

ORDINANCE NUMBER 1103

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ORDINANCE AMENDMENT 02-0066 TO AMEND THE ZONING ORDINANCE, CHAPTERS 19.50 REGARDING DEVELOPMENT PLAN REQUIREMENTS AND CHAPTER 19.54 REGARDING AUTHORITY AND REVIEW PROCEDURES

WHEREAS, the City Council approved the Zoning Ordinance in November 1997; and

WHEREAS, the City initiated an amendment to Development Plan Requirements and Authority and Review Procedures with the formation of a Planning Commission; and

WHEREAS, on May 14, 2002 the City Council conducted a legally, noticed public hearing on the proposed amendment to the Zoning Ordinance and considered testimony and materials in the staff report and accompanying document and exhibits; and,

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

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

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

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

Section 2. The City Council has reviewed and considered the proposed project and determined that the proposed project amends the Zoning Ordinance and any physical changes to the environment will require additional review, there is no possibility that the proposed Amendment to the Zoning Ordinance will have a significant adverse effect on the environment, and therefore is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the California Environmental Quality Act Guidelines.

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

- A. The proposed amendment is consistent with the General Plan objectives, policies, and programs.
- B. The project will not adversely affect the public health, safety, and welfare.

- C. The proposed project will not result in a significant adverse effect on the environment.

Section 4. Approval. Chapters 19.54 (Development Plan Requirements) and Chapter 19.54 (Authority and Review Procedures) of the Perris Zoning Ordinance, are hereby amended to read in their entirety as stated in Exhibit A, a copy of which is attached hereto.

Section 5. Section 19.81.080A (Second Dwelling Units – Findings) of the Perris Zoning Ordinance, is hereby amended to read in its entirety as follows:

“A. Findings

The Planning Commission shall not approve a secondary residential unit permit unless the Planning Commission makes the following findings:

1. That the proposed secondary unit is in conformity with the standards of the zone in which it is proposed to be located, and other applicable ordinances insofar as the location and appearance of the buildings and structures involved, except as otherwise specifically permitted by this Chapter.
2. That the plan for the proposed secondary unit reflects sufficient consideration of the relationship between the proposed buildings and structures and those that exist or have been approved for the general neighborhood character.
3. That the proposed exterior design and appearance of the secondary unit is not so at variance with the appearance of the other existing structures in the general neighborhood as to cause the local environs to materially depreciate in appearance and value.
4. That all provisions of this Chapter are met.”

Section 6. The Mayor shall sign and the City Clerk shall certify passage and adoption of this Ordinance, and shall cause the same to be published and posted pursuant to the provisions of law in this regard, and this Ordinance shall take effect thirty days after its final passage.

Attachments:

Exhibit “A”: Amended Chapter 19.50 and Chapter 19.54 of the Zoning Ordinance

ADOPTED, SIGNED and APPROVED this 25th day of June, 2002.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Margaret Rey

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

I, Margaret Rey, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Ordinance Number 1103, introduced at a regular meeting of the City Council of the City of Perris held on the 14th day of May, 2002, was duly and regularly adopted by the City Council at a regular meeting thereof held on the 25th day of June, 2002, and that it was so adopted by the following called vote:

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

City Clerk, Margaret Rey

EXHIBIT "A"
(ORDINANCE NUMBER 1103)

Revised Draft - May 17, 2002
CHAPTER 19.50

DEVELOPMENT PLAN REQUIREMENTS

Sections:

- 19.50.010 PURPOSE AND INTENT
- 19.50.020 DEVELOPMENT PLANS REQUIRED
- 19.50.030 DEVELOPMENT PLAN EXEMPTIONS
- 19.50.040 AUTHORITY AND ACTION
- 19.50.050 SUBMITTAL OF SUPPORTING PLANS
- 19.50.060 APPLICATION PROCESSING
- 19.50.070 EXTENSION OF TIME

19.50.010 PURPOSE AND INTENT

The City Council finds that development plan review is required to protect the health, safety and welfare of the citizens of the City and to ensure that all development proposed within the City is consistent with the City's General Plan, applicable specific plans, and zoning.

