

CITY OF PERRIS PLANNING COMMISSION

AGENDA

January 05, 2022

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:

6. CONSENT CALENDAR:

A. Planning Commission Minutes for December 01, 2021

7. PUBLIC HEARING:

A. General Plan Amendment (GPA) 21-05173 for the 2021-2029 Housing, Safety and Environmental Justice Elements – A proposal to amend the Perris General Plan updating the Housing and Safety Elements and adopting a new Environmental Justice Element. Applicant: City of Perris

REQUESTED ACTION: Adopt Resolution No. 22-01 recommending the City Council adopt Mitigated Negative Declaration No. 2367 and approve General Plan Amendment No. 21-05173 updating the Housing Element (2021-2029), Safety Element, and adopting a new Environmental Justice Element.

B. Conditional Use Permit (CUP) 21-05042, Public Convenience of Necessity (PCN) 21-05269, Variance (VAR) 21-05285 — A proposal to upgrade an existing type 20 license (beer and wine) to a type 21 (general alcohol) at an existing convenience store (One Stop Store) located at 406 S. D Street along with a Variance to reduce the minimum distance requirement from a church and school. Applicant: Bilal Khalifa Saleh, One Stop Store.

REQUESTED ACTION: Adopt Resolution No. 22-02 recommending that the Planning Commission find the project exempt from CEQA pursuant to Section

15301(a) under Class 1, Existing Facilities, and approving Conditional Use Permit CUP 21-05042, PCN 21-05269, and VAR 21-05285 to allow the sale of distilled spirits in addition to beer and wine at 406 S D Street, based on the findings contained in the Resolution and attached exhibits and Conditions of Approval.

8. BUSINESS ITEM:

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: January 5, 2022, 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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- +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.				
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Planning Commission Agenda

CITY OF PERRIS January 05, 2022

Item 6A

Planning Commission Minutes for December 01, 2021

CITY OF PERRIS

MINUTES:

Date of Meeting:

December 1, 2021

06:00 PM

Place of Meeting:

City Council Chambers

Commission Members Present: Commissioner Lopez, Commissioner Jimenez, Commissioner Gomez, Vice Chair Shively, and Chairman Hammond.

- 1. CALL TO ORDER:
- 2. ROLL CALL: Commissioners: Lopez, Jimenez, Gomez, Vice-Chair Hammond, Chair Shively

Commission Members Present: Commissioner Lopez, Commissioner Jimenez, Commissioner Gomez, Vice Chair Shively, and Chairman Hammond.

- 3. <u>INVOCATION:</u>
- 4. PLEDGE OF ALLEGIANCE: Commissioner Lopez
- 5. PRESENTATION:
- 6. CONSENT CALENDAR:
 - A. <u>Planning Commission Minutes for November 17, 2021</u>

The Chair called for a motion.

M/S/C: Moved by Vice Chair Shively, seconded by Commissioner Lopez to Approve Planning Commission Minutes for November 17, 2021

AYES:

Commissioner Lopez, Commissioner Jimenez, Commissioner Gomez,

Vice Chair Shively, Chairman Hammond.

NOES:

ABSENT:

ABSTAIN:

B. Street Name Review 21-05246 – A proposal to name seven (7) streets within Tentative Tract Map 37722 located at the northwest corner of Green Valley Parkway and Murrieta Road. Applicant: Larry Liebel, Richmond American Homes. REQUESTED ACTION: APPROVE Street Name Review 21-05246

Chair Hammond, asked if the Planning Commission is the approving body for the proposed street names.

Senior Planner Perez, presented the item to the Commission.

Commissioner Jimenez, asked about the alternative street names.

Applicant Larry Liebel, presented the item to the Commission.

Commissioner Lopez, commented on changing the C and D street name options.

Commissioner Jimenez, requested that Alyssum Lane be changed to Aster Lane.

Chair Hammond, requested Flax Flower Court to be changed to Foxglove Court.

Commissioner Jimenez, commented on changing Hydrangea Street to Wild Rose Street.

Chair Hammond, summarized the final street name list to include Aster Lane, Bluestar Lane, Calla Lily Court, Daisy Way, English Bluebell Street, Foxglove Court, Spring Wheat Street, and Wild Rose Street.

The Chair called for a motion.

M/S/C: Moved by Commissioner Jimenez, seconded by Commissioner Lopez to Approve Street Name Review 21-05246 – A proposal to name seven (7) streets within Tentative Tract Map 37722 located at the northwest corner of Green Valley Parkway and Murrieta Road. Applicant: Larry Liebel, Richmond American Homes. REQUESTED ACTION: APPROVE Street Name Review 21-05246. The seven (7) chosen street names are: Aster Lane, Bluestar Lane, Calla Lily Court, Daisy Way, English Bluebell Street, Foxglove Court, Spring Wheat Street, and Wild Rose Street.

AYES:

Commissioner Lopez, Commissioner Jimenez, Commissioner Gomez,

Vice Chair Shively, Chairman Hammond.

NOES:

ABSENT:

ABSTAIN:

7. PUBLIC HEARING:

A. Conditional Use Permit (CUP) 19-05295 – A proposal to construct and operate an 8-island passenger car fueling station, a 1,406 square-foot retail store, a 3,960 square-foot convenience store along with a detached 2,505-square-foot carwash on a 1.36-acre vacant site located at the northwest corner of 4th Street and Navajo Road (APN 326-234-003) Applicant: Alex Irshaid, RamCam Engineering. REQUESTED ACTION: ADOPT Resolution No. 21-25 adopting Mitigated Negative Declaration No. 2363 and approving CUP 19-05295 to construct and operate a convenience store, fueling station with an automated car wash, based on the findings contained in the staff report and subject to the Conditions of Approval.

Chair Hammond, acknowledged that he visited the site prior to the meeting.

Associate Planner Garcia, presented the item to the Commission.

Chair Shively, asked if the vacuum spaces were included in the parking analysis and noted his concern with the parking provided.

Planning Manager Phung, commented on the parking required for the use.

Commissioner Gomez, requested clarification on the parking requirements for a convenience store and a drive-through carwash.

Planning Manager Phung, commented on the parking requirements.

Commissioner Lopez, asked if alcohol would be sold at this location.

Commissioner Jimenez, asked about the traffic pattern at the intersection of Tomahawk Road and Indian Hills Circle.

Deputy Engineer Pourkazemi, responded to the traffic pattern and egress/ingress questions.

Commissioner Jimenez, requested additional enhancements along the sides of the buildings on Indian Hills Circle and Navajo Road.

Chair Hammond, noted his concern with the grading for the site, circulation along Indian Hills Circle, lack of traffic control for turning left from Navajo Road onto Indian hills Circle, fencing locations, and specifications for the trash enclosure.

Staff commented on the circulation and drainage for the site.

Commissioner Jimenez, asked about traffic control and striping for the site.

Deputy Engineer Pourkazemi, responded to questions related to the circulation at the intersection of Tomahawk Road and Indian Hills Circle.

Vice Chair Hammond, asked about ADA parking for the site.

Commissioner Gomez, asked about a trellis being continued along the rear and sides of the convenience store and ways to restrict pedestrian access into the landscaping areas.

Associate Planner Garcia, commented on the fencing for the site and the proposed trash enclosure.

Vice Chair Shively, asked about the proposed floor plan.

Applicant's Engineer Alex Irshaid from RamCam Engineering, presented to the Commission.

Commissioner Lopez, asked about EV charging for the site.

Applicant's Engineer Irshaid, commented on the ADA parking and the EV charging for the site.

Commissioner Gomez, asked about the locations of the future EV charging stations.

Applicant's Engineer Irshaid, confirmed that an EV charging station will be installed at this site.

Commissioner Jimenez, asked about the parking provided for the site.

Commissioner Gomez, requested a barrier to restrict pedestrian traffic into the landscape areas around the site.

Applicant's Engineer Irshaid, commented on adding fencing to address pedestrian travel into the landscaping areas.

Vice Chair Shively, commented on the parking provided for the site and requested the applicant to work with Staff to revise the architecture.

Commissioner Lopez, commented on the trash enclosure.

Commissioner Jimenez, requested additional lighting in the landscape areas and appreciated the additional landscaping provided for the site.

Vice Chair Shively, commented that this project will benefit the residents in the area.

Chair Hammond, thanked the applicant for the project.

Chair Hammond, summarized the motion to include adding a 4 way stop at the intersection of Tomahawk Rd and Indian Hills Circle, removal of a vacuum stall, extending a decorative fence around the property to limit pedestrian foot travel into the landscaping area, working with Staff to enhance the architecture along the sides of the building, and to provide lighting in the landscaping areas.

The Chair called for a motion.

M/S/C: Moved by Commissioner Gomez, seconded by Commissioner Lopez to Approve Conditional Use Permit (CUP) 19-05295 – A proposal to construct and operate an 8-island passenger car fueling station, a 1,406 square-foot retail store, a 3,960 square-foot convenience store along with a detached 2,505-square-foot carwash on a 1.36-acre vacant site located at the northwest corner of 4th Street and Navajo Road (APN 326-234-003) Applicant: Alex Irshaid, RamCam Engineering.

REQUESTED ACTION: ADOPT Resolution No. 21-25 adopting Mitigated Negative Declaration No. 2363 and approving CUP 19-05295 to construct and operate a convenience store, fueling station with an automated car wash, based on the findings contained in the staff report and subject to the Conditions of Approval. The motion includes: adding a 4 way stop at the intersection of Tomahawk Rd and Indian Hills Circle, removal of a vacuum stall, extending a decorative fence around the property to limit pedestrian foot travel into the landscaping area, working with Staff to enhance the architecture along the sides of the building, and to provide lighting in the landscaping areas.

AYES:

Commissioner Lopez, Commissioner Jimenez, Commissioner Gomez,

Vice Chair Shively, Chairman Hammond.

NOES:

ABSENT:

ABSTAIN:

Meeting went into a recess at 7:35pm and reconvened at 7:46pm.

8. BUSINESS ITEM:

A. Code Enforcement Informational Item - An informational presentation on the Code

Enforcement Division's operation to promote quality of life for the community of Perris.

Code Enforcement Manager Robert Trejo, addressed the Commission.

Senior Code Enforcement Officer Daniel Soares, presented to the Commission.

Vice Chair Shively, commented on the utilization of the I.B.C and C.B.C. and how to enforce residential backyard violations.

Senior Code Enforcement Officer Soares, commented on the enforcement of violations on residential properties.

Commissioner Lopez, asked how Code Enforcement addresses violations throughout the City.

Senior Code Enforcement Officer Soares, commented on the proactive and reactive enforcement policies.

Commissioner Gomez, inquired if additional Code Enforcement officers would help address the violations throughout the City.

Staff commented on hiring additional Code Enforcement employees in the upcoming year and the hours of operation.

Chair Hammond, thanked Staff for the presentation and requested clarification on the protocol for reporting violations observed by the Commissioners.

Code Enforcement Manager Trejo, commented on the procedure for reporting violations throughout the City and the difficulties in obtaining cooperation with various agencies to address violations.

Commissioner Gomez, commented on different types of barricades/berms utilized to deter street vendors on vacant properties.

Code Enforcement Manager Trejo, discussed the proactive approach utilized by the Department.

Commissioner Jimenez, thanked Code Enforcement Staff for their service to the City.

Vice Chair Shively, asked about the requirements for vendor licenses.

Staff commented on the requirements for vendor licensing.

Chair Hammond, commented on enforcement methods for private property.

Commissioner Gomez, asked about enforcement of commercial vehicles parking in the residential properties.

Chair Hammond, thanked the Code Enforcement Department for the detailed presentation and proactive response to Code Enforcement violations.

9. <u>PUBLIC COMMENTS:</u> 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

<u>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.</u>

10. <u>COMMISSION MEMBERS ANNOUNCEMENTS OR REPORTS:</u>

Commissioner Lopez, thanked Staff for the Code Enforcement presentation.

Commissioner Gomez, thanked Staff for the presentations and commented on the Aldi's grand opening and the limitations that the Commission have when reviewing projects due to the requirements of the Zoning code and restrictions of the March Airforce Base.

Commissioner Jimenez, commented on a recent community economic event, the passion that residents have for the City, and the upcoming Christmas parade on December 11th.

Vice Chair Shively, agreed with the comment from Commissioner Gomez.

Chair Hammond, commented on the Commissioners participation in the Christmas Parade and thanked Staff for the Code Enforcement presentation to address the concerns previously raised.

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

Director of Development Services Phung, commented on the Christmas lighting event on December 3rd, Christmas parade event on December 13th, the next Planning Commission on January 5th, and the upcoming Planning Commissioners recognition dinner.

