

RESOLUTION NUMBER 5868

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ADOPTING THE MITIGATED NEGATIVE DECLARATION 20-05182 (STATE CLEARINGHOUSE #2021080049), AND APPROVING AND CONDITIONAL USE PERMIT 20-05100, AN OUTDOOR TRUCK AND TRAILER STORAGE DEVELOPMENT PROJECT ON 9.54 ACRES, BASED UPON THE CONDITIONS OF APPROVAL AND THE MITIGATION MONITORING AND REPORTING PROGRAM.

WHEREAS, the Markham Street Truck Yard Project (“Project”) is a proposal to develop an outdoor truck and trailer storage facility with associated site improvements, and on and off-site infrastructure improvements on 9.54 acres located on the north side of Markham Street between Perris Boulevard and Redlands Avenue; and

WHEREAS, the proposed SPA 20-05180 and CUP 20-05100 (collectively, the “Project”) are considered a “project” as defined by the California Environmental Quality Act (“CEQA”); and

WHEREAS, pursuant to CEQA and the State CEQA Guidelines (14 Cal. Code Regs. §15000 *et seq.*), the City is the lead agency for the Project, as it is the public agency with general governmental powers over the Project; and

WHEREAS, the City, as lead agency, determined that a Mitigated Negative Declaration (“MND”) should be prepared pursuant to CEQA in order to analyze all potentially significant adverse environmental impacts of the Project; and

WHEREAS, between August 3, 2021 and September 2, 2021, the Draft Mitigated Negative Declaration (MND) was made available for public review and comment during a state-mandated 30-day public review period; and

WHEREAS, responses to comments were prepared for inclusion in the Final MND and were circulated to responders prior to the hearing date; and

WHEREAS, on October 6, 2021 (continued from September 15, 2021), the Planning Commission conducted a duly noticed special public hearing on the project, and at the meeting recommended denial of the project to the City Council after considering public testimony and materials in the staff report and accompanying documents for the Mitigated Negative Declaration 20-05182 (State Clearinghouse No. 2021080049), Specific Plan Amendment 20-05180, and Conditional Use Permit 20-05100; and

WHEREAS, on October 26, 2021, the City Council conducted a duly noticed public hearing on the project and at the meeting adopted the MND after considering public testimony and materials in the staff report and accompanying documents for the Mitigated

Negative Declaration 20-05182 (State Clearinghouse No. 2021080049), Specific Plan Amendment 20-05180, and Conditional Use Permit 20-05100; and

WHEREAS, prior to taking action, the City Council has heard, been presented with, and/or reviewed all of the information and data which constitutes the administrative record, including the Mitigated Negative Declaration and all oral and written evidence presented to the City during all Project meetings and hearings; and

WHEREAS, the City Council's adoption of the Mitigated Negative Declaration reflects its independent judgment and analysis; and

WHEREAS, no comments made in the public hearings conducted by the City Council or any additional information submitted to the City Council have produced substantial new information requiring recirculation or additional environmental review under State CEQA Guidelines section 15088.5; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Perris, as follows:

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

Section 2. Based on the forgoing, the information contained in the agenda submittal and supporting exhibits and all oral and written presentations and testimony made by City staff and members of the public at the public hearing on October 26, 2021, the Initial Study prepared for the Project (including all comments received), substantial evidence in light of the whole record, and in accordance with the City of Perris ("City") guidelines for implementing the CEQA, the City Council hereby determines pursuant to Section 15074 of the CEQA Guidelines that all potential significant effects on the environment can be reduced to a less than significant level through mitigation measures; the design of the development; the City's zoning code; and standard requirements of the City, state and federal regulatory agencies; therefore a Mitigated Negative Declaration 20-05182 (SCH NO. 2021080049) has been prepared, with findings that:

- A. No significant environmental effects would occur and there is no substantial evidence, in light of the whole record, that the Project may have a significant effect on the environment, and a Mitigated Negative Declaration (2361) has been prepared.
- B. The City has complied with the California Environmental Quality Act (CEQA).
- C. Determinations of the City Council reflect the independent judgment of the City.

Section 3. Based on the forgoing, the information contained on the agenda submittal and supporting exhibits and all oral and written presentations and testimony made by

City staff and members of the public at the public hearing on October 26, 2021, the City Council further finds the following regarding the Conditional Use Permit:

Conditional Use Permit 20-05100

- A. *The proposed location of the conditional use is in accord with the objectives of the Zoning Code and the purposes of the zone in which the site is located.*

The Project proposes to 1) Change the land use designation of 9.54 acres from Business/Professional Office (“BPO”) to Light Industrial (“LI”); and 2) Allow vehicle-related outdoor storage and other facilities as a conditionally permitted use in the LI zone of the Perris Valley Commerce Center Specific Plan (“PVCCSP”). Further, the proposed Project is consistent with the surrounding industrial developments and land uses and the development regulations contained in the Zoning Code and the PVCCSP, which allow for industrial uses, including truck and trailer storage facilities.

- B. *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 proposal is consistent with the General Plan in that it is located in an area the General Plan designates as Planning Area 1: North Industrial which is generally made up of industrial land uses. The Project proposes to amend the PVCCSP to change the zoning of the subject site from BPO to LI and to allow truck and vehicle storage as a conditionally permitted use in the LI zone within the PVCCSP. This will allow the discretionary review of the proposed use subject to conditions of approval and is intended to achieve the orderly development of the proposed use (which is intended to support the existing industrial developments and land uses in surrounding area).

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

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

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

As conditioned, the proposed architecture meets or exceeds the design standards for the PVCCSP LI Zone. The Project proposes a small guard shack building with a sloped roof and the exterior will be treated with stucco and stone finishes in neutral color schemes.

Additionally, the development will be surrounded by decorative block walls and landscaping to adequately screen the truck and trailer parking facility views from the public right-of-way.

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

Good quality landscaping is provided throughout the Project site, including street trees along Markham Street. Multi-layered, drought-tolerant landscaping including flowering trees and shrubs will be provided in large landscape areas along and within the setback areas of the site. Approximately 13% of the Project site will be landscaped which meets the 12% coverage required in the PVCCSP.

Section 4. Based on the forgoing, the information contained on the agenda submittal and supporting exhibits and all oral and written presentations and testimony made by City staff and members of the public at the public hearing on October 26, 2021, the City Council hereby adopts the MND 20-05182 (State Clearinghouse No. 2021080049) and the MMRP.

Section 5. Based on the forgoing, the information contained on the agenda submittal and supporting exhibits and all oral and written presentations and testimony made by City staff and members of the public at the public hearing on October 26, 2021, the City Council hereby approves Conditional Use Permit 20-05100 subject to the Mitigation Monitoring and Reporting Program and Conditions of Approval, including the addition of Planning Condition No. 46 that the applicant/property owner shall record a covenant limiting the property to a truck terminal for a period of 30-years.

Section 6. The City Council declares that should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Resolution shall remain in full force and effect.

Section 8. The Mayor shall sign this Resolution and the City Clerk shall certify to the adoption of this Resolution.

ADOPTED, SIGNED and APPROVED this 26th day of October, 2021.

Mayor, Michael M. Vargas

ATTEST:

City Clerk, Nancy Salazar

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

I, **Nancy Salazar**, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 5868 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held on the 26th day of October 2021, by the following called vote:

AYES: ROGERS, RABB, VARGAS

NOES: NAVA, CORONA

ABSENT: NONE

ABSTAIN: NONE

City Clerk, Nancy Salazar

Attachments: Conditions of Approval (Planning, Engineering, Public Works, Community Services, Fire, and Building)