19.50.020 DEVELOPMENT PLANS REQUIRED

No person shall commence any physical alteration of a lot or parcel, the construction of a new building, the addition to or alteration of an existing building, any new use, construct a sign, obtain a building permit or certificate of occupancy, or undertake an intensification of use until a development plan has been approved.

In addition, for purposes of this Chapter, "sign" means any advertising structure regulated by Chapter 19.74 of this Code. Except as provided in Section 19.50.030, and in the ordinance establishing this Chapter, no building permit or certificate of occupancy shall be issued for development projects in process on the date the ordinance codified in this Chapter becomes effective unless such development complies with the provisions of this Chapter.

19.50.030 DEVELOPMENT PLAN EXEMPTIONS

The following development is exempt from development plan review and approval:

A. Residential Uses

1. Patios, second story decks, detached residential accessory structures, or first floor room additions and areas designated for single-family residential development, when these additions are less than twenty-five percent of the existing structure, are not directly visible from public rights-of-way and when designed to match the existing exterior of the development.
2. Landscape components and fencing in areas designed for single-family residential development.
3. Pools and spas in areas designated for single-family residential development.

B. Commercial and Industrial Uses

Commercial, industrial, and office additions for which no change in intensity of use, no additional vehicular parking is required and there is no reconfiguration of the parking lot or change in the number of parking spaces. Examples include construction of trash enclosures, interior remodels, and small additions to structures consistent with the existing architecture.

C. Other Uses

Any other development of similar scale and impact, as determined by the Director of Planning and Community Development.

19.50.040 AUTHORITY AND ACTION

The City Council, Planning Commission, or the Director of Planning and Community Development as specified in Section 19.54.030 shall review the development plan for conformance with the City's General Plan, Development Code, specific plan regulations, and other applicable City regulations and shall then approve, conditionally approve, deny, or refer to a higher authority.

19.50.050 SUBMITTAL OF SUPPORTING PLANS

The following supporting plans shall be submitted with a development plan application. Before an application is accepted and approved as complete, the applicant may be required to clarify, correct or otherwise supplement the information contained in the application.

A. *Site Plan*

A site plan, drawn to standard engineering scale (one inch equals thirty feet), shall contain the following information:

1. Parcel and lot dimensions illustrating the location of all existing buildings and structures.
2. The location, height, and construction material of all walls and fences.
3. The location, number of spaces, and internal circulation pattern for all on-street parking along with the location of any off-site parking.
4. The width of all driveways, rights-of-way and the design of all ingress/egress routes.
5. The location of all areas proposed to be landscaped.
6. The proposed use of the building(s) or structures and the amount of square footage devoted to each use.
7. The design and location of all areas or improvements to be made available for use by the public or dedicated to a public agency or utility.
8. The location and design of all trash enclosures.
9. The design and location of all signs, exterior lighting and pedestrian walk-ways.
10. The location of all existing and proposed fire hydrants.
11. The location of all proposed outdoor storage areas and a description of the materials to be stored in such areas.
12. The percentage of landscaped area, building coverage, and parking area.
13. The location of any existing curbs, planter islands, sign, lighting, standards or bollards, or any other improvements to be removed.

B. *Other Plans*

1. Floor plans for all proposed buildings and structures.
2. Colored architectural elevations and colors and materials sample board.
3. Landscaping plans indicating the species, container size and quantity of the proposed plant materials, and the design of the irrigation system. All landscaping plans shall be prepared by a qualified landscape architect.
4. Preliminary Grading Plans

C. *Other Materials/Specifications*

1. An 8-1/2 inch by 11 inch legible transparency of all site plans.

2. All site plans, floor plans, architectural elevations, and landscape plans shall be folded to an 8-1/2 inch by 11 inch size. Unfolded plans shall not be accepted and shall be cause for determining a development plan application incomplete.
3. Any other information or plans that may be required by the Director of Planning and Community Development which are reasonable or necessary to the City Council's, Planning Commission's, or Director's review of an application.

