

**RESOLUTION NUMBER 3945**

***A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH #2006041060) AND MITIGATION MONITORING PROGRAM, ADOPTING THE STATEMENT OF FACTS IN SUPPORT OF FINDINGS REGARDING THE SIGNIFICANT ENVIRONMENTAL EFFECTS RESULTING FROM THE RIDGE COMMERCE CENTER, APPROVING THE NONRENEWAL AND TENTATIVE PARTIAL CANCELLATION OF A LAND CONSERVATION CONTRACT (CASE 06-0197), GENERAL PLAN AMENDMENT 05-0491, AND DEVELOPMENT PLAN REVIEW 05-0493 FOR THE ESTABLISHMENT OF 1.9 MILLION SQUARE FEET OF LIGHT INDUSTRIAL WAREHOUSE USE IN TWO BUILDINGS ON 90 ACRES OF LAND AT THE NORTHWEST CORNER OF MORGAN STREET AND PERRIS BOULEVARD, AND MAKING FINDINGS IN SUPPORT THEREOF***

***WHEREAS***, in anticipation of development of land, the City of Perris received an application for diminishment, or partial cancellation, of a land conservation contract (pursuant to the Williamson Act) from the property owner for approximately 90 gross acres of land located east of Indian Avenue, north of Morgan Street, west of Perris Boulevard and approximately 650 feet south of Ramona Expressway (Assessor's Parcel Numbers 303-060-0014, 303-070-005, 303-070-004 and a portion of 303-060-007, the "Subject Property"); and

***WHEREAS***, the City of Perris also received applications for an alternative land use of the Subject site to include a General Plan Amendment to change the current Community Commercial land use designation of a portion of the Subject Property to Light Industrial, a Zone Change application to convert the present zoning from A-1 (Light Agricultural/Interim Designation) to Light Industrial, and a Development Plan Review application for the proposed distribution warehouse project (Ridge Commerce Center Project); and

***WHEREAS***, the City Council of the City of Perris adopted a General Plan to guide development throughout the City and a Zoning Ordinance to implement the vision set forth in the General Plan; and

***WHEREAS***, California State law limits amendments to any of the mandated General Plan Elements to four times a year; howsoever, a number of changes may be made at one time; and

**WHEREAS**, this amendment, coupled with other proposals considered on this date, constitutes the second time in 2007 that the City of Perris has amended the Land Use Element of the General Plan; and

**WHEREAS**, a Draft Environmental Impact Report (“Draft EIR”) for the Project was prepared and circulated on December 20, 2006, for a 45-day public review period pursuant to the California Environmental Quality Act (“CEQA”), Public Resources Code Section 21000, *et seq.*, and State and Agency Guidelines adopted pursuant thereto; and

**WHEREAS**, notice was duly provided to the public, government agencies and all other interested parties that they may submit written comments on the Draft EIR to the City; and

**WHEREAS**, a Final Environmental Impact Report (“FEIR”) for the Project (State Clearinghouse #2006041060) has been prepared pursuant to CEQA and the State CEQA Guidelines, and incorporates the Draft EIR with changes and revisions thereto, written Responses to Comments made during the CEQA review period, and the Mitigation and Monitoring Program; and

**WHEREAS**, the Planning Commission has reviewed the Final EIR and accompanying attachments, and recommends certification of the Final EIR to the City Council; and

**WHEREAS**, the Subject Property lies within the Perris Valley Agricultural Preserve Number 1, Map Number 56, and is subject to a Land Conservation Contract recorded on February 27, 1970, as Instrument No. 19066 (the Land Conservation Contract); and

**WHEREAS**, Government Code Section 51282 permits a landowner to petition the City Council of the City of Perris to cancel a portion of a land conservation contract; and

**WHEREAS**, a Notice of Nonrenewal for a portion of a land conservation contract has been served on the City in accordance with Government Code Section 51245, and this Notice of Nonrenewal was duly recorded with the County of Riverside on December 29, 2006; and

**WHEREAS**, Government Code Section 51282 permits the City Council to grant tentative approval for the cancellation of a land conservation contract (or a portion thereof) where the City Council finds that certain requirements have been satisfied; and

**WHEREAS**, City of Perris Municipal Code Section 19.74.040 specifies procedures for the tentative cancellation of a land conservation contract; and

**WHEREAS**, the application to cancel the Land Conservation Contract relative to the Subject Property was accompanied by a proposal for an alternative land use for the Subject Property consisting of the establishment of 1.9 million square feet of light industrial distribution warehouse use in two buildings with associated trucking courts and site improvements including parking, landscaping and screening for the Ridge Commerce Center project; and

**WHEREAS**, the following information has been submitted to warrant findings that the cancellation of the Land Conservation Contract is consistent with the purposes of the Williamson Act (Government Code Section 51240, *et seq.*):

1. The Landowner has served a Notice of Nonrenewal relative to the Landowner's Land Conservation Contract on the City in compliance with Government Code Section 51245; and the City accepted Landowner's service of the Notice of Nonrenewal pursuant to the Nonrenewal Documents recorded with the County of Riverside on December 29, 2006.
2. The development of the Subject Property will not likely result in the removal of adjacent lands from agricultural use since a Notice of Nonrenewal was previously served by the Landowner on the City of Perris for approximately 97 acres of agricultural land under Land Conservation Contract immediately south of the Subject Property, north of Rider Street, and west of Indian Avenue. Adjacent lands remain subject to the existing Land Conservation Contract as part of the contiguous ownership by another Landowner, and are currently leased (together with the Subject Property) to a single operator for sod production.
3. The proposed alternative land use is the Ridge Commerce Center. The City of Perris General Plan, adopted in 1991 and updated in 2004, envisioned and contemplated the gradual elimination of agricultural land within the City and designated the Subject Property and surrounding lands with a Light Industrial General Plan Land Use Designation. Therefore, the existing General Plan Land Use designation for the Subject Property is Light Industrial. Warehouse distribution uses are consistent with the Light Industrial designation of the City's General Plan.
4. The properties situated east, west and south of the Subject Property are designated for Light Industrial uses by the General Plan Land Use Element. The properties situated east, west and southwest are currently developed with distribution warehouse uses. The proposed partial cancellation anticipates the development of an industrial project as an alternative use to become an integral part of a larger area of existing and proposed industrial development to the east, west and south, continuing the existing pattern of industrial development within the City. The proposed use of the Subject Property with a significant distribution center will continue the pattern of urban development contemplated by and consistent with the City's General Plan.
5. Agents for Perris Ridge Commerce Center conducted an extensive search throughout Southern California to locate a site of sufficient size to accommodate 1,907,079 square feet of building area and related truck and trailer loading and parking areas. Other necessary criteria for the proposed facility include a site which is close to major transportation corridors, including City-designated truck

routes, the I-215 Freeway, and the March Air Reserve Global-Port for air cargo with suitable access and visibility; can be reasonably acquired and developed in the immediate future; is without major development constraints; and is adequately served by utilities and infrastructure. The Subject Property has been determined by agents for the Perris Ridge Commerce Center as the only available site within the Inland Empire or the City which would be suitable for its needs. Accordingly, there are no proximate noncontracted lands within the City, surrounding cities, or in the region that fulfill the necessary criteria for development of the proposed facility.