Chair Hammond, thanked Staff for their assistance to the Commission throughout the year.

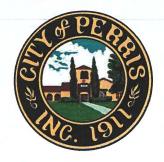
12. ADJOURNMENT COVID-19 REMOTE PUBLIC COMMENT/CITIZEN PARTICIPATION
With the intent of adhering to the new community guidelines from the Center for Disease
Control, the City of Perris will allow for remote public comment and participation at the
upcoming Planning Commission meeting via Zoom. Public Comment is limited to three (3)
minutes.

Planning Commission Agenda

CITY OF PERRIS January 05, 2022

Item 7A

General Plan Amendment (GPA) 21-05173 for the 2021-2029 Housing, Safety and Environmental Justice Elements



CITY OF PERRIS

PLANNING COMISION AGENDA SUBMITAL

MEETING DATE:

January 5, 2022

SUBJECT:

General Plan Amendment (GPA) 21-05173 for the 2021-2029 Housing, Safety and Environmental Justice Elements — A proposal to amend the Perris General Plan updating the Housing and Safety Elements and adopting a new Environmental Justice Element.

Applicant: City of Perris

REQUESTED ACTION:

Adopt Resolution No. 22-01 recommending the City Council adopt Mitigated Negative Declaration No. 2367 and approve General Plan Amendment No. 21-05173 updating the Housing Element (2021-2029), Safety Element, and adopting a new Environmental Justice Element.

CONTACT:

Kenneth Phung, Director of Development Services

PROJECT DESCRIPTION AND BACKGROUND:

The City's General Plan is a policy document that guides the future physical development of the City. The General Plan contains seven mandatory elements, including the Housing and Safety Element. The purpose of the Housing Element is to examine the housing needs of Perris residents, create and guide housing policy in the City, and identify locations to accommodate the City's Regional Housing Need Allocation (RHNA). The Housing Element is the only General Plan element subject to mandatory review by a State agency, the California Department of Housing and Community Development (HCD).

The Safety Element (SE) per Senate Bill (S.B.) 1035 and S.B. 379 is required to be updated concurrently with the Housing Element. The SE's primary purpose is to identify potential risks in the City and safeguard the well-being of the Perris community by outlining the hazards that threaten the community, which outlines policies and practices that take tangible steps to protect the community's public health and safety, and welfare. The proposed SE addresses disaster and emergency preparedness (including evacuation), flood hazards, fire hazards, aircraft hazards, seismic hazards, geologic hazards, hazardous materials and waste, and climate adaptation and resiliency strategies.

In 2016, the State of California passed S.B. 1000, which requires that an Environmental Justice Element (EJE) be prepared when two or more General Plan Elements are updated in cities that have areas of disadvantaged communities. The Environmental Justice Element includes policies to improve quality of life and reduce health risks in these communities by improving air quality, access to public facilities, food access, ensuring safe and sanitary homes, and encouraging physical activity. Overall, the proposed Safety and Environmental Justice Elements are aligned with other General Plan Element's goals, policies, and implementation programs.

At Planning Commission meetings on February 3, 2021, and May 5, 2021, staff presented the draft 2021-2029 Housing, Safety, and Environmental Justice Elements to the Planning Commission for review and comments. The drafts were then forwarded to the City Council. At the March 9, 2021, June 8, 2021, July 8, 2021, July 27, 2021; meetings, they considered the document. Of particular concern were the Housing Opportunity sites

and strategies designed to meet the City's RHNA allocation.

The Draft Housing Element was revised to reflect Planning Commission and City Council concerns and was forwarded to HCD for mandatory review on October 4, 2021. Staff received HCD comments on December 3, 2021. The draft is being revised to address HCD comments so that it could be reviewed by the Planning Commission and adopted by City Council prior to February 15, 2021.

ANALYSIS:

Regional Housing Needs Assessment (RHNA)

State law requires that jurisdictions provide their fair share of regional housing needs. Per Government Code Section 65584, HCD is mandated to determine the State-wide housing need. HCD provides its determination to the State's sub-regional councils. In turn, these councils (SCAG for Southern California) are responsible for assigning housing allocations for each jurisdiction within its planning area. The local jurisdiction is not required to construct these units; they are only mandated to provide opportunities for the development of these units.

HCD has estimated the regional housing needs allocation (RHNA) for the 2021-2029 planning period for the City of Perris is 7,805 units. The total units are distributed across four income categories as follows:

Income Category	Number of Units
Extremely Low	1,015
Very Low-Income	1,015
Low-Income	1,127
Moderate-Income	1,274
Above Moderate-Income	3,374
2021-2029 RHNA Allocation	7,805
Source: Housing Element Table 3-1 2021-2029 Quantified Objectives p. 42	

In compliance with State law, the City of Perris Housing Element identifies opportunity sites (see Exhibit B) and includes policies and programs designed to meet the City's 2021-2029 RHNA.

Housing Element Contents

Pursuant to Government Code Section 65583, the broad categories discussed below are required to be addressed in the Housing Element.

Introduction to Housing in Perris

This chapter outlines the purpose and organization of the Housing Element and the element's relationship to with other elements in the City of Perris General Plan and consistency with State Housing Law. It also discusses the new Housing Legislation included in the Housing Element and provides a comprehensive description of the Community Participation Program.

Housing Plan

The Housing Element must also contain a "Housing Plan" that identifies long-term housing goals and shorter-term policies to address the identified housing needs. The implementation of the goals and policies are achieved through housing policy actions that identify specific programs the City plans to undertake to achieve each goal and policy. The City of Perris housing goals, policies, and policy actions address the following five major goals:

- 1) Enhance the quality of existing residential neighborhoods in Perris, through maintenance and preservation, while minimizing displacement impacts.
- 2) Assist in the development of housing for all economic segments of the City.
- 3) Removal or mitigation of constraints to the maintenance, improvement and development of affordable housing, where appropriate and legally possible.
- 4) Ensure equal housing opportunity and affirmatively further fair housing for all residents of Perris, including persons with special needs.
- 5) Provide increased opportunities for homeownership.

Quantified Objectives

State Housing Law requires that each jurisdiction demonstrates in the Housing Element how it will meet its RHNA obligations. The Quantified Objectives table sets a goal for the number of housing units that will be constructed, rehabilitated and preserved over the eight-year planning period to meet the City of Perris RHNA allocations. The Quantified Objectives assume optimum conditions for housing production; however, environmental, physical and market conditions influence the timing, type and cost of housing production.

Community Profile

The Community Profile includes required information on population demographics, housing characteristics, the housing market and affordability. To project future needs, the section also discusses anticipated jobs, housing and population growth.

Housing Needs

The Housing Needs chapter identifies housing needs related to income, overcrowding, overpayment and special needs groups. The Housing Needs chapter found that nearly 61 percent of the Perris households experienced some form of housing problem. In compliance with the Fair Housing Act of 1968 and California Assembly Bill 686, an Assessment of Fair Housing was also prepared and examines housing enforcement and community outreach efforts, patterns of integration and segregation, racially and ethnically concentrated areas of poverty, disparities in access to opportunities, disproportionate housing need and displacement risk. The Housing Needs chapter also identifies and prioritizes contributing factors that affect fair housing choices in Perris and evaluates the risk of assisted housing converting to market rate housing.

Housing Constraints Analysis

This section identifies constraints, governmental and non-governmental, that could hinder the development of housing and thus the City's achievement of its housing goals. In Perris, environmental constraints associated with seismic hazards, flooding, toxic and hazardous waste, fire, noise and March Air Reserve Base and the Perris Airport restrict residential development. The Riverside County Multi-Species Habitat Conservation Program while preserving open space also limits residential development. The Housing Constraints analysis also records efforts made to remove the constraints including adoption of the Senior Housing Overlay Zone and updates to the City's Accessory Dwelling Unit (ADU) Ordinance.

Housing Resources

The Housing Resources chapter summarizes the land, financial, and administrative resources available for the development and preservation of housing in Perris and outlines a strategy for meeting the City's 2021-2029 RHNA. As discussed previously, the City of Perris RHNA allocation is 7,805 units; however, the City is able to credit entitled projects, projects under construction, and projects in building plan check (prior to October 15, 2021) towards their RHNA. The City is also able to project the anticipated number of accessory dwelling units (ADU) that will be built during the planning period, based on production in previous years.

To facilitate the development of new housing units, within the Housing Element, there are 13 Housing Opportunities Areas (Figure 7-2 of the Housing Element) that have been identified as appropriate to accommodate the City's RHNA. Areas 1 through 11 include 67 parcels totaling just under 250 acres that are vacant and zoned for residential uses. These parcels are envisioned to have a Housing Opportunity Overlay adopted to allow for development of up to 30 units per acre. Area 12, is the Harvest Landing Specific Plan area, which is entitled for medium and high density residential uses and Area 13 is select parcels within the Perris Downtown Specific Plan area. Within Area 13 there are 206 parcels totaling approximately 89 acres that are either vacant or developed, but have underutilized uses ripe for redevelopment. Within the Perris Downtown Specific Plan area all identified parcels in the sites inventory are zoned for mixed-use development that must adhere to the form-based code. In total, the 13 opportunity areas can accommodate a total of 8,782 units. The table below depicts the RHNA credits, remaining obligations, and anticipated surplus.

	Density Permitted	Density Income Category			
		Lower	Moderate	Above Moderate	Total
2021-2029 RHNA Allocation	0	3,157	1,274	3,374	7,805
Credits Towards the RHNA		142	0	1,968	2,110
Accessory Dwelling Units	Company of the Land	92	56	12	160
Remaining RHNA		2,923	1,218	1,394	5,535
Area 1 - MFR-22	30 du/ac	145	58	159	362
Area 2 - MFR-14	30 du/ac	244	98	268	610
Area 3 - R-10,000	30 du/ac	405	162	446	1,013
Area 4 - MFR-14	30 du/ac	400	160	440	999
Area 5 - R-10,000	30 du/ac	437	175	481	1,094
Area 6 – Green Valley SP	30 du/ac	104	41	114	259
Area 7 - CC	30 du/ac	168	67	185	420
Area 8 – CC	30 du/ac	85	34	93	212
Area 9 - R-6,000	30 du/ac	136	54	149	339
Area 10 - CC	30 du/ac	147	Ø	0	147
Area II - CC	30 du/ac	127	Ø	0	127
Area 12 - Harvest Landing SP	22 du/ac	0	497	1,008	1,505
Area 13 - Downtown SP	35 du/ac	678	271	746	1,695
SITES TOTAL		3,075	1,617	4,090	8,782
SURPLUS		152	399	2,696	3,247

Housing Element Table 7-3 Credits toward the 2021-2029 RHNA p. 182 Housing Element Table 7-9 Accommodation of the 2021-2029 RHNA p. 198

In compliance with State law, the City of Perris Housing Element identifies sites and includes policies and programs designed to meet the City's remaining RHNA obligation of the remaining 5,695 units. To ensure that adequate opportunities for the development of housing are available throughout the eight year planning period, the State encourages communities to develop a sites inventory that exceeds their RHNA. This chapter also presents analysis that demonstrates consistency with the new Affirmative Furthering Fair Housing (AFFH) requirements and identifies opportunities for energy conservation.

Housing Element Implementation

To comply with State Law, communities must adopt land use plans and zoning that provide the opportunities for and do not unduly constrain housing development. The City of Perris has obtained a \$300,000 LEAP Grant to implement the goals and policies outlined in the Housing Element, including:

• Amending Existing Land Use Regulations. The City will analyze existing residential and mixed-use

- zoning ordinances and specific plans to identify constraints to affordable housing development. Once identified, appropriated ordinance and specific plan amendments will be proposed for adoption.
- Updating the Downtown Perris Specific Plan (DPSP) Environmental Documents. The Housing Element identifies Downtown Perris as a Housing Opportunity Site because it is centrally located and accessible to commercial uses, schools, and public transit. Although the DPSP permits higher densities needed for affordable housing development, unlike many of the Perris Specific Plan EIRs the DPSP EIR does not provide project-level analysis for residential development. As a result, each proposed project must prepare an environmental document increasing the time and costs associated with development. With LEAP Grant monies, the City will prepare a Supplemental EIR which will provide project-level environmental analysis for residential development in the DPSP area.
- Overlay Zone for Housing Opportunity Sites. LEAP Grant funds will be used to prepare the Overlay Zone for Housing Opportunity Sites described in the Housing Element. Once adopted by the City Council, a property owner or developer could choose to develop at the densities permitted by the underlying zoning or to activate the Overlay zone. Although projects would be subject to design review, a higher density affordable project could be processed without a zone change.
- Objective Design Standards Residential Development. Objective design standards, required by State Law, decrease ambiguity, and expedite development by providing design standards which allow a byright, ministerial approval process for multi-family development.