19.50.60 APPLICATION PROCESSING

Upon submittal of a development plan application, the Director of Planning and Community Development shall review the application to determine whether an application is complete and its compliance with the requirements of this Chapter. If the requirements of this Chapter are not satisfied within 30 days of receipt of the application, the Director shall give written notification to the applicant that the application is incomplete and the reasons therefore.

Upon determining that a development plan application is complete, the Director of Planning and Community Development shall distribute the application as provided in Section 19.54.030 REVIEW AUTHORITY AND PROCESSING PROCEDURES, Subsection B, for discretionary applications.

19.50.070 EXPIRATION AND EXTENSION OF TIME

A. Expiration

The approval or conditional approval of a development plan shall expire 24 months from the date the development plan was approved.

B. Extension

The person filing a development plans or his authorized agent may request an extension of the development plan approval by written application to the Director of Planning and Community Development. Such application shall be filed at least 10 days before the approval or conditional approval is due to expire. The application shall state the reasons for requesting the extension. The development plan must be in conformance with current City of Perris Development Code and General Plan.

The original reviewing authority specified in Section 19.54.030 for the original development application shall review and determine whether to grant a time extension. The reviewing authority shall ensure that the previously approved project is consistent with the current General Plan and all purposes and provisions of this Title and that the findings for approval specified in Section 19.54.040 are still applicable. The Director of Planning and Community Development shall issue a letter within 10 working days of the decision stating the determination and findings.

C. *Time Limit On Extension*

An extension of a development plan approval shall not exceed 12 months. A maximum of 2 one-year time extensions shall be permitted.

D. *Development Plan Modifications*

Modifications of a development plan, after approval, shall not extend time limits imposed by the Chapter, unless otherwise specified in the conditions of approval of said modification.

CHAPTER 19.54

AUTHORITY AND REVIEW PROCEDURES

Sections:

19.54.010	PURPOSE
19.54.020	AUTHORITY
19.54.030	REVIEW AUTHORITY AND PROCESSING PROCEDURES
19.54.040	FINDINGS OF APPROVAL FOR DISCRETIONARY APPLICATIONS
19.54.050	FINDINGS OF APPROVAL FOR NON-DISCRETIONARY APPLICATIONS
19.54.060	

19.54.010 PURPOSE

The purpose of this Chapter is to establish the authority to adopt and procedures to evaluate the following applications and actions:

- Zone Changes
- Zoning Ordinance Amendments
- Specific Plans
- Conditional Use Permits
- Variances
- Administrative Permits
- Permitted Uses
- Temporary Outdoor Uses

Modifications to Specific Plans, Conditional Use Permits, and Variances
Administrative Determination
Minor Adjustments
Development Plan Review
Letters of Public Convenience or Necessity

19.54.020 AUTHORITY

The authority for each type of application identified in Section 19.54.010 PURPOSE, is as follows:

A. *Zone Changes and Zoning Ordinance Amendments*

The California Government Code allows jurisdictions to adopt and amend criteria which regulate the use of property located within specified districts or categories. Such changes or amendments shall be undertaken consistent with State law and local procedures. The Planning Commission is authorized to review and recommend either approval or denial to the City Council. The City Council is authorized to approve or disapprove any proposed requests.

B. *Specific Plans*

The *California Government Code* allows local jurisdictions to adopt and amend Specific Plans to implement a City's General Plan, provided it is prepared pursuant to Section 65450 of the *California Government Code*. Specific Plans may be prepared for single or multiple uses including but not limited to residential, commercial, industrial, or recreational activities. Such changes or amendments shall be undertaken consistent with State law and local procedures. The Planning Commission is authorized to review and recommend either approval or denial to the City Council. The City Council is authorized to approve or disapprove any requests.

C. *Conditional Use Permits*

The *California Government Code* allows for the adoption of regulations which require a use permit be obtained for the operation of specified uses. Use permits may require compliance with certain conditions of approval prior to the issuance of a permit to operate or building permit. The Planning Commission is authorized to approve and deny any requests.

D. *Variances*

The California Government Code allows for the adoption of regulations which permit the City Council to grant a variance from the required development standards contained in a Zoning Ordinance when practical difficulties, unnecessary hardships or results inconsistent with the general purpose of this Title result through the strict and literal interpretation and enforcement of the provisions of this Title. The Planning Commission is authorized to approve or deny any requests.