**WHEREAS**, the City believes it has satisfied both its statutory obligations and its own procedures in finding that the partial cancellation of a Land Conservation Contract relative to the Subject Property is consistent with the purposes of the Williamson Act; and

**WHEREAS**, the City's procedures under Municipal Code Section 19.74.040 are consistent with the procedures required by the Williamson Act; and

**WHEREAS**, the County of Riverside Office of the Assessor, in accordance with Government Code Section 51283, has determined and certified the cancellation value of the subject property as \$1,628,625.00; and

**WHEREAS**, an Initial Study and Draft Environmental Impact Report have been prepared, advertised, and circulated pursuant to the California Environmental Quality Act with regard to the proposed use of the Subject Property; and

**WHEREAS**, a duly noticed public hearing has occurred concerning the application for tentative cancellation of the Land Conservation Contract with respect to the Subject Property; and the proposed General Plan Amendment, Zone Change and Development Plan Review; and

**WHEREAS**, the project site is primarily located within March Air Reserve Base (MARB) Airport Influence Area I, and the proposed General Plan Amendment and Zone Change are subject to the Riverside County Airport Land Use Commission's (ALUC) recommendation based on the project's consistency with the 1984 Riverside County Airport Land Use Plan; and

**WHEREAS**, at the hearing on June 8, 2006, ALUC found the proposed General Plan Amendment and Zone Change consistent with the Riverside County Airport Land Use Plan, and therefore no further action is required from the City; and

**WHEREAS**, a public hearing was held on March 7, 2007, at which time the hearing items for the Ridge Commerce Project were continued to the next Planning Commission hearing on March 20, 2007, and all interested persons were given full opportunity to be heard and to present evidence; and

**WHEREAS**, a public hearing was held on March 20, 2007, at which time all interested persons were given full opportunity to be heard and to present evidence; and the Planning Commission voted 7-0 to recommend certification of the Final EIR and approval of General Plan Amendment 05-0491, Zone Change 05-0492 and Development Plan Review 05-0493, and Agricultural Diminishment 06-0197 to the City Council;

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

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

**Section 2.** The City Council certifies the Final EIR for the Project and the Statement of Facts in Support of the Findings Regarding the Significant Environmental Effects Resulting from the Ridge Commerce Center, which includes the Statement of Overriding Considerations (Exhibit "A"), and the "Mitigation and Monitoring Program" (Exhibit "C") for the Project hereby incorporated in this Resolution by reference, based on the following:

- A. The Final EIR for the Project has been completed in compliance with CEQA and the State CEQA Guidelines;
- B. The information contained in the Final EIR for the Project provides an adequate assessment of the potentially significant impacts allowed by the Project;
- C. The Findings contained in that document entitled Statement of Facts in Support of the Findings Regarding the Significant Environmental Effects Resulting from the Ridge Commerce Center (Exhibit "A") are supported by substantial evidence, in compliance with CEQA;
- D. The Findings required by CEQA Guidelines Section 15091 are made in that document entitled Statement of Facts in Support of the Findings Regarding the Significant Environmental Effects Resulting from the Ridge Commerce Center for each potentially significant impact, and the rationale and substantial evidence supporting the Findings are contained in the Final EIR, Administrative Record, and Statement of Overriding Considerations, each of which is incorporated into the Statement of Facts (Exhibit "A"); and
- E. The Mitigation Monitoring Program (Exhibit "C") will result in the elimination of significant environmental impacts to the extent feasible, and the Project Requirements and Mitigation Measures contained therein are adopted and incorporated as Conditions of Approval (Exhibit "B").

**Section 3.** The City Council finds and determines that the partial cancellation of the Landowner's Land Conservation Contract relative to the Subject Property is consistent with the purposes of the Williamson Act based on the following findings:

- A. The cancellation is for land for which a Notice of Nonrenewal has been served pursuant to Government Code Section 51245;
- B. The cancellation is not likely to result in the removal of adjacent lands for agricultural use;
- C. The cancellation is for the alternative use which is consistent with applicable provisions of the City's General Plan;
- D. The cancellation will not result in discontinuous patterns of urban development; and
- E. There is no proximate non-contracted land which is both available and suitable for the use to which the Subject Property is proposed, and, that development of the Subject Property will provide more contiguous patterns of urban development than development of proximate non-contracted land.

Pursuant to Government Code Section 51283, the City Council hereby certifies of the amount of the cancellation fee, which Landowner shall pay the County Treasurer, as \$1,628,625, which is 12 ½ percent of the total cancellation value as determined by the County of Riverside Office of the Assessor to be paid prior to final Cancellation.

**Section 4.** The City Council hereby finds that the provisions of the City of Perris Municipal Code Section 19.74.040 have been satisfied.

**Section 5.** The City Council further finds, based upon the information contained within the staff report and accompanying attachments, with respect to the "Ridge Commerce Center Project," the following:

*General Plan Amendment 05-0491*

- A. All potentially significant environmental impacts will be mitigated to less-than-significant levels through the Mitigation Monitoring Program prepared with the Draft Environmental Impact Report (SCH #2006041060), the City has complied with the California Environmental Quality Act (CEQA), and the determinations of the Planning Commission reflect the independent judgment of the City.
- B. The proposed project is consistent with General Plan objectives, policies and programs.

- C. The proposed project will not adversely affect the public health, safety and welfare.