Housing Element Adoption Timeline

Pursuant to Assembly Bill 1398, all local government jurisdictions that fail to adopt a compliant housing element by October 15, 2021, or within 120 days of the statutory deadline (February 12, 2021) shall be required to implement any of the local implementation measures no later than one year from the statutory deadline (by October 15, 2022). Otherwise, the local government jurisdiction's housing element will no longer comply with the State Housing Element Law.

Timely adoption of the Housing Element is important since failure to adopt the Housing Element by the extended statutory deadline of February 12, 2021, can result ineligibility for crucial state funding and grant opportunities.

The City of Perris Housing Element adoption schedule is designed to meet the February 12, 2022 deadline. After Planning Commission consideration on January 5, 2022, the City Council will review and consider the draft document on January 25, 2022.

Since the final Housing Element certification is required by Housing and Community Development (HCD) (pursuant to Government Code Section 65580 to 65590) and is still pending, the future City Council Resolution permits staff to make non-substantive and/or technical changes to the Housing Element portion of General Plan Amendment No. 21-0517 as may be required by HCD.

SAFETY ELEMENT (SE):

The SE is one of seven mandatory elements of the City of Perris General Plan which its primary purpose is to identify potential risks in the City and safeguard the well-being of Perris community by outlining the hazards that threaten the community, which outlines policies and practices that take tangible steps to protect the community's public health and safety, and welfare. The proposed SE has nine (9) goals and policies to address:

- disaster and emergency preparedness (including evacuation), and
- flood hazards, and
- fire hazards.
- aircraft hazards, seismic and geologic hazards, and

- hazardous materials and waste, and
- climate adaptation and resiliency strategies.

Overall, the updated SE helps to ensure that the City takes immediate action to reduce natural and manmade hazards and safety threats, as well to allow the City to respond quickly to any public safety risk.

ENVIRONMENTAL JUSTICE ELEMENT (EJE):

The City of Perris has elected to create a standalone Environmental Justice Element, which is closely integrated with the Health Element and other chapters of the general plan. In developing the Environmental Justice Element, the City of Perris is not only fulfilling a state requirement, but also documenting a commitment to planning practices that promote engagement in the public participation process and land use decisions that address issues of health equity and environmental justice.

The purpose of the EJE is to promote the health of Perris Residents, improve the urban environment, and support a high quality of life by reducing the dependency of cars, minimizing energy consumption, and improving community air quality in cities and counties that are disadvantaged. The EJE must include the following:

- Reduce pollution and improve air quality in disadvantaged communities, improve public facilities, increase food access, promote safe and sanitary homes, and encourage physical activity to reduce the unique or compounded health risks associated with living in a disadvantaged or environmental justice area; and
- Promote civil engagement in the public decision-making process; and
- Prioritize improvements and programs that address the needs of disadvantaged communities.

Overall, the policies and goals established in EJE are intended to serve as a guide for future land use development decisions in the City.

PUBLIC OUTREACH FOR HOUSING, SAFETY, AND EJ ELEMENTS:

California Government Code requires that local governments make a diligent effort to achieve public participation from all economic segments of the community in developing the Housing Element. To engage with residents of protected classes or that may be underrepresented, the City generally utilizes the following strategies:

- General posting to the City website and social media post (Facebook, Instagram, and Twitter).
- Promotion and distribution through community-oriented partner organizations such as school districts, non-profit organizations, County organizations, business organizations
- Physical outreach which included several pop-up events where city staff engaged the community.

During the preparation of the 2021-2029 Housing Element Update, SE, and EJ Elements, the City engaged with a number of organizations and agencies that directly provide housing or housing-related services to residents. Stakeholder groups that have been identified as influential to the development of housing and the provision of services in the community are:

- Housing Authority of the County of Riverside
- Fair Housing Council of Riverside County
- Perris Senior Citizens Center
- Mead Valley Community Center
- Perris Family Care Center
- Riverside County Office on Aging

- Housing and Homeless Coalition for Riverside County
- Inland Valley Habitat for Humanity
- Volunteers of America
- TODEC Legal Center
- El Sol Neighborhood Educational Center
- Perris Historical Society

Due to the risks to public health caused by the possible spread of the COVID-19 virus at public gatherings, the City of Perris, utilized a variety of technological platforms to conduct an extensive public participation program prior to the submittal of this Housing Element draft to the California State Department of Housing and Community Development (HCD) for informal review. Prior to June 15, 2021, meetings were held virtually, on Zoom or a comparable platform. After June 15th, meetings were held in person with the option to participate or observe virtually. Some of the events where:

Meeting	Date	Activity
Stakeholder Roundtable	February 2, 2021	A virtual meeting attended by Habitat for Humanity, SoCal gas, The Perris Communist Coalition, and City Housing and Economic Development Departments to received feedback on housing activities that can be prioritized.
Planning Commission Workshop	February 3, 2021	An in person informational workshop to the Planning Commission to receive feedback.
Habitat for Humanity Interview	February 5, 2021	A in-person meeting with Habitat for Humanity identifying progress area relevant to the housing element.
City of Perris Youth Advisor Council (YAC)	March 16, 2021	An in-person presentation given to YAC to obtain feedback for the Housing Element.
Val Verde Unified School District	March 18, 2021	A virtual meeting to several community stakeholders from the Val Verde Unified School District to obtain feedback.
City of Perris Health Department	April 6, 2021	A virtual meeting to identifying additional outreach by survey link, informational brochures to residents.
Perris Valley Chamber of Commerce (PVCC)	April 7, 2021	A virtual presentation that was administered by the PVCC to provide stakeholders with an overview and update of the Housing Element.
Planning Commission Workshop	May 5, 2021	A 2 nd virtual workshop to obtain feedback on specific sections of the draft Housing Element.
City Council Workshop	June 8, 2021	A workshop to discuss the sites inventory and to receive more feedback.
City of Perris Housing Authority Pop-up events	June 2021	City staff held pop-up events at several parks within the City which included obtaining comment cards from residents.
City Council Workshop	July 8, 2021	A second workshop to discuss sites inventory in additional detail to set for a final City Council meeting to finalize opportunity sites.
City Council Workshop	July 27, 2021	The 3 rd workshop to finalize opportunity sites.
Informational Materials and Housing Survey	Feb-May 2021	Several events ranging for posting information on the city website and social media plat forms.

Overall, the draft Housing Element, Safety Element and Environmental Justice Element has included extensive public outreach and transparency.

ENVIRONMENTAL CONSIDERATIONS AND CEQA PROCESS:

In compliance with the California Environmental Quality Act (CEQA), an Initial Study was prepared for the project and determined that the project would not have significant impacts; therefore, Initial Study/ Mitigated Negative Declaration No. 2367 was prepared (Exhibit B).

AIRPORT LAND USE COMMISSION:

As required for all General Plan amendments, an application for a Major Land Use Review was submitted to the Riverside County Airport Land Use Commission (ALUC). Since there are no development standard changes or changes to zoning and land use designation that would increase residential density and the project will not increase non-residential intensity that would exceed Airport Land Use Compatibility Plan criteria, it was determined that the proposed project would not impact the safety of air navigation within the March Air Reserve Base/Inland Port Airport and the Perris Valley Airport Influence Areas. As a result, General Plan Amendment 21-05173 was found to be consistent with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan and the Perris Valley Airport Land Use Compatibility Plan. (Exhibit E – Riverside Airport Land Use Commission letter dated October 4, 2021)

RECOMMENDATION:

Exhibits:

Staff recommends the Planning Commission adopt Resolution No. 21-26 recommending the City Council adopt the Initial Study/Mitigated Negative Declaration 2367 and approve the General Plan Amendment 21-05173.

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

Prepared by: Nathan Perez, Senior Planner

Candida Neal, Planning Consultant

REVIEWED BY: Kenneth Phung, Director of Development Services

Plan Amendment 21-05173

B. Housing Element Opportunity Sites

C. 2021-2029 Housing Element, Safety Element, and Environmental Justice Element. – Due to the size of document files, the documents are on File with the Planning Department and available online at: https://www.cityofperris.org/departments/development-

A. Planning Commission Resolution 22-01 recommending adoption of General

services/planning/environmental-documents-for-public-review/-folder-289

D. Draft Initial Study/Mitigated Negative Declaration for the 2021-2029 Housing Element, Safety Element, and Environmental Justice Element. – Due to the size of document files, the documents are on File with the Planning Department and available online at:

https://www.cityofperris.org/departments/development-

services/planning/environmental-documents-for-public-review/-folder-289

E. Letter Riverside County Airport Land Use Commission dated October 4, 2021

EXHIBIT A

Planning Commission Resolution 22-1

RESOLUTION NUMBER 22-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT MITIGATED NEGATIVE DECLARATION NO. 2367 AND GENERAL PLAN AMENDMENT 21-05173, WHICH UPDATES THE CITY OF PERRIS HOUSING ELEMENT (2021-2029), SAFETY ELEMENT, AND ENVIRONMENTAL JUSTICE ELEMENT OF THE CITY OF PERRIS.

WHEREAS, California Government Code Section 65580 to 65590 outlines the Housing Element requirements and mandates that every City and County prepare and periodically update its Housing Element; and

WHEREAS, California Government Code Section 65302(g)(1) through (g)(8) requires and establishes the legislative framework for California's Safety Elements (SE); and

WHEREAS, the Safety Element (SE) per Senate Bill (S.B.) 1035 and S.B. 379 is required to be updated concurrently with updating the Housing Element; and

WHEREAS, California Government Code Section 65040.12(e) defines environmental justice as "the fair treatment and meaning full participation of people of all races, cultures, and incomes with respect to the development adoption, implementation, and enforcement of environmental laws, regulations, and policies"; and

WHEREAS, the State of California passed S.B. 1000, which requires that an Environmental Justice Element (EJE) be prepared when two or more General Plan Elements are updated; and

WHEREAS, all cities and counties in the Southern California Association of Governments (SCAG) region are required to obtain certified housing elements for the 2021-2029 planning period no later than February 12, 2022 and the City of Perris desires to comply with this deadline; and

WHEREAS, Planning Commission workshops were held on February 3, 2021, and May 5, 2021 to provide the Planning Commissioners and the public with general information about the Housing Element (i.e., contents, process, and information concerning the RHNA), Safety Element, and Environmental Justice Element; and

WHEREAS, the Planning Commission reviewed and provided input on the draft Housing Element on February 3, 2021 and May 5, 2021 and received comment from all those in attendance wishing to speak; and

WHEREAS, City Council workshops were held on June 8, 2021, July 8, 2021, and July 27, 2021 to provide the commissioners and the public with general information about the Housing Element (i.e., contents, process, and information concerning the RHNA), Safety Element, and Environmental Justice Element; and

WHEREAS, the City Council reviewed and provided input on the draft Housing Element at meetings on March 9, 2021, June 8, 2021, July 8, 2021, July 27, 2021 and received comment from all those in attendance wishing to speak; and

WHEREAS, A virtual community stakeholder roundtable was held on February 2, 2021, a Habitat for Humanity Interview was held on February 5, 2021, City of Perris Youth Advisory Council meeting was held on March 16, 2021, a virtual Val Verde Unified School District meeting was held on March 18, 2021, a virtual City of Perris Public Health Department meeting on April 6, 2021, a survey was conducted at the Perris Valley Chamber of Commerce on April 7, 2021, several City of Perris Housing Authority Pop-up events during June 2021, and informational materials and housing surveys were conducted in early spring of 2021; and

WHEREAS, General Plan Amendment No. 21-0517 was prepared and includes the Housing Element (2021-2029), Public Safety Element, and Environmental Justice Element. General Plan Amendment No. 21-0517 is incorporated herein by this reference; and

WHEREAS, the draft Housing Element was reviewed by the State Department of Housing and Community Development (HCD) and HCD has provided comments on December 3, 2021; and

WHEREAS, the revised draft Housing Element incorporates comments received from HCD on December 3, 2021; and

WHEREAS, since the final Housing Element certification is required by HCD (pursuant to Government Code Section 65580 to 65590) and is still pending as of the date of this Resolution, this Resolution permits staff to make non-substantive and/or technical changes to the Housing Element portion of General Plan Amendment No. 21-05173 as may be required by HCD; and

WHEREAS, the revised draft Housing Element (for the purposes of this Resolution, when reference is made to "Housing Element," such reference is to the Housing Element as revised pursuant to HCD's December 3, 2021, comments) meets the statutory requirements of State housing element law. The Housing Element will comply with State housing element law (Article 10.6 of the Government Code) once adopted and submitted to HCD for final certification pursuant to Government Code Section 65585(g); and

WHEREAS, in accordance with California Public Utilities Code Section 21676 the Housing Element, Safety Element, and Environmental Justice Element was reviewed by the Riverside County Airport Land Use Commission (ALUC) and on October 4, 2021 the Riverside County ALUC found the draft Housing Element consistent with the Riverside County Airport Land Use Plan, as applied to the March Air Reserve Base Airport Influence Area and with the Perris Valley Airport Land Use Compatibility Plan; and

WHEREAS, an Initial Study prepared for the draft Housing Element finds that the project (i.e., the Housing Element) would not have significant impacts that could not be mitigated; therefore, a Mitigated Negative Declaration has been prepared; and

WHEREAS, on January 5, 2022, the Planning Commission held a duly noticed public hearing regarding the Planning Commission's intent to recommend to City Council that it adopt Mitigated Negative Declaration No. 2317 and General Plan Amendment No. 21-0517; and

WHEREAS, on January 5, 2022, the Planning Commission opened a public hearing at which time considered all public testimony; and

WHEREAS, after considering all information provided to it, and providing an opportunity to the public to provide public testimony, the Planning Commission now desires to recommend that the City Council adopt the proposed Mitigated Negative Declaration No. 2317 and General Plan Amendment No. 21-0517.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Perris, California does hereby recommend, resolve, and certify as follows:

Section 1. The Recitals set forth above are true and correct, and incorporated herein by this reference.