E. *Administrative Permits*

The California Government Code allows jurisdictions to require a non-discretionary permit for the establishment of a large family day care home on lots zoned for single-family dwellings. The purpose of the permit can be granted by the designated City official provided the proposed use complies with all adopted local ordinances. The Director of Planning and Community Development is authorized to approve any requests consistent with existing City ordinances and policies.

F. *Permitted Uses*

The California Government Code allows for the regulation of land uses and buildings. The land uses identified as Permitted Uses are allowed by right, subject only to their compliance with existing City regulations. The Director of Planning and Community Development is authorized to approve or deny any projects consistent with existing City ordinances and policies.

G. *Temporary Outdoor Uses*

The California Government Code allows for the regulation of land uses and buildings. Temporary outdoor uses are allowed subject to their appropriateness, the availability of land, and their compliance with existing City regulations. The Director of Planning and Community Development is authorized to approve, conditionally approve, or deny any requests.

H. *Administrative Determinations*

When a use is not listed specifically as either a permitted use or conditionally permitted use under a particular Zoning district or category, the Director of Planning and Community Development shall have the authority to determine whether the use is sufficiently similar to other uses in the particular zone to justify a finding that it should be deemed either a permitted use or conditionally permitted use. The Director of Planning and Community Development is authorized to approve or disapprove any requests consistent with the provisions of this Chapter.

I. *Minor Adjustments*

When the strict application of the provisions of this Title would be impractical or result in a hardship, a minor adjustment may be authorized by the Director of Planning and Community Development subject to the limitations listed below. Should a request for a minor adjustment be beyond the limitations listed below or considered either too controversial or significant to surrounding property owners or residents, the Director may, at his/her discretion, require the formal filling of a variance request. The Director of Planning and Community Development is authorized to approve or deny the following minor adjustments to the standards contained in the Development Code:

1. Setbacks/Landscaping: Reduce required setback or landscape areas up to 25 percent.
2. Parking: Reduce required parking up to 25 percent.
3. Height/Coverage: Increase the allowable structure height or lot coverage up to 25 percent.
4. Walls/Fences: Increase the height of walls or fences up to 25 percent.
5. Freestanding Signs: Increase the height of freestanding signs up to 25 percent.

J. *Development Plan Review*

The *California Government Code* allows for adoption of regulations for the review of Development Projects. Development Plans may require compliance with certain conditions of approval prior to issuance of a permit to operate or a building permit. The Director of Planning and Community Development, the Planning Commission, or City Council, as specified in Section 19.54.030, is authorized to approve, conditionally approve, or deny any requests.

K. Letter of Public Convenience or Necessity

The *California Business and Professions Code* provides for City review of alcoholic beverage control licenses where there is an “undue concentration” and a determination that the public convenience or necessity would be served by the issuance of a license. The Planning Commission is authorized to approve or deny any requests for determination of public convenience or necessity.

19.54.030 REVIEW AUTHORITY AND PROCESSING PROCEDURES

A. Processing Review and Authority

1. Review and Approval Authority

All actions covered by this Chapter shall be processed in the manner prescribed below. The following matrix outlines the actions, review authority, and approval authority for each type of application:

TYPE OF ACTION	TYPE OF APPLICATION	REVIEW AUTHORITY	APPROVAL AUTHORITY
Discretionary	<ul style="list-style-type: none"> • Administrative Determinations 	<ul style="list-style-type: none"> • Staff 	<ul style="list-style-type: none"> • Director of Planning & Community Development
	<ul style="list-style-type: none"> • Administrative Development Plan Review (More than 4 Single-Family, less than 4 Multi-Family, New Non-Residential less than 2,500 square feet, and conversion of residential structure to non-residential use) 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Director of Planning & Community Development
	<ul style="list-style-type: none"> • Agricultural Preserve Applications 	<ul style="list-style-type: none"> • Staff • Responsible Agencies • Planning Commission 	<ul style="list-style-type: none"> • City Council
	<ul style="list-style-type: none"> • Annexations 	<ul style="list-style-type: none"> • Staff • Responsible Agencies • Planning Commission 	<ul style="list-style-type: none"> • City Council