*Development Plan Review 05-0493*

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

**Section 6.** The City Council hereby certifies the Draft Environmental Impact Report, the Nonrenewal and Tentative Partial Cancellation of a Land Conservation Contract (Case No. 06-0197), General Plan Amendment 05-0491, Zone Change 05-0492 and Development Plan Review 05-0493 for the "Ridge Commerce Center Project," based on the information and findings presented in the staff report and supporting exhibits.

**Section 7.** 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.

Attachments: **Exhibit “A”** – Statement of Facts in Support of the Findings Regarding the Significant Environmental Effects Resulting from the Ridge Commerce Center  
**Exhibit “B”** – Conditions of Approval  
**Exhibit “C”** – Mitigation Monitoring Program

**ADOPTED, SIGNED** and **APPROVED** this 27<sup>th</sup> day of March, 2007.

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Mayor, Daryl R. Busch

ATTEST:

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City Clerk, Judy L. Haughney



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

I, Judy L. Haughney, CITY CLERK FOR THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 3945 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 27<sup>th</sup> day of March, 2007, and that it was so adopted by the following vote:

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

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City Clerk, Judy L. Haughney

**EXHIBIT “A”**  
**(RESOLUTION NUMBER 3945)**

**STATEMENT OF FACTS IN SUPPORT OF FINDINGS REGARDING  
THE SIGNIFICANT ENVIRONMENTAL EFFECTS RESULTING FROM  
THE PERRIS RIDGE COMMERCE CENTER I PROJECT  
(ENVIRONMENTAL IMPACT REPORT SCH NO. 2006041060)**

**I.     INTRODUCTION**

The City of Perris (the “City”), as the lead agency, has prepared the Final Environmental Impact Report (“Final EIR”) for the Perris Ridge Commerce Center I Project (“the proposed project”). The Final EIR has State Clearinghouse No. 2006041060.

The December 2006 Draft Environmental Impact Report (“Draft EIR”) assesses the potential environmental effects of the proposed project, identifies means to eliminate or reduce potential significant adverse impacts, and evaluates a reasonable range of Alternatives to the proposed project. The Final EIR consists of the Draft EIR, Comments received regarding the Draft EIR, a list of persons, organizations and public agencies commenting on the Draft EIR, Responses to Comments, and the Mitigation Monitoring Program.

Pursuant to California Code of Regulations, Title 14, Section 15090, the City Council certifies that the Final EIR, Responses to Comments, and the Mitigation Monitoring Program, has been completed in compliance with the California Environmental Quality Act, Public Resources Code Section 21000, et seq. (“CEQA”) and the State CEQA Guidelines, Title 14, California Code of Regulations, Section 15000, et seq. (“CEQA Guidelines”). The City Council further certifies that it has been presented with the Final EIR and that it has reviewed and considered the information contained in the Final EIR prior to making the approvals set forth below in Section III. The City Council further certifies that the Final EIR reflects its independent judgment and analysis.

**II.    FINDINGS**

The City Council is certifying the Final EIR, and approving and adopting the Findings, Statement of Overriding Considerations, and Mitigation Monitoring Program (collectively, “the Findings”) for the entirety of the actions described in these Findings and in the Final EIR. There may be actions undertaken by other state and local agencies (referred to as “responsible agencies” under CEQA). Because the City is the lead agency for the proposed project, the Final EIR is intended to be the basis for compliance with CEQA for each of the possible discretionary actions by other state and local agencies to carry out the proposed project. In this action, the City Council is approving the proposed project, including the site plans and designs of the warehouse facility.

Having received, reviewed and considered the Final EIR and other information in the administrative record, the City Council hereby adopts the following Findings, Statement of Overriding Considerations, and Mitigation Monitoring Program in compliance with CEQA and the CEQA Guidelines. The City Council certifies that its Findings are based on an assessment of all viewpoints, including all Comments received up to the date of adoption of these Findings, concerning the environmental impacts identified and analyzed in the Final EIR. The City Council adopts these Findings, Mitigation and Monitoring Program, and Statement of Overriding Considerations in conjunction with its approval as set forth in Section III, below.

**A.     Environmental Review Process**

**1.     *Preparation of the EIR***

On April 10, 2006 the City issued a Notice of Preparation (“NOP”) announcing the proposed preparation of the Draft EIR and describing its proposed scope, as well as announcing the release of the Initial Study (“IS”). The NOP and IS were circulated to responsible agencies and interested groups and individuals for a 30-day review period ending May 9, 2006. In addition, in order to solicit further Comments on the scope and content of the environmental analysis to be included in the Draft EIR, a public scoping meeting was held on May 3, 2006, as part of a regularly

scheduled Planning Commission meeting located at the Perris City Hall, which was attended by approximately fifteen members of the public.

The City issued the Draft EIR on December 20, 2006 and circulated it for public review and comment for a 45-day period that ended on February 2, 2007. The City circulated the Draft EIR by: (1) submitting copies of the Draft EIR to the State Office of Planning and Research (State Clearinghouse); (2) making a copy available at the Cesar Chavez Public Library in the City of Perris; (3) making copies available for review and copying at the City of Perris Department of Planning and Community Development; (4) publishing a Notice of Completion of the Draft EIR in the *Sentinel Weekly News*; and (5) mailing the Notice of Completion to all persons required to receive notice within a 300-foot radius of the project site and to interested parties, as well as to relevant state agencies.

A total of ten letters were received from state and local agencies during the public comment period. The Final EIR contains all of the Comments received during the public comment period, together with written Responses to those Comments that were prepared in accordance with CEQA and the CEQA Guidelines. The City Council certifies that it has reviewed the Comments received and Responses thereto and finds that the Final EIR provides adequate, good-faith, and reasoned Responses to the Comments.

## **2. *Absence of Significant New Information***

CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of the draft EIR but before certification. New information includes: (i) changes to the proposed project; (ii) changes in the environmental setting; or (iii) additional data or other information. Section 15088.5 further provides that “[n]ew information added to an EIR is not ‘significant’ unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement.” In addition, all feasible Mitigation Measures are included in the Mitigation Monitoring Program. Therefore, having reviewed the information contained in the Draft and Final EIR and in the administrative record as well as the requirements under CEQA Guidelines §15088.5 and interpretive judicial authority regarding recirculation of draft EIRs, the City Council hereby finds that no new significant information was added to the EIR following public review and thus, recirculation of the EIR is not required by CEQA.