Section 2. Based upon the forgoing and oral and written testimony made by members of the public and City staff (including, but not limited to the staff report and all attachments) made at the January 5, 2022 public hearing, the Planning Commission finds, determines and declares that after preparing and reviewing an Initial Study drafted in compliance with Section 15072 of the California Environmental Quality Act (CEQA), the Initial Study found that there would be no significant environmental impacts created by the proposed General Plan Amendment No. 21-05173 that could not be mitigated to below the level of significance; therefore, Mitigated Negative Declaration No. 2317 was prepared. Based on its own independent judgment that the facts stated in the Initial Study are true, the Planning Commission hereby finds that the approval of General Plan Amendment No. 21-05173 will not have potential negative environmental impacts that could not be mitigated to below the level of significance with the incorporation of the mitigation measures provided in Mitigated Negative Declaration No. 2317.

Section 3. Based upon the forgoing and oral and written testimony made by members of the public and City staff (including, but not limited to, the staff report and all attachments) made at the January 5, 2022 public hearing, the Planning Commission hereby finds that the Housing Element of General Plan Amendment No. 21-05173 is A) Consistent with General Plan objectives, policies and programs; B) Compatible with adjacent land uses; C) Has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and D) Is not detrimental to the public health, safety and welfare as follows:

A. The proposed Housing Element portion of General Plan Amendment No. 21-05173 is consistent with all other goals, policies, programs and uses of applicable elements of the General Plan. The proposed General Plan Amendment No. 21-05173 updates the Housing Element of the General Plan in compliance with State law (including, but not limited to, Housing Element Law, as provided in Government Code 65580 et seq.). This element sets goals and establishes policies and programs to encourage construction of new residential units, preservation of the existing housing stock and the maintenance of existing affordable units within the City of Perris. Based on the analysis within the Housing Element, this can be accomplished within the existing zoning and land use designations. After a review of all proposed goals, policies and programs contained within the Housing Element, it has been determined that they are consistent with the goals, policies and programs of other elements of the General Plan.

- B. The proposed Housing Element portion of General Plan Amendment No. 21-05173 will not adversely affect surrounding properties or the surrounding environment. The Housing Element is a policy document that sets strategies for the production and maintenance of housing stock across various income levels. The full implementation of the Housing Element will not create an adverse affect on properties within the City. Furthermore, an Initial Study of Environmental Impacts was prepared pursuant to requirement of CEQA. This Initial Study concluded that adoption of the Housing Element will not create significant adverse impact to the environment and surrounding community that cannot be mitigated to below a level of significance pursuant to Mitigated Negative Declaration No. 2367.
- C. The proposed Housing Element portion of General Plan Amendment No. 21-05173 promotes the public health, safety, and general welfare. The Housing Element contains policies and programs that will support the improvement and upkeep of the existing housing stock in the City. Furthermore, the element provides policies and programs to increase affordable housing opportunities within the City. The goals, policies, and programs contained within the Housing Element will support the overall goal to providing quality and affordable housing to the residents of the City. Furthermore, by providing quality affordable housing the City is able to protect the public health, safety and welfare within the City and surrounding area.
- D. The proposed Housing Element portion of General Plan Amendment No. 21-05173 will not conflict with the provisions of the zoning code, including the City subdivision ordinance. The Housing Element is a policy document that sets strategies for the production and maintenance of housing across all income levels. Future zoning amendments may be required to implement some provisions of the Housing Element. However, any zoning changes will be required to conduct a separate environmental review and be internally consistency with the zoning code. As such, the adoption of the Housing Element will not conflict with the provisions in the zoning code.

Section 4. Based upon the forgoing and oral and written testimony made by members of the public and City staff (including, but not limited, to the staff report and all attachments) made at the January 5, 2022 public hearing, the Planning Commission hereby finds that the Safety Element of General Plan Amendment No. 21-05173 is A) Consistent with General Plan objectives, policies and programs; B) Has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and C) Is not detrimental to the public health, safety and welfare as follows:

A. The proposed Safety Element portion of the General Plan Amendment is consistent with all other goals, policies, programs and uses of applicable elements of the General Plan. Proposed General Plan Amendment No. 21-05173 updates the Safety Element of the General Plan in compliance with State law. This element is consistent with the existing Safety Element's Goal I. of reducing the risk of damage to property or loss of life due to a natural or man-made disasters and Safety Element Goal III. Which is to inform the residents about disaster preparedness and response. After a review of all proposed goals, policies and programs contained within the Safety Element, it has been determined that they are consistent with the goals, policies and programs of other elements of the General Plan.

- B. The proposed Safety Element portion of General Plan Amendment No. 21-05173 promotes the public health, safety, and general welfare. The Safety Element's primary purpose is to identify potential risks in the City and safeguard the well-being of Perris community by outlining the hazards that threaten the community, which outlines policies and practices that take tangible steps to protect the community's public health and safety, and welfare. The proposed Safety Element addresses disaster and emergency preparedness (including evacuation), flood hazards, fire hazards, aircraft hazards, seismic and geologic hazards, hazardous materials and waste, and climate adaptation and resiliency strategies. These risks were evaluated to promote the community's public health, safety and welfare. Also, in compliance with the California Environmental Quality Act (CEQA), an Initial Study was prepared for the project and determined that the project would not have significant impacts; therefore, the Initial Study/ Mitigated Negative Declaration No. 2367 was prepared.
- C. The proposed Safety Element portion of General Plan Amendment No. 21-05173 will not conflict with the provisions of the zoning code, including the City subdivision ordinance. The Safety Element will identify potential risks in the City and safeguard the well-being of Perris community by outlining the hazards that threaten the community, which outlines policies and practices that take tangible steps to protect the community's public health and safety, and welfare.

Section 5. Based upon the forgoing and oral and written testimony made by members of the public and City staff (including, but not limited, to the staff report and all attachments) made at the January 5, 2022 public hearing, the Planning Commission hereby finds that the Environmental Justice Element of General Plan Amendment No. 21-05173 is A) Consistent with General Plan objectives, policies and programs; B) Has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and C) Is not detrimental to the public health, safety and welfare as follows:

- A. The proposed Environmental Justice Element portion of General Plan Amendment No. 21-05173 is consistent with all other goals, policies, programs and uses of applicable elements of the General Plan. Proposed General Plan Amendment No. 21-05173 creates a new Environmental Justice Element to the General Plan in compliance with State law. This element sets goals and establishes policies and programs to reduce pollution and improve air quality in disadvantaged communities, improve public facilities, increase food access, promote safe and sanitary homes, and encourage physical activity to reduce the unique or compounded health risks associated with living in a disadvantaged or environmental justice area; and promote civil engagement in the public decision-making process; and prioritize improvements and programs that address the needs of disadvantaged communities. After a review of all proposed goals, policies and programs contained within the Environmental Justice Element, it has been determined that they are consistent with the goals, policies and programs of other elements of the General Plan.
- B. The proposed Environmental Justice Element portion of General Plan Amendment No. 21-05173 promotes the public health, safety, and general welfare. The element provides policies and programs to promote the health of Perris Residents, improve the urban environment, and support a high quality of life by reducing the dependency of cars, minimizing energy consumption, and improving community air quality in cities and counties are disadvantaged. Furthermore, by reducing pollution, promoting

- civic engagement, the City is able to protect the public health, safety and welfare within the City and surrounding area.
- C. The proposed Environmental Justice Element portion of General Plan Amendment No. 21-05173 will not conflict with the provisions of the zoning code, including the City subdivision ordinance. Environmental Justice Element sets goals and establishes policies and programs to reduce pollution and improve air quality in disadvantaged communities, improve public facilities, increase food access, promote safe and sanitary homes, and encourage physical activity to reduce the unique or compounded health risks associated with living in a disadvantaged or environmental justice area; and promote civil engagement in the public decision-making process; and prioritize improvements and programs that address the needs of disadvantaged communities. Overall the Environmental Justice Element will not be detrimental to the public health, safety and welfare.
- **Section 6.** Based upon the forgoing and oral and written testimony made by members of the public and City staff (including, but not limited to the staff report and all attachments) made at the January 5, 2022 public hearing, the Planning Commission of the City of Perris further finds that General Plan Amendment No. 21-05173 is in the public interest.
- Section 7. Based upon the forgoing and oral and written testimony made by members of the public and City staff (including, but not limited to the staff report and all attachments) made at the January 5, 2022 public hearing, the Planning Commission of the City of Perris hereby recommends that the City Council adopt Mitigated Negative Declaration No. 2367 and approve General Plan Amendment No. 21-05173 which updates the General Plan Housing Element (2021-2029), Public Safety Element, and adopts the Environmental Justice Element. Further, the Planning Commission hereby authorizes City staff to make such non-substantive and/or technical changes to the Housing Element portion of General Plan Amendment No. 21-05173 as may be required by HCD.
- **Section 8.** 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 9.** The Chairman shall sign this Resolution and the Secretary shall certify to the adoption of this Resolution.

ADOPTED, SIGNED and APPROVED this 5th day of January 2022.

CHAIRMAN OF THE PLANNING COMMISSION

ATTEST:				
DESIGNEE SE	CRETARY,	PLANNI	NG COMM	ISSION

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 22-1 was duly adopted by the Planning Commission of the City of Perris at a regular meeting thereof held on the 5th day of January 2022, by the following vote:

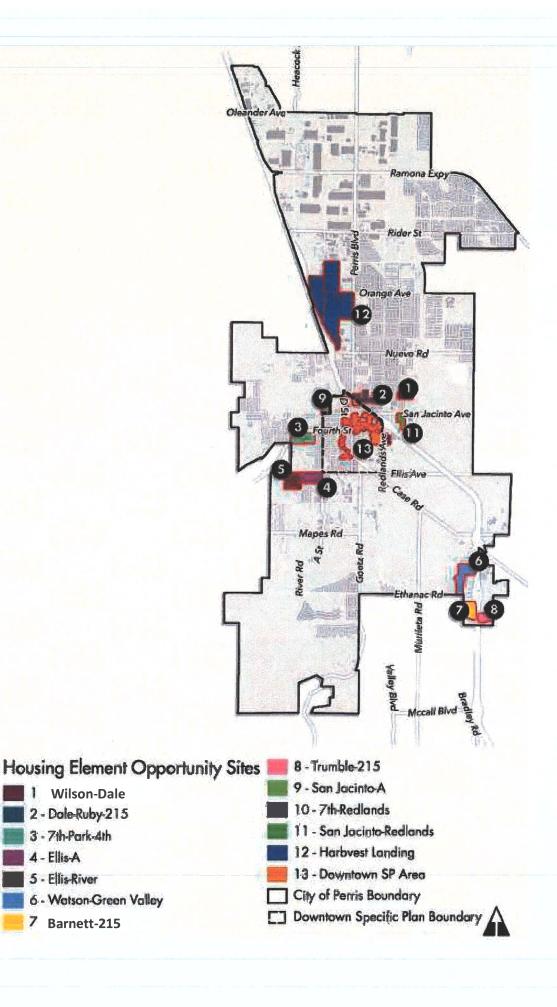
AYES: NOES:

ABSENT:

Designee Secretary of the Planning Commission

EXHIBIT B

Housing Element Opportunity Sites



4 - Ellis-A

Opportunity Sites (Yellow Outline)

AREA 1



Acres: 13.4

Zoning: MFR -22

Selection Criteria:

- Vacant residential land
- Underlying zoning is high density residential
- Neighborhood compatible
- Near amenities
- Existing infrastructure

Potential Units	Lower	Moderate	Above
362	145	58	159

Opportunity Sites

AREA 2



Acres: 22.6

Zoning: MFR-14

Selection Criteria:

- Vacant residential land
- Underlying zoning is medium density residential
- · Neighborhood compatible
- Near amenities
- Existing infrastructure

Potential Units	Lower	Moderate	Above
610	244	98	268

Opportunity Sites

AREA 3



Acres: 35.5

Zoning: SF - 10,000

Selection Criteria:

- Vacant residential land
- Neighborhood compatible
- Declining residential land
- Adjacent to Perris Elementary

Potential Units	Lower	Moderate	Above
1,013	405	162	446

OPPORTUNITY SITES (YELLOW OUTLINE)

AREA 4

Approved Senior Housing Site at 33 du/ac



Acres: 37

Zoning: MF-14

Selection Criteria:

- Vacant residential land
- Neighborhood compatible
- Near amenities
- Near approved high density residential

Potential Units	Lower	Moderate	Above
999	400	160	440

Opportunity Sites (Yellow Outline)

AREA 5



Acres: 40.5

Zoning: SF-10,000

Selection Criteria:

- Vacant residential land
- Neighborhood compatible
- Near amenities

Potential Units	Lower	Moderate	Above
1,094	437	175	481

Opportunity Sites

AREA 6



Acres: 19.2

Zoning: Commercial – Green Valley SP

Selection Criteria Met:

- Potential for mixed-use
- Near amenities
- Near transit station
- Developer has expressed interest in mixed-use

Potential Units	Lower	Moderate	Above
259	104	41	114

Opportunity Sites

AREA 7



Acres: 31.1

Zoning: Commercial

Selection Criteria Met:

- Potential for mixed use
- Near amenities
- Near transit station
- Moderate Resource Area

Potential Units	Lower	Moderate	Above
420	168	67	185

Opportunity Sites





Acres: 15.7

Zoning: Commercial

Selection Criteria Met:

- Vacant land
- Potential for mixed use
- Near amenities
- Near transit station
- Moderate Resource Area

Potential Units	Lower	Moderate	Above
212	85	34	93

OPPORTUNITY SITES





Acres: 12.6

Zoning: SF-6,000

Selection Criteria Met:

- Vacant residential land
- Existing infrastructure
- Near amenities
- Near transit station
- Moderate Resource Area

Potential Units	Lower	Moderate	Above
339	136	54	149

Opportunity Sites

AREA 10



Acres: 10.9

Zoning: Commercial

Selection Criteria Met:

Vacant land

- Potential for mixed use
- Near amenities
- Near transit station
- Moderate Resource Area

Potential Units	Lower	Moderate	Above
147	147	0	0

Opportunity Sites

AREA 11



Acres: 9.4

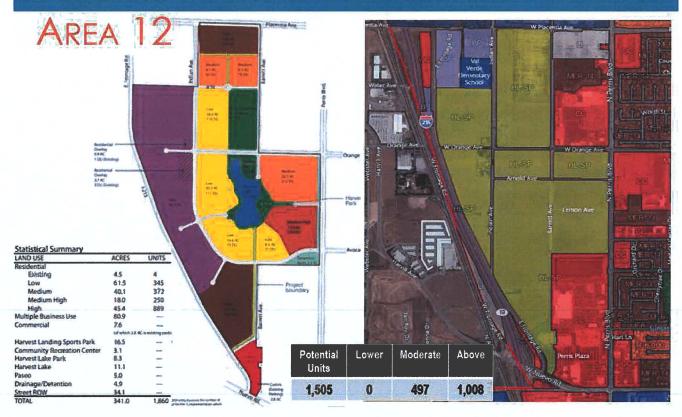
Zoning: Commercial

Selection Criteria Met:

- Vacant land
- Potential for mixed use
- Residential nearby
- Near amenities

Potential Units	Lower	Moderate	Above
127	127	0	0

Opportunity Sites - Harvest Landing



OPPORTUNITY SITES (YELLOW OUTLINE)

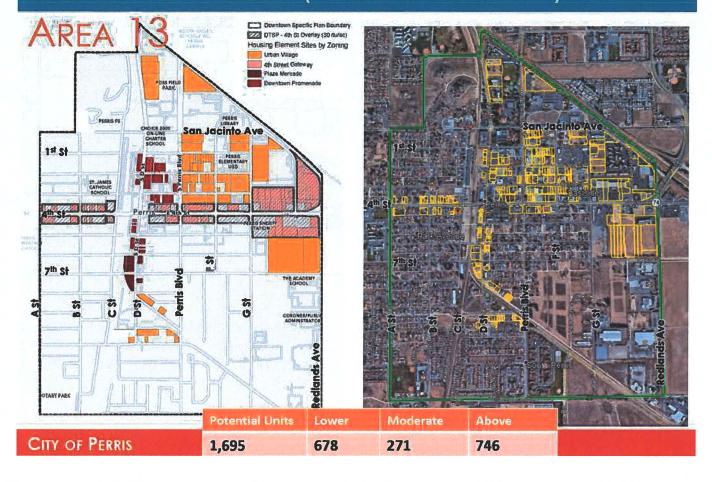


EXHIBIT C

2021-2029 Housing Element, Safety Element, and Environmental Justice Element. – Due to the size of document files, the documents are on File with the Planning Department and available online at:

https://www.cityofperris.org/departments/development-services/planning/environmental-documents-for-public-review/-folder-289

EXHIBIT D

Draft Initial Study/Mitigated Negative
Declaration for the 2021-2029 Housing
Element, Safety Element, and
Environmental Justice Element. – Due to the
size of document files, the documents are on
File with the Planning
Department and available online at:
https://www.cityofperris.org/departments/development-services/planning/environmental-documents-for-public-review/-folder-289

EXHIBIT E Letter Riverside County Airport Land Use Commission dated November 4, 2021

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION



CHAIR Steven Stewart Palm Springs Candida Neal, Planning Consultant City of Perris Development Services Department - Planning Division 101 N. D Street Perris CA 92570

VICE CHAIR Steve Manos Lake Elsinore

AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW -DIRECTOR'S DETERMINATION

COMMISSIONERS **Arthur Butle**

Riverside

File No.: Related File No.: ZAP1023PV21

21-05173 (General Plan Amendment [Housing Element Update,

Safety Element Update, Environmental Justice Updatel)

John Lyon Riverside **Russell Betts**

APN:

Citywide

Desert Hot Springs Richard Stewart

Moreno Valley

Michael Geller Riverside

STAFF

Director **Paul Rull**

Simon A. Housman Jackie Vega Barbara Santos

County Administrative Center 4080 Lemon St., 14th Floor. Riverside, CA92501 (951) 955-5132

Dear Ms. Neal:

As authorized by the Riverside County Airport Land Use Commission (ALUC) pursuant to its Resolution No. 2011-02, as ALUC Director, I have reviewed City of Perris Case No. 21-05173 (General Plan Amendment [Housing Element Update, Safety Element Update, Environmental Justice Update]), a proposal to update the City's Housing, Safety and Environmental Justice Elements to be consistent with state law, identifying and analyzing the City's housing needs and developing a work program consisting of City's goals, policies, and objectives to develop housing.

There are no changes to the City's general plan land use designation, zoning, or specific plan designations proposed at this time. The project will (in the future) adopt an overlay zoning for 13 Opportunity Sites, which would allow for a maximum of 30 dwelling units per acre (this zoning ordinance/specific plan amendment would require ALUC review). The sites are located within Compatibility Zones D and E of March Air Reserve Base/Inland Port Airport Influence Area (AIA), where residential density is not restricted, as well as being located within Compatibility Zones D and E of Perris Valley AIA, where Zone D restricts residential density to either below 0.2 dwelling units per acre or above 5.0 dwelling units per acre (residential density is not restricted in Zone E). The proposed density of these opportunity sites would be consistent with the airport land use compatibility criteria.

There are no development standard changes or changes to zoning and land use that would increase residential density or non-residential intensity within the proposed amendments (that would exceed ALUCP criteria). Therefore, these amendments have no possibility for having an impact on the safety of air navigation within the portions of the March Air Reserve Base/Inland Port Airport and Perris Valley Airport Influence Areas located within the City of Perris.

As ALUC Director, I hereby find the above-referenced project **CONSISTENT** with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, and the 2011 Perris Valley Airport Land Use Compatibility Plan.

If you have any questions, please contact me at (951) 955-6893.

Sincerely, RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Paul Rull, ALUC Director

ALUC Case File cc:

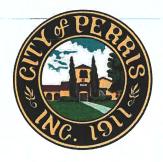
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Planning Commission Agenda

CITY OF PERRIS January 05, 2022

Item 7B

Conditional Use Permit (CUP) 21-05042, Public Convenience of Necessity (PCN) 21-05269, Variance (VAR) 21-05285



CITY OF PERRIS

PLANNING COMMISSION AGENDA SUBMITTAL

MEETING DATE:

January 5, 2022

SUBJECT:

A proposal to upgrade an existing type 20 license (beer and wine) to a type 21 license (general alcohol) at an existing convenience store (One Stop Store) located at 406 S D Street consisting of the following applications:

- 1. **Conditional Use Permit (CUP) 21-05042** to upgrade to a type 21 license for the existing convenience store.
- 2. Public Convenience of Necessity (PCN) 21-05269 for the overconcentration of off-site sale of beer and wine and distilled spirits within the project site census tract.
- 3. Variance (VAR) 21-05285 to reduce the minimum distance for convenience stores that sell alcohol for off-site consumption from a church and a school facility.

Applicant: Bilal Khalifa Saleh, One Stop Store.

REQUESTED ACTION:

Adopt Resolution No. 22-02 recommending that the Planning Commission find the Project exempt from CEQA pursuant to Section 15301(a) under Class 1, Existing Facilities, and approving Conditional Use Permit (CUP) 21-05042, Public Convenience or Necessity (PCN) 21-05269, and Variance (VAR) 21-05285 to allow the sale of distilled spirits in addition to beer and wine at 406 S D Street, based on the findings contained in the Resolution and attached exhibits and Conditions of Approval.

CONTACT:

Kenneth Phung, Development Services Director

PROJECT DESCRIPTION AND BACKGROUND:

The Applicant, *One Stop Store* is applying for a Conditional Use Permit to upgrade their existing type 20 Alcohol Beverage Control (ABC) liquor license (beer and wine) to a type 21 ABC liquor license (beer, wine and distilled spirits) to allow the sale and dispensing of distilled spirits in addition to beer and wine for off-site consumption in conjunction with an existing 4,500 square feet minimart store located at 406 S. D Street. One Stop Store has been in operation at this premises with a Type 20 liquor license since February 4, 1999 (ABC License Number 350548). The current owner Mr. Bilal Khalifa Saleh took ownership of the store and has been operating this business since April

14, 2010 (ABC License Number 485885). The reason for the request to upgrade from a type 20 to a type 21 liquor license is that the applicant won a type 21 liquor license in the California Department of Alcoholic Beverage Control's priority drawing Lottery.

As discussed further in the report, the census tract where the Project is located has an over-concentration of similarly licensed businesses. Therefore, a Public Convenience or Necessity (PCN) letter is required for the over-concentration of off-site sale of beer and wine and distilled spirits.

A Variance is also needed for off-site alcohol sales, as Chapter 19.65 of the zoning code requires a minimum 1,000-foot distance between a stand-alone mini-mart with off-site alcohol sales from sensitive uses. In this case, the Saint James Catholic Church and School are considered sensitive uses. The school is located at 250 W 3rd Street, and the church is located at 290 W 3rd Street, which is approximately 675 feet from the Project site. To address concerns with the distance to the church, the applicant reached out to both the church and school. The pastor for the church provided a letter supporting the Project. The principal of the school also provided a letter supporting the Project stating that this request will not affect any of students since they are a drop off and pick up only school so no students walk home. Staff also reached out to the Riverside County Sheriff as standard protocol for alcohol sales application, and they are supportive of the Project.

ANALYSIS:

Zoning and General Plan Consistency

The General Plan land use designation of the site is Community Commercial. The Community Commercial land use designation permits retail uses such as supermarkets, food marts, convenience stores, and retail businesses. Uses such as drive-through restaurants, fueling stations, and establishments that sell alcohol are permitted through a Conditional Use Permit process.

The site is located within the Downtown Specific Plan, which serves as its zoning. The Downtown Specific Plan land use for this site is "Downtown Promenade," which is primarily for commercial and service uses. The Downtown Promenade, as depicted in the Downtown Specific Plan, is intended to create a connection to a variety of retail, restaurant, service, and entertainment uses. This includes new or refurbished buildings that range from one to three stories in height.