<ul style="list-style-type: none"> • TYPE OF APPLICATION 	<ul style="list-style-type: none"> • REVIEW AUTHORITY 	<ul style="list-style-type: none"> • APPROVAL AUTHORITY
<ul style="list-style-type: none"> • Development Agreement 	<ul style="list-style-type: none"> • Staff • Responsible Agencies • Planning Commission 	<ul style="list-style-type: none"> • City Council
<ul style="list-style-type: none"> • Development Plan Review- 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Planning Commission
<ul style="list-style-type: none"> • General Plan Amendments 	<ul style="list-style-type: none"> • Staff • Responsible Agencies • Planning Commission 	<ul style="list-style-type: none"> • City Council
<ul style="list-style-type: none"> • Letter of Public Convenience or Necessity. 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Planning Commission
<ul style="list-style-type: none"> • Major Modifications 	<ul style="list-style-type: none"> • Same Authorities as for new application 	<ul style="list-style-type: none"> • Same Authority as for new application
<ul style="list-style-type: none"> • Minor Modifications 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Director of Planning & Community Development
<ul style="list-style-type: none"> • Minor Adjustments 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Director of Planning & Community Development
<ul style="list-style-type: none"> • Minor Development Plan Review 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Director of Planning & Community Development
<ul style="list-style-type: none"> • Reversions to Acreage 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • City Council
<ul style="list-style-type: none"> • Surface Mining Permits 	<ul style="list-style-type: none"> • Staff • Responsible Agencies • Planning Commission 	<ul style="list-style-type: none"> • City Council
<ul style="list-style-type: none"> • TYPE OF APPLICATION 	<ul style="list-style-type: none"> • REVIEW AUTHORITY 	<ul style="list-style-type: none"> • APPROVAL AUTHORITY
<ul style="list-style-type: none"> • Sign Programs 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Director of Planning & Community Development
<ul style="list-style-type: none"> • Specific Plans 	<ul style="list-style-type: none"> • Staff • Responsible Agencies • Planning Commission 	<ul style="list-style-type: none"> • City Council
<ul style="list-style-type: none"> • Street Naming 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Planning Commission

	<ul style="list-style-type: none"> • Temporary Use Permits 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Director of Planning & Community Development
	<ul style="list-style-type: none"> • Tentative Parcel Maps 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Planning Commission
	<ul style="list-style-type: none"> • Tentative Tract Maps 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Planning Commission
	<ul style="list-style-type: none"> • Variances 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Planning Commission
	<ul style="list-style-type: none"> • Zone Changes 	<ul style="list-style-type: none"> • Staff • Responsible Agencies • Planning Commission 	<ul style="list-style-type: none"> • City Council
	<ul style="list-style-type: none"> • Zoning Text (Ordinance) Amendments 	<ul style="list-style-type: none"> • Staff • Responsible Agencies • Planning Commission 	<ul style="list-style-type: none"> • City Council
Non-Discretionary	<ul style="list-style-type: none"> • Permitted Uses • 	<ul style="list-style-type: none"> • City Staff • Other Responsible Agencies 	Director of Planning and Community Development

2. Referral to Next Higher Authority

The Director of Planning and Community Development may refer an application to the next higher authority due to special issues, impacts related to the project, or controversy.

3. Multiple and Concurrent Applications

When multiple applications related to a project are concurrently processed and that project also contains an application which requires review and determination by a higher authority, then all these applications, with the exception of sign permits, shall be reviewed and referred to the higher authority for determination. The final environmental determination and decision on all of the concurrent applications related to a project shall be made by the highest level of Approval Authority for any of the applications. For example the City Council shall review and determine the final action for all applications concurrently processed with a General Plan Amendment or Zone Change.

4. Modifications

Major Modifications to approved projects shall be reviewed and a determination shall be made by the same authority as required for initial approval. Minor Modifications shall be reviewed and a determination shall be made by the Director of Planning and Community Development. The Director of Planning and Community Development shall be responsible for determining whether or not a proposed modification is deemed significant depending on the circumstances involved and should be considered a Major Modification or Minor Modification. The approval of Major or Minor Modifications to approved projects shall not extend the expiration date of the original project approvals, unless specified in the conditions of approval of said modification.