### **B. Impacts and Mitigation Measures of the Project**

The following section summarizes the environmental impacts of the project identified in the Final EIR, and provides Findings as to those impacts, as required by CEQA and the CEQA Guidelines. The Findings set forth below are made and adopted by the City Council as its findings under CEQA. The Findings provide the written analysis and conclusions of the City Council regarding the proposed project’s environmental impacts, Mitigation Measures, Alternatives, and Statement of Overriding Considerations that, in the City Council’s view, justify approval of the proposed project despite its unavoidable significant environmental impacts.

These Findings summarize the environmental findings in the Final EIR concerning project impacts before and after mitigation and do not repeat the full discussions of environmental impacts contained in the Environmental Impact Report. Instead, they provide a brief description of the impacts, describe the applicable Mitigation Measures that are adopted by the City Council, and state the recommended findings on the significance of each impact after imposition of the adopted Mitigation Measures. A full explanation of these environmental findings and conclusions is set forth in the Draft EIR. These Findings hereby incorporate by reference the analysis in the Initial Study, Draft EIR, and Final EIR supporting the Final EIR’s findings and conclusions, and in making these Findings, the City Council ratifies, adopts and incorporates the evidence, analysis, explanation, findings, Responses to Comments and conclusions of the Final EIR except where they are specifically modified by these Findings.

In adopting these Findings, the City Council intends to adopt each of the Mitigation Measures recommended in the Final EIR and listed in the Mitigation Monitoring Program. In the Comments on the Draft EIR, a number of measures were suggested by various commentors as proposed additional Mitigation Measures. With respect to the measures that were proposed in the Comments, and not adopted by the Final EIR, the Responses to Comments in the Final EIR explain why the proposed Mitigation Measures are not recommended by the Final EIR for adoption. The

City Council hereby adopts and incorporates by reference the reasons stated in the Responses to Comments contained in the Final EIR as its grounds for rejecting adoption of these proposed Mitigation Measures.

**1. Land Use and Planning**

a. *Potential Impact: Conflict with General Plan Land Use designation or zoning, or with other applicable environmental plans or policies adopted by agencies with jurisdiction over the project; incompatibility with existing or proposed vicinity land uses; adversely affect agricultural resources or operations; or physically divide or disrupt an established community. . This is a less-than-significant impact.*

**FINDING: The City Council finds that implementation of the proposed project will have a less-than-significant impact with regard to conflicting with the City's General Plan land use designation and zoning, or with the applicable environmental plans or policies of other agencies with jurisdiction over the proposed project. Further, the City Council finds that the project will have a less-than-significant impact in regard to incompatibility with existing vicinity land uses, agricultural resources or operations, and the physical division or disruption of an established community.**

**2. Transportation and Traffic**

a. *Potential Impact: Cause an increase in traffic that exceeds existing Level of Service threshold "E" at key study area intersections. This is a potentially significant impact.*

Mitigation Measure 4.2-1. Prior to issuance of the first building permit for the proposed Perris Ridge Commerce Center I Project, the project proponent shall pay the Western Riverside TUMF of \$1.58 per square foot as required per Riverside County Ordinance No. 824. Such payment constitutes the project's "fair share" fee contribution to the City's programmed improvements to the local and regional roadway network.

Mitigation Measure 4.2-2. Prior to issuance of the first building permit for the proposed Perris Ridge Commerce Center I Project, the project proponent shall pay the Western Riverside TUMF of \$1.58 per square foot as required per Riverside County Ordinance No. 824. Such payment constitutes the project's "fair share" fee contribution to the City's programmed improvements to the local and regional roadway network.

**FINDING: The City Council finds that implementation of Mitigation Measures 4.2-1 and 4.2.2 would ensure that the proposed project contributes funding for needed roadway improvements on a fair-share basis, and would reduce this impact to a level that is less-than-significant.**

b. *Potential Impact: Results in improper or inadequate site circulation/access that conflicts or is inconsistent with City engineering standards or design criteria; insufficient parking capacity on- or off-site; the creation of hazards or barriers for pedestrians or bicyclists; or conflicts with adopted policies regarding alternative transportation. This is a less-than-significant impact.*

**FINDING: The City Council finds that planning and engineering review of the project's final site plan will ensure that potential impacts in regard to site circulation or access, parking capacity, and alternative modes of transportation are**

**avoided. Therefore, this impact is less-than-significant and no mitigation is required.**

**3. *Air Quality***

a. *Potential Impact: Exceedance of South Coast Air Quality Management District (SCAQMD) short-term, temporary construction emissions thresholds. This is a significant and unavoidable impact.*

Mitigation Measure 4.3.1. In compliance with SCAQMD Rule 403, rather than performing monitoring to determine conformance with applicable performance standards, which will not reduce PM<sub>10</sub> emissions, the construction contractor shall implement all applicable "Contingency Control Measures for Large Operations" (Rule 403, Table 3) identified in EIR Appendix C regardless of conformance with the Rule 403 Performance Standard, in order to obtain the highest possible reduction of particulate emissions.

Mitigation Measure 4.3.2. To the extent feasible, the construction contractor shall select the construction equipment used on site based on low-emissions factors and high energy efficiency.

Mitigation Measure 4.3.3. The project civil engineer shall ensure that construction grading plans include a statement that all construction equipment will be tuned and maintained in accordance with the manufacturer's specifications.

Mitigation Measure 4.3.4. To the extent feasible, the construction contractor shall utilize low-sulfur fuel for stationary construction equipment. The civil engineer shall ensure that construction grading plans include a statement that work crews will shut off equipment when not in use.

Mitigation Measure 4.3.5. The construction contractor shall utilize existing power sources (i.e., power poles) when available, in order to minimize the use of higher-polluting gas or diesel generators.

Mitigation Measure 4.3.6. The construction contractor shall configure construction parking to minimize traffic interference, and shall minimize obstruction of through-traffic lanes, in an effort to minimize lane closures on existing streets.

Mitigation Measure 4.3.7. The construction contractor shall schedule construction operations affecting traffic for off-peak hours to the extent feasible.

Mitigation Measure 4.3.8. The project traffic engineer shall develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing.

Mitigation Measure 4.3.9. The construction contractor shall utilize pre-coated, pre-colored and naturally colored building materials when feasible, to minimize the amount of VOC emissions from painting activities on-site.

Mitigation Measure 4.3.10. Where feasible, the construction contractor shall utilize high transfer efficiency painting methods such as High Volume Low Pressure (HVLV) sprayers and brushes/rollers.