The commercial buildings where the project mini-mart is located meet the objectives of the General Plan, Downtown Specific Plan and zoning by including service-oriented and retail business activities which serve the entire City and travelers within the main downtown corridors. The existing mini-mart currently sells alcohol. Therefore, the addition of the sale of distilled spirits will not change the use, and this use is consistent with the General Plan and zoning for the site

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

Table 1. Surrounding Zoning and Land Uses							
	Surrounding Zoning	Surrounding Land Uses					
North:	Downtown Promenade (DTSP)	Commercial (Bank)					
South:	Downtown Promenade (DTSP)	Commercial (Hair Salon)					
East:	Downtown Promenade (DTSP)	Commercial (Restaurant)					
West:	Public (DTSP)	Vacant Land (Railway)					

Analysis of Alcohol Sales and Public Convenience or Necessity (PCN)

The project location is currently operating as a mini-mart serving the surrounding community and visiting public patrons. The hours of operation are from 8 am to 9 pm. The primary products sold are the usual merchandise associated with a traditional convenience store. The store's merchandise includes non-perishable groceries, tobacco products, non-alcoholic beverages, clothing, and general merchandise. Alcohol sales, some refrigerated and some not, currently occupy approximately 2.5% of the sales floor area. The existing mini-mart will continue to sell beer and wine for the convenience of its patrons that shop for other items sold at the store. For this CUP, the applicant is simply requesting to add distilled spirits. If approved, Conditional Use Permit 21-05042 and Letter of Public Convenience or Necessity (PCN) 21-050269 would allow the sale of distilled spirits in addition to the sale of beer and wine which already occur at the project location. The Planning Commission is authorized to approve or deny any requests for determination of public convenience or necessity in conjunction with a CUP, per PMC 19.54.20 (k).

When a census tract is determined by the ABC to be within an area of "undue concentration" for off-site sales licenses, the City is required to make findings to support the proposed sale of alcoholic beverages as being in the interest of Public Convenience or Necessity. The subject site is located within Census Tract 0428.01, where the Department of ABC concentration standards allow a maximum of two (2) off-site sales licenses. Currently, there are three (3) active off-site sales licenses within the census tract, including the project site. The existing three (3) businesses within the census tract are identified in the table below:

O	Off-Site Alcohol Licenses within Census Tract # 0428.01								
Bı	usiness Name	Address	License Type						
1	Stater Brothers	47 W Nuevo Road, Perris	Type 21 (General)						
2	One Stop Store	406 S D Street, Perris	Type 20 (Beer and Wine)						
3	Sinclair Gas	216 S Perris Blvd, Perris	Type 20 (Beer and Wine)						

Currently, two (2) of the licenses are within half a mile of each other. Sinclair Gas is located approximately 1,070 feet to the northeast of the site. Stater Brothers is over a mile and half (1.5)

miles north of the site. Of the three licenses in the vicinity of the project site, only one (1) can sell distilled spirits.

Planning Staff presented this proposal to the Riverside County Sheriff Department for review and comment. Riverside County Sheriff (Perris Station) had no objection to the sale of alcohol at the establishment because a review of calls for service at the project location, from January 1, 2018, to May 08, 2019, found that there was not an unusual or problematic use of police services at the location. The Sheriff's Department's response is provided in Exhibit H, and appropriate conditions have been included.

In addition to other standard conditions for alcohol sales, Planning staff also recommends a condition requiring all distilled spirits to be kept in a locked cabinet behind the sales counter where the register is located. The applicant is in agreeance and is following this request.

Planning staff recommends approval because there is no increase in the number of establishments selling alcohol within the census tract and because law enforcement does not have any concerns with the Project with the applicant willing to install security cameras and other measures to assure safe operation.

Variance for Distance Requirements

The One Stop Store requires a Variance to allow alcohol sales for off-site consumption for a minimart within a 1,000-foot distance from a sensitive use which includes a church and school. In considering the Variance, staff is supportive of the request. The Saint James Catholic church and school are located approximately 675-feet away from One Stop Store. The One Stop Store applicant reached out to the church and school and obtained a support letter from the church pastor and the school principal both stating their support for this request. Also, the Riverside County Sheriff was supportive of the request as they believe it is a well place business in an area that does not have any unusual or problematic issues. The only additional request was to install video surveillance equipment with appropriate digital video recording technology for the interior floor areas and exterior parking areas, which staff has included as a condition of approval. In addition, One Stop Store is also subject to the regulations contained in Section 19.65.030.F of the Zoning Code for mini-mart operations, which are listed as Conditions of Approval No. 22.

Moreover, One Stop Store provides training for employees on customer service, personnel management, facility maintenance and operations, responsible alcohol and tobacco sales, and workplace safety. There have been no recorded violations with Alcohol and Beverage Control (ABC) for this business regarding selling alcohol. In addition, there are no other sensitive uses within 1,000-feet of the site, such as schools or parks. The closest park is Mercado Park which is 1,600-feet to the south of the site. Also, beer and wine sales make up only a small amount of their overall footprint, as demonstrated by the small area of the store devoted to alcohol display, sale and storage. The area provided for the sale of beer and wine only (no general liquor) is 2.5% (110 sq. ft.) of the 4,500 sq. ft. store. The sales of general liquor will be conducted at the front counter and utilizes 0.5% (22.5 sq. ft.) of the floor area. All general liquor will be always locked behind the counter and will only be sold upon request to a store employee.

The Planning Commission is authorized to approve or deny a Variance, PCN, and CUP requests for the sale of alcohol for off-site consumption.

ENVIRONMENTAL CONSIDERATIONS AND CEQA PROCESS

CEQA Compliance Process and Determination

The Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(a) under a Class 1, Existing Facilities, because the permit deals with minor changes to an existing use. A CUP is required due to the addition of distilled spirits sales. The Project does not materially change the operation of the mini-mart, as the same use is proposed. The key consideration for this type of exemption is whether the Project involves negligible or no expansion of an existing use. Therefore, the CUP, PNC, and Variance are exempt from CEQA.

RECOMMENDATION:

Adopt Resolution No. 22-02 recommending that the Planning Commission find the Project exempt from CEQA pursuant to Section 15301(a) under Class 1, Existing Facilities, and approving Conditional Use Permit (CUP) 21-05042, Public Convenience or Necessity (PCN) 21-05269, and Variance (VAR) 21-05285 to allow the sale of distilled spirits in addition to beer and wine at 406 S D Street, based on the findings contained in the Resolution and attached exhibits and Conditions of Approval.

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

Prepared by:

Ryan Griffiths, Assistant Planner

REVIEWED BY:

Kenneth Phung, Director of Development Services

Exhibits:

- A. Planning Commission Resolution 22-02
- B. Planning Conditions of Approval
- C. Vicinity Map
- D. Distance from Sensitive Uses Map
- E. Project Plans (Floor Plans)
- F. Church letter of support dated November 23, 2021
- G. School letter of support dated November 18, 2021
- H. Sheriff letter dated November 4, 2021
- I. ABC Census Data for Tract 428.01

EXHIBIT A Resolution 22-02

RESOLUTION NUMBER 22-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP) 21-05042, PUBLIC CONVENIENCE OR NECESSITY (PCN) 21-05269, AND VARIANCE (VAR) 21-05285, A REQUEST TO ALLOW THE SALE OF GENERAL ALCOHOL (TYPE 21) FOR OFF-SITE CONSUMPTION AT AN EXISTING MINI-MART "ONE STOP STORE" LOCATED AT 406 S D STREET SUBJECT TO CONDITIONS OF APPROVAL AND BASED UPON THE FINDINGS NOTED HEREIN.

WHEREAS, the applicant, Bilal Khalifa Saleh for One Stop Store, filed a Conditional Use Permit (CUP) 21-05042, Public Convenience or Necessity (PCN) 21-05269, Variance (VAR) 21-05285 for a proposal to upgrade an existing type 20 license (beer and wine) to a type 21 (general alcohol) at an existing convenience store (One Stop Store) located at 406 S D Street in the City of Perris (APN:313-112-002) (Project); and

WHEREAS, the applicant applied for a Variance (VAR) application to reduce the minimum distance from 1,000 ft to 675 ft for service stations that sell alcohol for off-site consumption from a church and school; and

WHEREAS, on February 22, 2019, the applicant Bilal Khalifa Saleh filed a Public Convenience or Necessity (PCN) application to allow *One Stop Store* to sell general liquor (type 21) for off-site consumption; and

WHEREAS, the Conditional Use Permit (CUP), Public Convenience or Necessity (PCN), and Variance (VAR) has been duly noticed; and

WHEREAS, the proposed Project is considered a "Project" as defined by the California Environmental Quality Act ("CEQA");

WHEREAS, a Planning Commission public hearing was held on January 5, 2022, at which time all interested persons were given full opportunity to be heard and to present evidence; and

WHEREAS, Chapter 19.54 of the City of Perris Municipal Code (Zoning Code, Authority and Review Procedures) authorizes the City to approve, conditionally approve, or deny requests for a Public Convenience or Necessity, Conditional Use Permits and Variances; and

WHEREAS, prior to taking action, the Planning Commission has heard, been presented with, and reviewed all of the information and data which constitutes the administrative record for the approval as mentioned above, including all oral and written evidence presented to the City during all Project meetings and hearings; and

WHEREAS, all other legal prerequisites to 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 incorporated herein by this reference.

Section 2. Based upon on the forgoing, and all written and oral testimony presented by the members of the public and City staff at the public hearing (including, but no limited to, the staff report and all attachments and exhibits) and prepared for the Project in accordance with City of Perris guidelines for implementing the CEQA, the Planning Commission hereby finds and determines that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(a) under a Class 1, Existing Facilities, because the permit deals with minor changes to an existing use. A CUP is required due to the addition of distilled spirits sales. The Project does not materially change the operation of the, as the same use is proposed. The key consideration for this type of exemption is whether the Project involves negligible or no expansion of an existing use. Therefore, the CUP, PNC, and Variance are exempt from CEQA

Section 3. Based upon on the forgoing, and all written and oral testimony presented by the members of the public and City staff at the public hearing (including, but no limited to, the staff report and all attachments and exhibits), with respect to Public Convenience or Necessity (PCN) 21-05269 to allow for the over-concentration of off-site sales of beer and wine and distilled spirits within this part of the City (Tract 428.01), the Planning Commission finds that:

1. Applicant has submitted a written request for a letter of public convenience and necessity to the City, indicating the reasons for the request.

The applicant has submitted for a request for a public convenience and necessity for One Stop Store. One Stop Store is applying to upgrade their current type 20 license (beer and wine) to a type 21 license (general liquor). The applicant has been operating at this location since 1999, and recently won a priority drawing to be allowed to upgrade to a type 21 license at this location. The applicant has stated that this request will not only assist their business but will also benefit the public that utilize the store for their general retail needs.

2. The census tract within the project site is located is determined to have an undue concentration of alcoholic beverage licenses.

There are currently three (3) licenses for sale of alcohol for offsite consumption within census tract 428.02. Alcoholic Beverage Control currently allows for two (2) licenses within this census tract. Therefore the census tract is determined to have an undue concentration. Currently, one (1) of the licenses in the census tract is located within a mile of this location. The only other tenant that has a Type 21 (General) for the sale of alcohol for off-site consumption is *Stater Brothers* which is located approximately 1.5 miles to the north of this site. One Stop Store will provide general liquor for its patrons for incidental purchases of goods and

merchandise.

3. Applicant has submitted a request for a particular type of alcoholic beverage license, license upgrade, or premises-to-premises transfer.

The applicant has submitted for an upgrade from an existing type 20 license (beer and wine) to a type 21 (general alcohol). One Stop Store has held a type 20 license since 1999 for this business at this location. The reason for a request to upgrade from a type 20 to a type 21 liquor license is that the applicant won a type 21 liquor license in the California Department of Alcoholic Beverage Control's priority drawing Lottery

4. License applicant has a valid City issued permit for the associated use, which caters to the needs of the community, by providing a public convenience or necessity.

One Stop Store has been operating in the community since 1999. At that time it opened with a type 20 license (beer and wine). The sale of beer and wine is ancillary for One Stop Store in which patrons will incidentally purchase general liquor in association with the sale of general merchandise typically found at a convenience store. There is a large amount of adjacent residential properties located within the downtown area that utilize the commercial areas of the downtown promenade located along D and 4th Streets.

5. The issuance of a particular type of alcoholic beverage license, license upgrade, or premises-to-premises transfer will continue to provide for public convenience and necessity.