5. Violation of Conditions

Whenever a permit is conditionally approved or modified by the approving authority, the use or enjoyment of the permit approval without observance or in violation of any such conditions shall constitute a violation of the Code. Violations may be enforced in accordance with the processes and procedures for violations of the Code, or may constitute grounds for the permit to be revoked or suspended as provided in this Code

B. Processing Procedures

1. All development applications are subject to City review, except as exempted in Section 19.50.030.

2. Abandonment of Applications
 - a. An application for permits or approvals as specified in this Chapter shall be deemed to have been abandoned when information and/or fees have been requested in writing to complete or continue application processing and the requested information and/or fees have not been received by the Planning Division within ninety (90) days of the request.

- b. The applicant may provide a written request for extension, which must be supported by a written explanation of the delay, stating the date by which the further application material and or fees will be submitted. If the Director finds that special circumstances exist and that unusual hardship to the applicant would result from deeming the application abandoned, the Director may extend the period during which the required material must be submitted. If the required material has not been submitted by the new date and if the Director has not further extended the allowable period, the application shall be deemed abandoned without further notification.

3. Final Effective Date of Approvals

The final effective date of any approval shall be the first business day after all applicable appeals periods have lapsed, or the final action has occurred on any appeal. Permits shall not be issued and land uses or construction shall not commence for any use or structure involved in any application required by this Code until the final effective date of the required approvals.

19.54.040 FINDINGS OF APPROVAL FOR DISCRETIONARY APPLICATIONS

A. *Zone Change*

The purpose of a zone change is to ensure the City can modify land use requirements to reflect the changing needs of the area and ensure compatibility with the City's General Plan. Prior to granting approval of a zone change application the following findings shall be adopted:

1. The proposed zoning is consistent with the General Plan Land Use Map and applicable General Plan objectives, policies, and programs.
2. The proposed zoning is compatible with or provides adequate buffering of adjoining uses.
3. The proposed zoning is a logical extension of the existing zoning pattern.

B. *Specific Plans*

The purpose of a Specific Plan is to allow the City to prepare unique policies and development standards which respond to the specific needs of individual projects. Prior to granting approval of a Specific Plan application the following findings shall be adopted:

1. The Specific Plan is consistent with the General Plan Land Use Map and applicable General Plan objectives, policies, and programs.
2. The Specific Plan provides adequate text and diagrams to adequately address the following issues in detail:
 - a. The distribution, location, and extent of the uses of land, including open space, within the area covered by the Plan.
 - b. The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the Plan and needed to support the land uses described in the Plan.
 - c. Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
 - d. A program of implementation measures including regulation, programs, public works projects, and financing measures necessary to carry out the provisions contained in paragraphs a, b, and c above.

C. *Conditional Use Permits*

The purpose of a conditional use permit is to: Assure compatibility of the proposed use with other existing and potential uses within the general area; assure the proposed use is consistent and compatible with the purpose of the zone in which it is located; and, recognize and compensate for potential impacts that could be generated by the proposed use, such as noise, smoke, dust, fumes, vibration, odors, and hazards. Prior to granting approval of a conditional use permit the following findings shall be adopted:

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.
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.
3. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
4. The architecture proposed is compatible with community standards and protects the character of adjacent development.
5. The landscaping plan ensures visual relief and provides an attractive environment for the public's enjoyment.

D. Variances

The purpose of a variance is to allow for deviations from the standards contained in this Title. Variances from the terms of the Development Code shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the Development Code deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. Those standards which are determined administratively or at the discretion of the City Council shall not be subject to the variance proves. A variance shall not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the Development Code governing the property. Prior to granting approval of a variance the following findings shall be adopted:

1. There are unique physical circumstances applicable to the subject land, including size, shape, topography, location or surroundings. If the reviewing body finds that the physical circumstances are similar to other parcels in the zone, such circumstances are not unique and a variance shall not be granted.
2. The strict application of zoning standards deprives the property of the right to use the land in manner enjoyed by other conforming property in the vicinity under identical zoning standards.
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.
4. The granting of the variance will not adversely affect the objectives, policies, and programs contained in the City's General Plan.