**FINDING: The City Council finds that construction activities associated with the project would exceed applicable SCAQMD thresholds for CO, NO<sub>x</sub>, PM<sub>10</sub> and VOC. Therefore this impact is significant and unavoidable. The City Council finds that implementation of project Mitigation Measures 4.3.1 through 4.3.10 will reduce**

**the degree of significance of this impact, but that the impact shall nevertheless remain significant and unavoidable. No additional feasible mitigation is available. The City Council finds this significant impact to be acceptable for the reasons set forth in Section II.H of these Findings.**

b. *Potential Impact: Exceedance of SCAQMD long-term, operational emissions thresholds. This is a significant and unavoidable impact.*

Mitigation Measure 4.3.11. Truck idling shall be prohibited onsite. Visible signs stating, "No Idling" shall be posted at the loading docks to inform truck operators of the restrictions on idling. Employees shall be informed of the restriction. Managers shall communicate it to truck operators and document their efforts in this regard.

Mitigation Measure 4.3.12. To the satisfaction of the City of Perris, if check-in points for vehicles are included in the final project design, they shall be located well within the boundaries of the project site, and/or configured with multiple lanes or otherwise designed such that off-site queuing will not occur, and that queuing within the project site is minimized.

Mitigation Measure 4.2.13. To the satisfaction of the City of Perris, signage will be provided at project entrances instructing neighbors to contact the City of Perris Code Enforcement Department to report concerns. The appropriate telephone number shall be included on all such postings.

**FINDING: The City Council finds that daily operation of the project would generate emissions that exceed SCAQMD thresholds for CO, VOC and NOx. The City Council finds that implementation of Mitigation Measures 4.3.11 through 4.3.13 will reduce the degree of significance of this impact, but that the impact shall nevertheless remain significant and unavoidable. No additional feasible mitigation is available. The City Council finds this significant impact to be acceptable for the reasons set forth in Section II.H of these Findings.**

c. *Potential Impact: Expose sensitive receptors to substantial localized CO concentrations. This is a less-than-significant impact.*

**FINDING: The City Council finds that the proposed project would generate increased local traffic volumes, but would not expose sensitive receptors to substantial localized CO concentrations; therefore, this impact is less-than-significant and no mitigation is required.**

d. *Impact 4.2-6: Expose sensitive receptors to substantial pollutant concentrations due to project-generated emissions of diesel particulate matter. This is a less-than-significant impact.*

**FINDING: The City Council finds that implementation of the proposed project will not expose sensitive receptors to substantial pollutant concentrations due to project-generated diesel particulate matter; therefore, this impact is less-than-significant and no mitigation is required.**

e. *Potential Impact: Inconsistency with applicable Air Quality Management Plan. This is a less-than-significant impact.*

**FINDING: The City Council finds that the proposed project would provide new sources of regional air emissions but will not impair implementation of the Air Quality Management Plan; therefore, this impact is less-than-significant and no mitigation is required.**

4. *Noise*

a. *Potential Impact: Result in a short-term construction-related noise increase. This is a less-than-significant impact.*

**FINDING: The City Council finds that construction activities associated with the proposed project will not generate noise levels that exceed the standards established by the City of Perris. The potential impact is thus considered less-than-significant. No mitigation is required.**

b. *Potential Impact: Result in the exposure of persons to noise levels in excess of standards established in the local general plan or noise ordinance as a result of vehicular movements generated by the project. This is a less-than-significant impact.*

**FINDING: The City Council finds that the project would result in increased traffic volumes, but would not result in the exposure of persons to traffic-related noise levels that exceed City standards; therefore, this impact is less-than-significant and no mitigation is required.**

c. *Impact 4.9-3: Result in the exposure of persons on-site or off-site to operational noise levels that exceed the standards established in the City's General Plan or noise ordinance. This is a less-than-significant impact.*

**FINDING: The City Council finds that although operational activities associated with the proposed project would increase noise in the project vicinity, persons on-site or off-site would not be exposed to noise levels that exceed City standards. This impact is less-than-significant, and no mitigation is required.**

5. *Hydrology and Water Quality*

a. *Potential Impact: Create or contribute runoff water which could exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. This is a less-than-significant impact.*

**FINDING: The City Council finds that the creation of new on-site stormwater management facilities, including but not limited to on-site detention areas which contain storm flows with controlled release into adjacent storm drains, in conjunction with existing drainage system improvements, will be sufficient to ensure that potential impacts are less-than-significant. No mitigation is required.**

6. *Water Supply*

a. *Potential Impact: Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. This is a less-than-significant impact.*

**FINDING: The City Council finds that the project will not have a discernible effect on groundwater resources, based on the provision of imported water through the Eastern Municipal Water District (EMWD). Potential impacts are thus considered less-than-significant, and no mitigation is required.**

b. *Potential Impact: Require new or expanded water supplies. This is a less-than-significant impact.*

**FINDING:** The City Council finds the water demands of the project are within those accounted for by EMWD's Urban Water Management Plan. Further, water demand will be minimized by using City-mandated water conservation techniques. The City Council finds that existing and planned future water supplies will be sufficient to ensure that potential impacts are less-than-significant. No mitigation is required.

**7. Aesthetics**

a. *Potential Impact: Substantial degradation of the existing visual character or quality of the site and its surroundings. This is a less-than-significant impact.*

**FINDING:** The City Council finds that implementation of the proposed project will not substantially degrade the visual character or quality of the project site and the immediately surrounding area; therefore, this impact is less-than-significant and no mitigation is required.

b. *Potential Impact: Aesthetic impacts of construction activities. This is a potentially significant impact.*

Mitigation Measure 4.7.1. When lights are necessary for safety and security in the construction area, construction contractors will be required to use non-glare, directional lighting. Lighting and light fixtures shall be oriented and directed so to minimize potential light overspill on to adjacent roadways and properties.

**FINDING:** The City Council finds that construction of the project has the potential to result in aesthetic impacts of a temporary nature. However, implementation of Mitigation Measure 4.7.1 would ensure that potential impacts are reduced to a level that is less-than-significant.

c. *Potential Impact: Create a new source of substantial light or glare on site and in the vicinity that would adversely affect day or nighttime views in the area. This is a potentially significant impact.*

Mitigation Measure 4.7.2. Prior to the issuance of building permits, the project proponent shall ensure, to the satisfaction of the City of Perris, that construction plans specify that any potentially reflective materials utilized as part of project construction (e.g., exterior ductwork, windows and roofing materials) be painted or covered with a non-reflective material.

