet for two-bedroom units.
  - Single-Family Detached and Converted ADU, Multi-family Attached and Detached ADU – 850 square feet for studio and one-bedroom units and 1,000 square feet for two-bedroom units.
  
- **Setbacks.** Front yard setbacks are regulated by the underlying zoning. Rear and side yards shall be either four feet or meet the standards set by the underlying zoning whichever is less.
  
- **Parking Space Requirements**
  - JADUs – None.
  - Single-Family Attached ADU and Detached – One.
  - Single-Family Converted ADU – None.
  - Multi-family Detached ADU – One.
  - Multi-family Detached ADU – None.
  
- **Parking Design Standards**
  - Tandem parking is permitted
  - Parking within required rear or side yard setbacks is permitted unless the City can demonstrate that the design or location would create dangerous life or fire safety conditions.
  
- **Parking Exemptions.** Parking spaces must be located and designed in compliance with the City's parking standards except as modified by the following:
  - Within ½ mile walking distance of public transit.

- Part of an architecturally and historically significant historic district.
- Where on-street parking permits are required but not offered to the occupant of the ADU.
- When there is a carshare vehicle located within one block of the ADU.
- **Parking Waivers.** ADUs are not required to provide parking when the residence meets one of the following criteria:
  - Is located within ½ mile walking distance of public transit.
  - Is part of an architecturally and historically significant historic district.
  - Is located in an area where on-street parking permits are required but not offered to the occupant of the ADU.
  - When there is a carshare vehicle located within one block of the ADU.
- **Operational Standards.** Units permitted under this ordinance shall comply with the following operational standards:
  - The ADU or JADU may not be sold or otherwise conveyed separately from the lot and the Primary Dwelling.
  - The ADU or JADU shall not be rented for periods of thirty days or less.

#### Local Code Requirements

Cities can establish local development and operational standards that do not unreasonably restrict the development of ADUS. The following standards are included in Ordinance Amendment 21-05110.

- **Exterior Entrance.** All ADUs and JADUs shall have a separate exterior entrance.
- **Architectural Design.** ADUs and JADUs shall be designed to be compatible with the architectural style and materials used in the Primary Dwelling.
- **Building Height.** New construction ADUs shall have a building height not to exceed 16 feet above grade. An additional 4 feet may be permitted through the Minor Adjustment approval if it can be demonstrated that the additional height will not impact the privacy of the adjacent neighbors.
- **Architecture for Garage Conversions.** When garages are converted to ADUS, the garage door for vehicles shall be removed and replaced with a wall that matches the Primary Dwelling.
- **Minimum Area for ADUs and JADUs.** State Law requires that local regulations not be large enough to allow an efficiency unit as defined by the California Building Code (CBC). In the most recent CBC update, efficiency units were eliminated. However, the CBC requires that any living space have 220 square feet plus 100 square feet per occupant. Consistent with these requirements, staff proposed a 320 square foot minimum area requirement.
- **Bathrooms.** All ADUs shall have a bathroom with a sink, toilet and shower or bath tub.

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JADUs may share a bathroom with the Primary Dwelling.

- **Kitchens.** All ADUs shall have a kitchen with a sink, refrigerator, cooking appliance and food preparation area. JADUs shall have a sink and an area for food storage and preparation and small cooking appliance such as a hot plate.
- **Fire Sprinklers.** Fire sprinklers are required in ADUS when the Primary Dwelling has a sprinkler system for fire prevention.
- **Deed Restriction.** A deed restriction recording the approved size and attributes of the accessory dwelling or dwellings and describing the restrictions on short-term rentals and prohibitions on the sale or conveyance of the ADU separate from the Primary Dwelling or lot.

#### **ENVIRONMENTAL CONSIDERATIONS AND CEQA PROCESS**

Adoption of an Accessory Dwelling Unit Ordinance in compliance with Government Code Sections 65852.2 and 65852.22 is statutorily exempt from CEQA pursuant to Public Resources Code Section 21080.17, which states that the statute (CEQA) does not apply to the adoption of an ordinance by a city or county to implement the provisions of Government Code Sections 65852.2 and 65852.22.

#### **RECOMMENDATION:**

Staff recommends the Planning Commission adopt Resolution No. (next in order) recommending to the City Council find that Ordinance Amendment No. 21-05110 is Statutorily Exemption from CEQA .

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**BUDGET (or FISCAL) IMPACT:** Costs for staff preparation of this item are included in the General Fund Budget.

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**Prepared by:** Kenneth Phung, Planning Manager and  
Candida Neal, Interim Development Services Director

**REVIEWED BY:** Candida Neal, Interim Development Services Director

**Exhibits:** Exhibit A - Resolution Recommending City Council find that Ordinance Amendment No. 21-05110 is Statutorily Exemption from CEQA and adopt Ordinance No. (Next in order)

Exhibit B – City Council Ordinance No. (Next in Order) which adopts Ordinance Amendment 21-05110, which is Attachment A to the Resolution

Exhibit C – Exhibit 1 to the Ordinance.