The location or the use will not result in adverse impacts on public health, safety or welfare for both the supermarket and minimart since the supermarket is not dedicated to alcohol sales and the minimart has minimal area allocated to beer and wine sales. The location has been serving the adjacent community for over 20 years. Upgrading the beverage license will continue to provide for the public convenience and necessity. The proposal was routed to the Riverside County Sheriff's Department for review and comment and a public hearing notice was mailed to adjacent property owners within 300 feet of the subject site. To date, staff has not received any comments from the public, and the Sheriff's Department has stated it has no objection to this proposal with the implementation of conditions of approval for the sale of alcohol.

Section 4. Based upon on the forgoing, and all written and oral testimony presented by the members of the public and City staff at the public hearing (including, but no limited to, the staff report and all attachments and exhibits), with respect to Conditional Use Permit 21-05042, the Planning Commission finds that:

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

The Project is in a Commercial zone which allows off-sale of alcohol with a Conditional Use Permit. The location, size, design, density and intensity of the proposed development and improvements are consistent with the City's General Plan, the purposes and provisions of Title 19 of the City's Municipal Code, Downtown Specific Plan, the purposes of the zone in which the site is located, and the development policies and standards of the City. The Commercial zone is intended for the proposed uses.

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

The Project is located within the Downtown Specific Plan. Off-site sales of alcohol are permitted subject to the approval of a Conditional Use Permit per the underlying Commercial zone. The Project has also applied for a variance due to its proximity to sensitive uses and a Public Convenience or Necessity (PCN) due to the over-concentration within this census block. With approval of the PCN and Variance, the Project will comply with all applicable requirements. The proposed Project does not conflict with the General Plan land use designation and aligns with the Elements of the General Plan.

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

The Project is located at the southeast corner of 4th Street and D Street. The Project Site is appropriately designated for retail and service uses, it is compatible with neighborhood character, and the improvements will conform to all requirements of the City Police Department. The proposed off-sale beer and wine and distilled spirits (Type 21 ABC) for the convenience store is permitted subject to the review and approval of a Conditional Use Permit and ABC regulations. Off-sale beer and wine and distilled spirits are typical for that of a convenience store operation and is intended to provide a one-stop shop for customer's convenience. The convenience store will operate from 8am - 9pm. The convenience store will be operated with standards to allow for effectiveness at securing the public safety, health, and welfare; thus, the operation will not harm other properties or improvements in the area.

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

The Project building was constructed in 1958 and has been maintained to keep the visual appeal of an older building. This corridor of the Downtown Specific Plan is aimed at maintaining the historic character of the older buildings located within the downtown. The building maintains this character and accurately fits the requirements of the Specific Plan. No alterations to the building exterior are proposed within this resolution.

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

The City's landscape standards ensure the Project will visually buffer the surrounding land uses while providing an attractive environment for business patrons as well as those living in the community who would see this Project daily. The Project currently includes landscaping along the frontage and within the parking area.

Section 5. Based upon on the forgoing, and all written and oral testimony presented by the members of the public and City staff at the public hearing (including, but no limited to, the staff report and all attachments and exhibits), with respect to the additional findings required per PMC Section 19.65.040 to grant a Conditional Use Permit 21-05042 for the sale of alcoholic beverages (Type 2 1 — General Liquor) for off-site consumption, the Planning Commission finds that:

1. The location or the use shall not result in adverse impacts on park facilities, school facilities, existing religious land uses and/or existing residential land uses.

The Project location or the use does not result in adverse impacts on park facilities, school facilities, existing religious land uses and/or existing residential land uses. Mercado Park is approximately 1,600-feet away located to the southeast. Walking or driving to this park requires nearly a mile travel, making it unlikely that patrons buying alcohol will congregate there. The Project Site is approximately 675 feet in a straight line from Saint James Catholic Church and School which are located at 290 W 3rd Street and 250 W 3rd Street; however, the Church and School are in the middle of a neighborhood facing away from the subject site, so driving distance is significantly greater. The application provides a letter of support from the Church and School as part of the application.

2. The traffic increases associated with the use will not result in potential hazards to existing pedestrian and/or vehicular traffic.

The traffic increases associated with the use will not result in potential hazards to existing pedestrian and/or vehicular traffic. The traffic associated with the alcohol sales represents a portion of the overall traffic for the proposed Project. Conformance with City standards will ensure that the proposed Project will not result in hazards to the existing pedestrian or vehicular traffic.

3. The establishment shall not constitute an enforcement problem to the City Police Department.

The establishment shall not constitute an enforcement problem to the Riverside County Sheriff's Department. The proposed Project will conform to all requirements of the City Codes and Public Safety regarding alcohol sales. The sale of alcohol is not the primary focus of the convenience store and only takes up a small portion of the floor space. Further, Sheriff's Department has stated it has no objection to this proposal with the implementation of conditions of approval for the sale of alcohol.

4. The development conforms to all applicable provisions of this Code.

The Project is in a Commercial zone which allows off-sale alcohol sales. The location, size, design, density and intensity of the proposed development and improvements are consistent with the purposes and provisions of Title 19 of the City's Municipal Code, the City's General Plan, the zone in which the site is located, and the development policies and standards of the City. The proposed Project has been designed to conform to all zoning requirements.

Section 6. Based upon on the forgoing, and all written and oral testimony presented by the members of the public and City staff at the public hearing (including, but no limited to, the staff report and all attachments and exhibits), with respect to Variance 21-05285 to reduce the Zoning Code requirement for service stations that sell alcohol for off-site consumption within a 1000-foot radius of a church and school, the Planning Commission finds that:

1. There are unique physical circumstances applicable to the subject land, including size, shape, topography, location and surroundings.

The Project Site is approximately 675 feet in a straight line from Saint James Catholic Church and School which are located at 290 W 3rd Street and 250 W 3rd Street; however, the Church and school are in the middle of a neighborhood facing away from the subject site, so driving distance is significantly greater. There are no other schools, parks, or churches within 1,000 feet. The proximity to these two sensitive uses creates the need for the proposed Variance. The application provides a letter of support from the Church and School as part of the application.

2. The strict application of zoning standards deprives the property of the right to use the land in a manner enjoyed by other conforming property in the vicinity under identical zoning standards.

The strict application of the zoning standard would prohibit the use at this location. There are numerous examples in Perris where convenience stores with off-sale alcohol are located within 1000 feet of a sensitive use. For example, one mile north of the Project Site at the intersection of the Ramona Expressway and

Perris Boulevard, three convenience stores are located within 1,000 feet of the Sanctuary Church located at 3865 N Perris Blvd, Perris, CA 92571. Also, two miles south of the Project Site is a Chevron located at 33 W Nuevo Rd, Perris, CA 92571, which is directly across the street from Perris High School. The strict application of zoning standards would deprive this property of rights enjoyed by other similar properties in the area.

3. The granting of the variance and any appropriate conditions of approval shall not constitute a grant of special privileges which other conforming property properties in the vicinity do not enjoy under identical zoning standards.

The proposed Variance is not a special privilege and similar variances have been granted at other locations in Perris. One mile north of the subject site at the intersection of Ramona Expressway and N. Perris Boulevard, three convenience stores, AM/PM, Shell, and Circle K are all located within a short distance of the Islamic Center and the Sanctuary Church. Also, the proposed sale of alcohol for off-site consumption is subject to more stringent conditions of approval that far exceed P.M.C. 19.65 (Alcohol Beverage Sale Regulations) regulations. Therefore, the granting of a variance does not constitute a special grant or special privileges.

4. The granting of the variance will not adversely affect the objectives, policies, and programs contained in the city's general plan.

The proposed Variance will not adversely affect the city's general plan. This request is not a special privilege and this type of variance has been granted numerous times for other locations within the city. No adverse issues have risen from these previous approvals, and none are anticipated with this variance. The two entities that are affected by this variance, have been contacted and have both provided letters of support stating that this variance will not adversely affect them in any way. Therefore no adverse effects to the objectives, policies, and programs contained in the city's general plan are anticipated.

Section 7. Based upon on the forgoing, and all written and oral testimony presented by the members of the public and City staff at the public hearing (including, but no limited to, the staff report and all attachments and exhibits), the Planning Commission hereby approves Conditional Use Permit (CUP) 21-05042, Public Convenience or Necessity (PCN) 21-05269, Variance (VAR) 21-05285 for a proposal to upgrade an existing type 20 license (beer and wine) to a type 21 (general alcohol) at an existing convenience store (One Stop Store) located at 406 S D Street (APN:313-112-002) subject to the attached Conditions of Approval.

Section 8. 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 9. The Chairperson shall sign, and the Secretary shall certify to the passage and adoption of this Resolution.

ADOPTED, SIGNED, and APPROVED this 5th day of January, 2022.

	CHAIRPERSON, PLANNING COMMISSION
Attest:	
Secretary, Planning Commission	
STATE OF CALIFORNIA) COUNTY OF RIVERSIDE) § CITY OF PERRIS)	
certify that the foregoing Resolution	ary of the Planning Commission of the City of Perris, do hereby a Number 22-02 was duly adopted by the Planning Commission of g thereof held on the 5 th day of January 2022, by the following vote:
AYES:	
NOES: ABSTAIN: ABSENT:	
	Designee Secretary of the Planning Commission

EXHIBIT B Conditions of Approval

CITY OF PERRIS DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION

CONDITIONS OF APPROVAL

Conditional Use Permit 21-05042

January 5, 2022

Public Convenience or Necessity 21-05269 & Variance 21-05285

PROJECT: Conditional Use Permit (CUP) 21-05042, Public Convenience or Necessity (PCN) 21-05269, and Variance (VAR) 21-05285 – A proposal to upgrade an existing type 20 license (beer and wine) to a type 21 (general alcohol) at an existing convenience store (One Stop Store) located at 406 S D Street (APN:313-112-002). A Variance is utilized to reduce the minimum distance for convenience stores to sensitive uses, and a PCN to allow for the over-concentration of off-site sales within this part of the City. **Applicant**: Bilal Khalifa Saleh, One Stop Store.

General Requirements:

- 1. **Specific Plan Compliance.** The project shall conform to the Downtown Promenade zone standards of the *Downtown Specific Plan* (DTSP).
- **Development Standards.** The project shall conform to all requirements of the City of Perris Municipal Code Title 19.
- 3. Future Obligation of Buyers and Lessees. All future buyers and lessees shall be informed of their obligation to comply with these Conditions of Approval. The applicant shall provide a copy of these conditions and inform the buyer or lessee of their obligation to maintain compliance with all local and City ordinances.
- 4. City Ordinances and Business License. All tenants 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. 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 January 5, 2022 Planning Commission, or as amended by these conditions. Any deviation shall require appropriate Planning Division review and approval.
- **Expansion of Use.** No expansion of the site or the use shall occur without subsequent reviews and approvals from the Planning Division.
- 7. **Term of Approval.** This approval shall be used within three (3) years of approval date; otherwise it shall become null and void. By use is meant the beginning of substantial construction contemplated by 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.

- **8. 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).
- 9. Graffiti located on site shall be removed within 48 hours. The site shall be always maintained in a graffiti-free state. Any graffiti located on the site shall be removed within 48 hours.
- **10. Property Maintenance.** The project shall comply with the Perris Municipal Code Chapter 7.42 regarding Property Maintenance.
- **11. Waste Hauling.** The developer shall use only the City-approved waste hauler for all construction and other waste disposal.
- 12. 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 Conditional Use Permit (CUP) 21-05042, Public Convenience or Necessity (PCN) 21-05269, Variance (VAR) 21-05285. 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.
- 13. Signage. The project does not include signage. All signage shall be reviewed and approved by the Planning Division by a sign application prior to the issuance of signage permits.

Prior to Issuance of Occupancy Permits:

- 14. 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.
- **15. Occupancy Clearance.** The applicant shall have all required paving, parking, walls, site lighting, signage, landscaping and automatic irrigation installed and in good condition.

Operational Requirements:

- **16. Hours of Operation.** The hours of operations shall be from 8:00 am to 9:00 pm as noted within the application.
- 17. ABC License Type 21 General Liquor. The owner/applicant shall obtain an alcohol license from the California Department of Alcohol and Beverage Control (ABC) prior to the sale of alcohol beverages.