**FINDING:** The City Council finds that implementation of the proposed project could create a new source of substantial glare on-site that could adversely affect aircraft on approach to the nearby March Air Resrve Base/Inland Port Airport. However, the City Council finds that implementation of project Mitigation Measures 4.7.2 will reduce this impact to a level that is less-than-significant.

**8. Biological Resources**

a. *Potential Impact: Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as candidate, sensitive or special-status species in local or regional plans, policies, or regulations; or by the California Department of Fish and Game; or by the U.S. Fish and Wildlife Service. This is a potentially significant impact.*

Mitigation Measure BR-1. All construction activities shall comply with the federal Migratory Bird Treaty Act of 1918 (MBTA). The MBTA governs the taking and killing



of migratory birds, their eggs, parts, and nests and prohibits the take of any migratory bird, their eggs, parts, and nests. Compliance with the MBTA shall be accomplished by the following:

If possible, all vegetation removal activities shall be scheduled from August 1 to March 15, which is outside the nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly.

If vegetation is to be cleared during the nesting season (March 15 to July 31), all suitable habitat shall be thoroughly surveyed for the presence of nesting birds by a qualified biologist within 72 hours prior to clearing. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the qualified biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the biologist shall be present on the site to monitor the vegetation removal to ensure that any nests not detected during the initial survey are not disturbed.

Mitigation Measure BR-2. Prior to the issuance of the first Building Permit, the project Proponent shall pay all applicable MSHCP mitigation fees for impacts to covered plant and wildlife species, including the California horned lark (*Eremophila alpestris actia*) and the burrowing owl (*Speotyto cunicularia*).

**FINDING: The City Council finds that implementation of the proposed project could have an adverse impact on species identified as sensitive, but that implementation of Mitigation Measure BR-1 would ensure that potential impacts are reduced to a level that is less-than-significant.**

9. *Cultural Resources*

a. *Potential Impact: Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. This is a potentially significant impact.*

Mitigation Measure CR-1. A professional paleontological monitor shall be available on-call or on-site during site excavation and grading activities that exceed the depth of the younger Quaternary Alluvium deposits present within the project site (generally eight feet below natural grade). The monitor shall be equipped to salvage and record the location of fossil resources as they may be unearthed to avoid construction delays. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. Any discovered or recovered resources shall be evaluated in accordance with CEQA guidelines, and curated with the facilities at either the University of California, Riverside, or the Western Center at the Diamond Valley Reservoir, Hemet.

Mitigation Measure CR-2. If the professional monitor identifies resources of a prehistoric or Native American origin within the project area, an archaeological monitor shall be added to the monitoring program. If prehistoric/ Native American resources are uncovered or otherwise identified, they must be recovered, analyzed in accordance with CEQA guidelines, and curated with the facilities at either the University of California, Riverside, or the Western Center at the Diamond Valley Reservoir, Hemet.

**FINDING: The City Council finds that implementation of the proposed project has the potential to effect as-yet-unknown cultural resources as defined in CEQA Guidelines Section 15064.5. However, the City Council finds that implementation of Mitigation Measures CR-1 and CR-2 will mitigate this potentially significant impact to a level that is less-than-significant.**

C. **Effects Not Found to be Significant**

Certain environmental impacts were determined to be “effects not found to be significant” in the Draft EIR based upon the analysis provided in the Initial Study for the proposed project. Although not required by CEQA, these impacts were summarized in the Draft EIR, and the conclusions of the Initial Study that these impacts were less-than-significant were affirmed.

**FINDING: The City Council finds that, based upon the substantial evidence contained in the Initial Study and Draft EIR, that those impacts determined to be “effects not found to be significant” are less-than-significant and no analysis in the EIR or mitigation was required.**

D. **Other CEQA Considerations**

1. ***Growth Inducing Impacts***

CEQA Guidelines §15126 requires consideration of the potential growth inducing impact of proposed projects, including the ways in which “the proposed project could foster economic and population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment ... and the characteristic of some projects which may encourage or facilitate other activities that could significantly affect the environment, either individually or cumulatively.” As indicated by the Final EIR, the project site has been designated for commercial and industrial uses under the City’s General Plan and Zoning Ordinance and thus does not constitute a precedent-setting action. The proposed project will not result in a substantial extension of infrastructure as area infrastructure exists and is expanding irrespective of the development of the project; and would not encourage population growth as it would provide employment opportunities for existing residents in the region. This is a *less-than-significant* impact.

**FINDING: Implementation of the proposed project will not result in growth inducing impacts, as the proposed project will not result in the urbanization of land in a remote location (i.e., “leapfrog development”), will not result in the construction of additional housing, and will not induce substantial population growth in the region. Therefore, the City Council hereby finds that the proposed project will not result in growth inducing impacts.**

2. ***Significant Irreversible Environmental Effects***

CEQA Guidelines §15126.2(c) indicates that the “uses of nonrenewable resources during the initial and continued phases of a project may be irreversible since a large commitment of resources makes removal or non-use thereafter unlikely.” As indicated in the Final EIR, construction and operation of the proposed project would necessarily consume certain limited, slowly renewable and non-renewable natural and energy resources. The consumption of resources proposed does not involve the destruction or degradation of key resources such that there would be little possibility of restoring them. Additionally, the City’s Light Industrial General Plan designation for the majority of the site represents a long-term plan by the City of light industrial use for the project site. While the proposed project could be said to fulfill the commitment of the project site for industrial purposes for future generations, the proposed project does not represent a change in commitment from existing planning and zoning for the site. This is a *less-than-significant* impact.

**FINDING: Implementation of the proposed project will not result in significant irreversible environmental impacts, as the proposed project will not represent a significant change in the use of non-renewable resources and is consistent with the long-term planning of the City for this area. Therefore, the City Council hereby finds that the proposed project will not result in significant irreversible environmental changes.**

E. **Mandatory Findings of Significance**

1. *Potential to Effect the Natural Environment, or Eliminate Examples of the Major Periods of California History or Prehistory.*

Appendix G to the CEQA Guidelines requires a mandatory finding of significance if the project has the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number of restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

The Draft EIR analyzes the Biological Resources impacts of developing the project site. This site is highly disturbed, and thus the development of the project would not represent a degradation to the quality of the area environment. Impacts to flora, fauna, and special status species were determined to be less-than-significant, as Mitigation Measures have been imposed requiring the payment of the Riverside County Multi- Species Habitat Conservation Plan fee, the protection of avian species of concern and their nests, and compliance with the provisions of the U.S. Migratory Bird Treaty Act. Additionally, impacts to cultural resources, including prehistoric, historic, and paleontological resources, were determined to be less-than-significant, as mitigation measures have been imposed requiring professional monitoring during project-related earth-moving operations.