E. Major Modifications to Specific Plans, Conditional Use Permits, Development Plan Reviews, and Variances

Modifications to approved plan can occur due to changes necessitated by other agencies or the desire to refine the plan to meet changing economic or social needs. Major modifications involve significant design changes which could, for example, modify the original character of the development, building, or use, such as an increase in residential densities, diminishment of open space areas, reorientation of building or entrance areas. A minor revision would not violate the intent of any of the standards or conditions or the permit or the zone. The Director of Planning and Community Development will be responsible for determining whether or not a proposed modification is deemed significant, depending on the circumstances involved.

F. *Development Plan Reviews*

The purpose of the Development Plan Review is to protect the health, safety, and welfare of the citizens of the City; to ensure that all development proposed within the City is consistent with the City's General Plan, Zoning, any applicable Specific Plan, and City requirements to protect and enhance the built and natural environment of the City, identifying and mitigating potential impacts that could be generated by the proposed use, such as traffic, noise, smoke, dust, fumes, vibration, odors, other hazards, or community impacts. The City's review process it shall include the evaluation of certain development impacts and standards, including, but not limited to the following:

1. The proposed development is consistent with the allowed Zoning restrictions, in addition to drainage, waste disposal, street dedication, fire safety, and other appropriate regulations.
2. The following are constructed and arranged so that traffic congestion is avoided, pedestrian and vehicular safety and welfare are protected, and there will be no adverse effect on surrounding property:
 - a. Buildings, structures, and improvements
 - b. Parking, vehicular ingress/egress and internal circulation
 - c. Setbacks
 - d. Height of buildings
 - e. Service areas
 - f. Walls and fences
 - g. Landscaping
 - h. Architectural compatibility with zoning standards, applicable Specific Plans, and surrounding development
3. All utility facilities are underground, unless otherwise authorized by Perris Municipal Code Chapter 13.04.
4. Proposed lighting is located so as to reflect the light away from adjoining properties
5. Proposed signs will not, by size, location, color or lighting, interfere with traffic, limit visibility, contribute to overhead clutter, or create a public nuisance.
6. All applicable public easements and rights-of-way have been dedicated or offered for dedication.

7. All required infrastructure and improvements are included within the proposed development or the conditions of approval.

Prior to granting approval of a Development Plan Review the following findings shall be adopted:

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

2. The subject site is physically suitable, including but not limited to parcel size, shape, access, and availability of utilities and services, for the type of development proposed.
3. The proposed development and the conditions under which it would be operated or maintained is compatible with abutting properties and will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
4. The architecture proposed is compatible with community standards and protects the character of adjacent development.
5. The landscaping plan ensures visual relief and provides an attractive environment for the public's enjoyment.
6. The safeguards necessary to protect the public health, safety and general welfare have been required for the proposed project.

G. Administrative Determinations

The purpose of an administrative determination is to provide a process whereby uses can be administratively added to a particular zone or zones without processing a formal amendment to the Zoning Ordinance. Prior to granting approval or an administrative determination the following findings shall be adopted:

1. The proposed use is consistent with the purpose of the Zoning Ordinance and the particular zone or zones in which it is to be added.
2. The proposed use and its operation are compatible with the uses allowed in the zone.
3. The proposed use is similar to one or more uses in the zone or zones it is to be added.

H. Minor Adjustments

The purpose of a minor adjustment is to administratively approve deviations from Development Code standards when the changes are deemed to be minor and will not adversely affect the public health or the safety of adjoining properties. Prior to granting approval of a minor adjustment the following findings shall be adopted:

1. The proposed adjustment does not adversely affect the adjoining property owners or uses.
2. The proposed adjustment is necessary for the effective operation of the use or associated facilities.
3. The necessity for the adjustment is adequately justified, including through the use of special studies.