- 18. Standards for Service Stations and Minimarts (per Perris Municipal Code Section 19.65.030.F). The project shall comply with the following:
 - a. The owner of each location and the management at each location shall educate the public regarding driving under the influence of intoxicating beverages, driving with open containers and the penalties associated with the violation of each of these laws. This educational requirement may be met by posting prominent signs, decals and/or brochures at points of purchase.
 - b. No displays of beer, wine or other alcoholic beverages shall be located within five feet of any building entrance or checkout counter.
 - c. No exterior advertising or signage of any kind or type promoting or indicating the availability of alcoholic beverages shall be placed in windows or doors facing the exterior of the store.
 - d. Cold beer or wine shall be sold from or displayed in the main, permanently affixed electrical cooler only.
 - e. No beer, wine or other alcoholic beverage advertising shall be located on gasoline islands, and no lighted advertising for beer, wine or other alcoholic beverages shall be located on the exterior of the buildings or within the window areas.
 - f. No sale of alcoholic beverages shall be made from a drive-through window.
 - g. The licensee shall regularly police the area under its control to prevent the loitering of persons about the premises.
 - h. The licensee shall post signs in the area under its control with regard to prohibiting open containers and loitering at the location.
 - i. No display of alcohol shall be made from an ice tub, barrel, or similar container.
 - j. Digital security cameras shall be installed to monitor and record the interior of the store and exterior parking areas of the business. Surveillance footage shall be maintained for a minimum of 30 days.
 - k. Cooler doors for alcoholic beverage products shall be locked during hours (as established by the State of California Department of Alcoholic Beverage Control) when alcoholic beverages may not be sold.
 - 1. Employees selling alcohol must be at least 18 years of age.
 - m. Purchased alcohol shall be bagged prior to leaving store, as appropriate.
 - n. The applicant (One Stop Store) shall install video surveillance equipment with appropriate digital video recording capability for the interior of the store and exterior parking areas.
 - o. All distilled spirits shall be kept in a locked cabinet behind the sales counter where the register is located.

END OF CONDITIONS

EXHIBIT C Vicinity Map

Vicinity Map

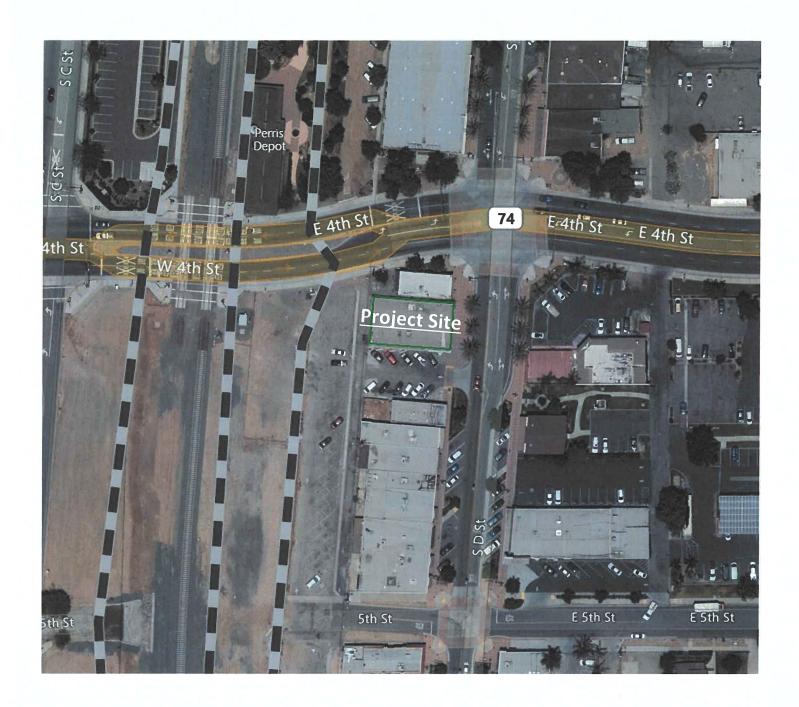




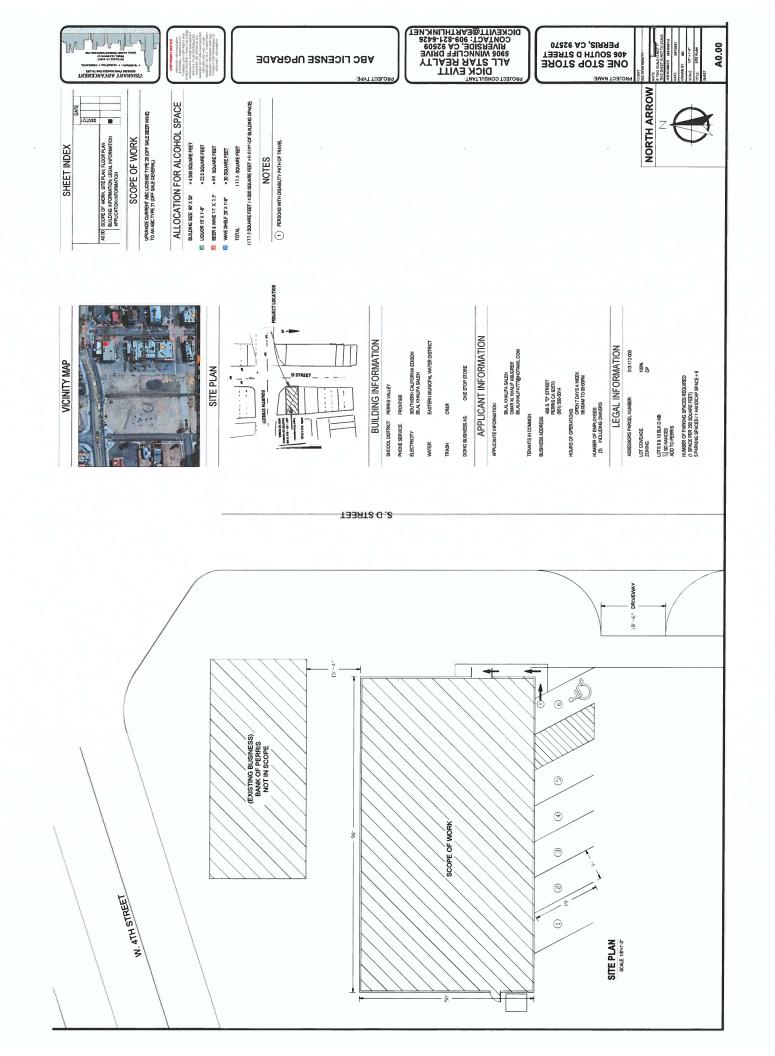
EXHIBIT D Distance from Sensitive Uses Map

Distance from Sensitive Uses Map





EXHIBIT E Floor Plan



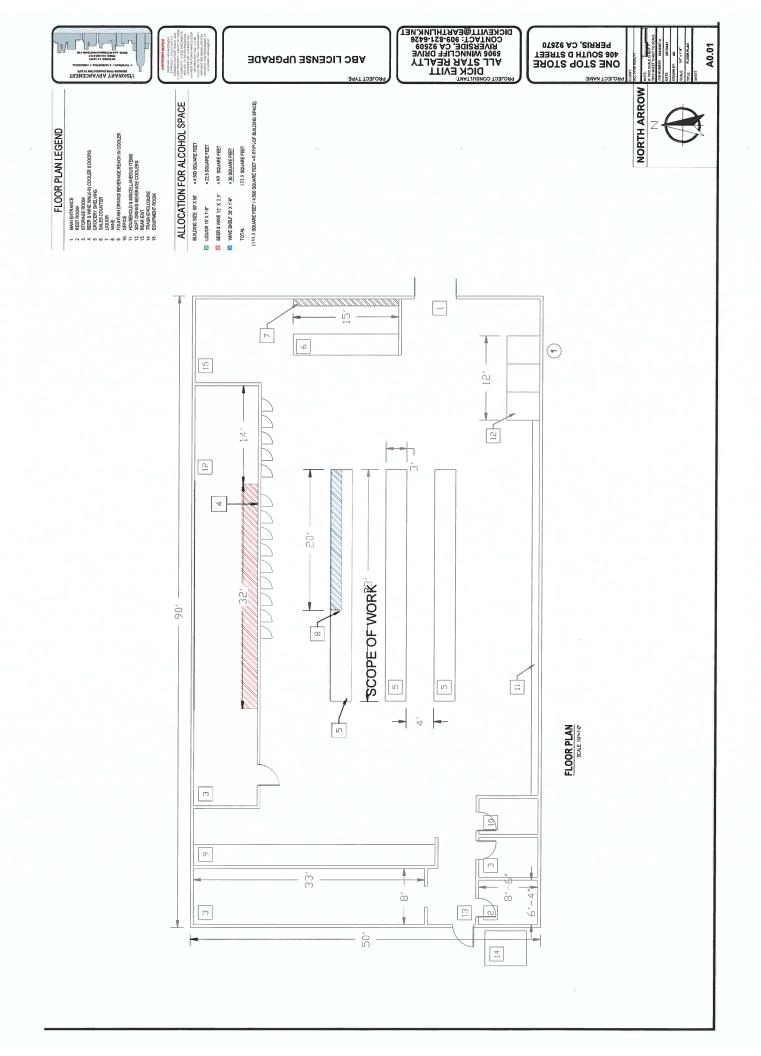


EXHIBIT F Church Letter

The Catholic Parish of St. James the Less

269 W. THIRD STREET PERRIS, CA 92570

TEL: (951) 657-2380



November 23, 2021

Mr. Ryan Griffiths City of Perris, Planning Division 135 North D St. Perris, CA 92570

SUBJECT: Mr. Bilal Khalifa, "One Stop Store"

Dear Mr. Griffiths:

As the responsible Priest of this Christian Catholic Community of St. James the Less in the Diocese of San Bernardino, a Non-Profit Organization, through this letter, I am expressing to you in the most attentive and respectful way, I do not see a concern over Mr. Khalil's business on the corner of D Street with regards to our parish.

May God continue to bless you and your work for our people.

If we might be of further service to you, please contact our office at your convenience.

May His Kingdom Come, I remain

Rev. Eliseo M. Napiere, M.S.Ph.

Pastor

EMN/lm

EXHIBIT G School Letter

St. James the Less Catholic School 250 west 3rd street, Perris, California 92570 951-657-5226 stjamescs.com



November 18, 2021

Mr. Ryan Griffiths City of Perris, Planning Division 135 North "D" Street Perris, Ca 92570-1998

RE: Mr. Bilal Khalifa, small business-liquor store

Dear Mr. Griffiths:

My name is Tom Strickland, and I am the principal at St. James Catholic School. It is my understanding that you are requesting a letter from me regarding my concern over a business selling liquor near our school site. According to the arial map provided the location of the business is south of 4th Street on D Street.

I'do not see any concern regarding this business. None of our students walk home; we are a drop off and picked up only school. If you have any questions, please don't hesitate to contact me directly.

Respectfully

Mr. Tom Strickland

Principal

St. James Catholic School

Perris, CA

EXHIBIT H Sheriff Letter

 From:
 Robles, Edwardo

 To:
 Ryan Griffiths

 Cc:
 Marshall, David

Subject: Re: One Stop Store 406 S D St ABC License Upgrade CUP21-05042

Date: Thursday, November 4, 2021 12:27:29 PM

On Monday, November 01, 2021, I met with the applicant and owner of the One-Stop Store. The business is very clean, and the applicant has installed security cameras and signs throughout his store. Additionally, the applicant has filled out a no-trespass letter. This would authorize the Perris Sheriff Station deputies to address any issues such as loitering at the location. Considering all of this, I will now have no problem granting the applicant an upgraded ABC license.

Thank you

Deputy Edward Robles Community Service /Crime Prevention Riverside County Sheriff Perris Station 137 North Perris Blvd (951) 210-1086

EXHIBIT I ABC Census Data for Tract 428.01

County	ŢĒ	County Population	11	County Ratio On- Sale	IŢ	County Ratio Off- Sale	11	Census Tract	11	Census Tract Population	Gerra search	On- Sale	Į†	Off- Sale	11	
RIVERSIDE		2454453		1053		1740		428.01		4345		4		2		

Current Offsite Licenses within Tract 428.01

County: RIVERSIDE County
Census Tract: 0428.01

Report Date: Thursday, December 16, 2021

show 10	→ er	ntries						Search:	
License Number	1à	Status 11	License Type	Orig. Iss. Date	Expir. Date	Primary Owner	Premises Addr.	Business Name	Geo Code
219333		ACTIVE	21	07/01/1988	03/31/2022	STATER BROS MARKETS	47 W NUEVO RD, PERRIS, CA 92571 Census Tract: 0428.01	STATER BROS MARKETS 113	3311
485885		ACTIVE	20	04/14/2010	03/31/2022	KHALIFA, BILAL	406 S D ST, PERRIS, CA 92570- 2135 Census Tract: 0428.01	ONE STOP STORE	3311
575886		ACTIVE	20	12/29/2016	11/30/2022	GANESH MANAGEMENT LLC	216 S PERRIS BLVD, PERRIS, CA 92570 Census Tract: 0428.01	PERRIS GAS AND MART	3311

Census Tract Map 428.01