**FINDING:** The City Council finds that the proposed project would not have significant impacts with regard to degrading the quality of the project site for biological resources, with the implementation of Mitigation Measures BR-1 and BR-2. Further, the City Council finds that implementation of Mitigation Measures CR-1 through CR-3 will reduce the project's potential to impact cultural resources to a level that is less-than-significant.

2. *Cumulative Impacts.*

a. *Cumulative Impacts Found to be Less-than-Significant.*

The Draft EIR contains analyses of the cumulative impacts in which the proposed project could result. As per the analyses contained in the Draft EIR, which are incorporated into these Findings by this reference, the majority of these cumulative impacts were determined to be less-than-significant.

**FINDING:** The City Council finds that implementation of the proposed project would result in less-than-significant cumulative impacts with regard to land use and planning; traffic, circulation and parking; noise; hydrology and water quality; water supply; aesthetics; biological resources; and cumulative resources, after implementation of the applicable Mitigation Measures specified for each Impact in Section II.B. of these Findings. Consequently, no further mitigation is necessary.

b. *Cumulative Impacts Found to be Significant and Unavoidable.*

The Draft EIR contains analyses of the cumulative impacts in which the proposed project could result. As per the analyses contained in the Draft EIR, which are incorporated into these Findings by this reference, impacts relating to violating air quality standards for both construction and operations are considered to be cumulatively significant and unavoidable.

**FINDINGS:** The City Council finds that implementation of the proposed project would result in significant and unavoidable cumulative impacts with regard to emissions exceedances resulting from project construction and operation. Implementation of the applicable Mitigation Measures specified for each Impact in Section II.B of these Findings will reduce the degree of significance of these impacts, but they shall nevertheless remain cumulatively significant and unavoidable. The City Council finds these significant and unavoidable cumulative impacts to be acceptable for the reasons set forth in Section II.H of these Findings.

3. *Substantial Adverse Effects on Human Beings.*

The Draft EIR analyzed potential impacts on human beings due to implementation of the proposed project. Adverse effects on human beings due to localized concentrations of air pollutants (including toxic pollutants), traffic design hazards, and excessive noise were found to be less-than-significant.

**FINDINGS: The City Council finds that implementation of the proposed project would have less-than-significant impacts with regard to causing substantial adverse effects on human beings.**

**F. Mitigation Monitoring Program**

*Public Resources Code* §21081.6 and CEQA Guidelines §15091(d) require the lead agency approving a project to adopt a Mitigation Monitoring Program for the changes to the proposed project that it has adopted or made a condition of project approval in order to ensure compliance during project implementation. The Mitigation Monitoring Program adopted by the City Council requires the City to monitor Mitigation Measures imposed on the project by the Draft and Final EIRs. The Mitigation Monitoring Program includes all of the Mitigation Measures identified in the Final EIR and has been designed to ensure compliance during implementation of the project.

- (1) The City Council finds that the impacts of the proposed project have been mitigated to the extent feasible by the Mitigation Measures identified in the Final EIR and in the Mitigation Monitoring Program. The City Council adopts the Mitigation Monitoring Program for the proposed project that accompanies the Final EIR. The Mitigation Monitoring Program designates responsibility and anticipated timing for the implementation of mitigation within the jurisdiction of the City. Implementation of the Mitigation Measures specified in the Final EIR and the Mitigation Monitoring Program will be accomplished through administrative controls over project implementation, and monitoring and enforcement of these measures will be accomplished through verification by appropriate City personnel. The City reserves the right to allow the Planning Director to make administrative amendments and/or substitutions of Mitigation Measures if, in the exercise of discretion of the City Planning Director, it is determined that the amended or substituted Mitigation Measure will mitigate the identified potential environmental impact to at least the same degree as the original Mitigation Measure, or would attain an adopted performance standard for mitigation, and where the amendment or substitution would not result in a new significant impact on the environment which cannot be mitigated.

**G. Alternatives**

The Final EIR considered a reasonable range of potential Alternatives to the proposed project, both on-site and off-site. In compliance with CEQA and the CEQA Guidelines, the Alternatives analysis includes an analysis of a No Project Alternative and discusses the environmentally superior alternative. The analysis examined the feasibility of each Alternative, the environmental impacts of each Alternative, and the ability of each Alternative to meet the Project Objectives identified in Section 3.4 of the Draft EIR.

The City Council certifies that it has independently reviewed and considered the information on Alternatives provided in the Draft EIR and the administrative record, and finds that all the Alternatives are infeasible or undesirable in comparison to the proposed project for the reasons set forth below.

**1. *Project Objectives***

The City Council finds that the Project Objectives for the proposed project are as described in Section 2.2.1 of the Final EIR. These specific Project Objectives are to:

- Transition the existing site into a productive mix of light industrial uses;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Perris and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Perris through increased tax generation and job creation.

**2. *No Project Alternative***

In accordance with CEQA and the CEQA Guidelines, the Final EIR evaluates the “No Project Alternative,” which compares the impacts of approving the proposed project with the impacts of not approving it. Under the No Project Alternative, development that would occur on the project site in the foreseeable future would involve the construction of commercial uses on the northerly 17 acres of the site, and light industrial uses on the remaining 72 acres.

### **Relationship to Project Objectives**

The No Project Alternative partially fulfills the Project Objectives. Under the Alternative, the site would be transitioned into one that includes some light industrial and some commercial uses. Commercial uses generally produce fewer jobs than industrial uses, and the majority of jobs produced are often part-time, minimum wage scale positions, compared to generally full-time, higher paying positions for light industrial uses. The increased traffic that would result from commercial uses (391 average weekday morning peak hour trips, compared to 251 under the project), along with associated air emissions and noise, would have the potential to further impact surrounding sensitive land uses and area roadways.