I. Letter of Public Convenience or Necessity

The purpose of the Letter of Public Convenience or Necessity is to allow the City to consider requests for issuance alcoholic beverage control permits in areas “undue concentration” and make a determination that the public convenience and necessity would be served by the issuance of a permit. In order for the City to grant such a request the Director of Planning and Community Development shall consider the applicant’s request, consult with the City’s Police Chief and City Attorney as necessary, review and recommend a course of action to the Planning Commission. The Planning Commission must consider the matter and determine whether the public convenience and necessity would be served by the issuance of a permit. Prior to granting approval of a Letter of Public Convenience or Necessity the following findings shall be adopted:

1. Applicant has submitted a written request for a letter of public convenience and necessity to the City, indicting the reasons for request.
2. The census tract within the project site is located is determined to have an “undue concentration” of alcoholic beverage licenses.
3. Applicant has submitted a request for a particular type of alcoholic beverage license, license upgrade, or premises-to-premises transfer.
4. License applicant has a valid City issued permit for the associated use, which caters to the needs of the community, by providing public convenience or necessity.
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.

J. Temporary Use Permits

Temporary outdoor events are those uses, which shall be allowed provided they comply with existing City ordinances and policies. The actions undertaken by the City in the review and approval of these uses is to ensure each proposed use meets the City's existing regulation and that the applicant is appraised of these requirements. To accomplish this the City will distribute each proposed project, either formally or informally, to affected departments or agencies to obtain their comments and conditions. Upon completion of the City's review a letter shall be issued to the applicant stipulating the requirements/actions that must be taken to comply with existing City requirements. The letter shall attempt to be as comprehensive as possible in an effort to provide the applicant with the greatest amount of information to enable the proper development of the proposed project. The City will not be responsible for enforcing the requirements noted by other agencies. As part of the City's review process it shall evaluate factors including but not limited to the following:

1. Compliance with Fire Department and other life safety criteria.
2. Compliance with Building Department criteria.
3. Adequate traffic circulation, ingress/egress and off-site parking.
4. Adequate restroom facilities.
5. Trash collection and disposal
6. Adequate insurance
7. Adequate security
8. Compliance with City sign regulations in Chapter 19.75

19.54.050 FINDINGS OF APPROVAL FOR NON-DISCRETIONARY APPLICATIONS

A. *Permitted Uses*

Permitted uses are those uses which shall be allowed provided they comply with existing City ordinances and policies. However, land uses proposed to occupy a lot containing an abandoned building or structure, shall be subject Development Plan Review and to the applicable review and approving authorities as specified in Chapter 19.50 (Development Plan Requirements) and Section 19.54.030 (Authority and Review Procedures). The actions undertaken by the City in the review and approval of these uses is to ensure each proposed use meets the City's existing regulations and that the applicant is appraised of these requirements. To accomplish this the City will distribute each proposed project, either formally or informally, to affected departments or agencies to obtain their comments and conditions. Upon completion of the City's review a letter shall be issued to the applicant stipulating the requirements/actions that must be taken to comply with existing City requirements. The letter shall attempt to be as comprehensive as possible in an effort to provide the applicant with the greatest amount of information to enable the proper development of the proposed project. The City will not be responsible for enforcing the requirements noted by other agencies. As part of the City's review process it shall evaluate factors including but not limited to the following:

1. The proposed use and structure consistent with the allowed Zoning restrictions, in addition to drainage, waste disposal, street dedication, fire safety, and other appropriate regulations.
2. The following are so arranged that traffic congestion is avoided and pedestrian and vehicular safety and welfare are protected, so that there will be no adverse effect on surrounding property:
 - a. Buildings, structures, and improvements
 - b. Parking, vehicular ingress/egress and internal circulation
 - c. Setbacks
 - d. Height of buildings
 - e. Service areas
 - f. Walls and fences

- g. Landscaping
 - h. Architectural compatibility with zoning standards, applicable Specific Plans, and surrounding development
3. All utility facilities are underground, unless otherwise authorized by Perris Municipal Code Chapter 13.04.
 4. Proposed lighting is so located as to reflect the light away from adjoining properties
 5. Proposed signs will not, by size, location, color or lighting, interfere with traffic or limit visibility.
 6. All applicable public easements and rights-of-way have been dedicated or offered for dedication.