**FINDING: Pursuant to Public Resources Code §21081(a)(3) and CEQA Guidelines §15091(a)(3), the City Council finds that the No Project Alternative is rejected because it would result in increased impacts, and would not fully attain the Project Objectives, as indicated above.**

### **3. *Reduced Intensity Alternative***

The Reduced Intensity Alternative assumes construction and operation on the project site of a smaller light industrial warehouse/distribution facility than under the proposed project. Development would occur at a reduced scale, approximately ten percent smaller than the proposed project, or 1.77 million square feet. Other than a reduction in square footage, the site plan under this Alternative would be essentially the same as the proposed project. This Alternative assumes that the number of vehicle trips would be commensurately reduced, resulting in reduced impacts at the I-215 southbound ramps at the Ramona Expressway. Under this Alternative, level of service (LOS) D would be maintained at this location. Site access points and restrictions would be similar to those under the proposed project, and the amount of parking would be reduced to Code-required levels for the reduced development. All roadway and perimeter landscaping improvements that would occur under the proposed project are assumed to occur under this Alternative. A reduction in permanent employment would also occur under this Alternative.

### **Relationship to Project Objectives**

Development of the Reduced Intensity Alternative would partially meet Project Objectives but would reduce economic benefits to the City of Perris through a lessening of tax generation and job creation when compared to the project. This Alternative could also prove to be financially infeasible to develop.

**FINDING: Pursuant to Public Resources Code §21081(a)(3) and CEQA Guidelines §15091(a)(3), the City Council finds that the Reduced Project Alternative is rejected because it cannot fully attain all Project Objectives, and could be financially infeasible.**

### **4. *Site Reduction Alternative***

The Site Reduction Alternative assumes construction and operation on only the 72-acre portion of the project site currently designated for light industrial uses. Development would occur at a substantially reduced scale, approximately twenty percent smaller than the proposed project, or 1.53 million square feet. The site plan under this Alternative would likely eliminate the smaller Building 2 and expand Building 1 proportionately within the developed parcels. This Alternative would result in a commensurate reduction in traffic generation and air pollutant emissions. A reduction in permanent employment would also occur under this Alternative. Site access points would be reduced compared to those under the proposed project, and the amount of parking would be reduced to Code-required levels for the reduced development. All roadway and perimeter landscaping improvements that would occur under the proposed project are assumed to occur for the parcels developed under this Alternative.

## **Relationship to Project Objectives**

Development of the Reduced Project Alternative would meet Project Objectives but would substantially reduce economic benefits to the City of Perris through a lessening of tax generation and job creation when compared to the Project. This Alternative could also prove to be financially infeasible to develop at a reduced scale, primarily because initial land costs, as well as many required development fees, are calculated based upon the size of the parcel, rather than the size of the proposed structure. Minimizing the development potential of the project site would force the developer to seek profitability by attempting to obtain substantially higher rents for the smaller facility. The rents required for the profitability of the Reduced Project Alternative would approach twenty percent more than they would be for a larger facility, which could price the space out of the range of the tenants who would use smaller spaces.

**FINDING: Pursuant to Public Resources Code §21081(a)(3) and CEQA Guidelines §15091(a)(3), the City Council finds that the Reduced Project Alternative is rejected because it cannot attain all Project Objectives, and is financially infeasible.**

### **5. *Environmentally Superior Alternative***

The *CEQA Guidelines* require that the environmentally superior alternative (other than the No Project Alternative) be identified among the project and other alternatives considered in an EIR. Of the Alternatives analyzed in the Draft EIR, the Site Reduction Alternative is the most successful at reducing the environmental impacts of the proposed project. However, the Alternatives Analysis notes that the site reduction alternative would likely only provide for an interim and temporary reduction in environmental effects, given the ongoing development pressures in the project area; and that the project is considered superior in that the subject property will be comprehensively planned and cohesively developed. On this basis, the project is considered the environmentally superior alternative.

**FINDING: The City Council hereby finds that the project is considered the environmentally superior alternative based on the analysis of the Draft EIR.**

### **6. *Alternatives Considered But Not Evaluated in Detail***

During the scoping process for the Draft EIR, other Alternatives were also considered, but were found to be infeasible, as described in Section 5.2.2 of the Draft EIR. These Alternatives consisted of Alternative Sites, a No Build Alternative, and an SCAQMD Thresholds Alternative, which included a Construction Emissions Threshold Alternative and an Operational Emissions Thresholds Alternative. These Alternatives were rejected for the reasons identified in the Draft EIR, Section 5.2.2. The City Council hereby adopts and incorporates by reference the reasons stated in the Draft EIR as its grounds for rejecting further analysis or adoption of these Alternatives.

**FINDING: The City Council hereby finds that other Alternatives are infeasible and fail to meet Project Objectives for the reasons listed in Section 5.2.2 of the Draft EIR, and thus are rejected.**

## **H. Statement of Overriding Considerations**

### **1. *Impacts That Remain Significant***

As discussed above, the City Council has found that the following impacts of the proposed project remain significant, either in whole or in part, after adoption and implementation of all the Mitigation Measures provided in the Final EIR:

- a. *Exceedance of SCAQMD short-term, temporary construction emissions thresholds.*
- b. *Exceedance of SCAQMD long-term, operational construction emissions thresholds.*

### **2. *Overriding Considerations***

In accordance with CEQA Guidelines Section 15093, the City Council has, in determining whether or not to approve the project, balanced the economic, social, technological and other benefits of the proposed project against its unavoidable environmental risks, and has found that benefits of the proposed project outweigh the significant adverse environmental effects that are not mitigated to *less-than-significant* levels, for the reasons set forth below. This Statement of Overriding Considerations is based on the City Council's review of the Final EIR and other information in the administrative record. The City Council hereby finds that each of the reasons stated below constitutes a separate and independent basis of justification for the Statement of Overriding Considerations, and each is able to independently support the Statement of Overriding Considerations and override the proposed project's significant and unavoidable environmental effects. In addition, each reason is independently supported by substantial evidence contained in the administrative record.

1. The proposed project will further the industrial development of the City by locating a light industrial, warehouse/distribution facility on a currently-underutilized parcel designated for such uses;
2. The proposed project will develop a warehouse distribution facility in proximity to other such uses, thereby minimizing land use impacts, and will take advantage of easy access to regional highways;
3. The proposed project will provide an expanded economic base for the City by generating substantial property tax revenue;
4. The proposed project will provide employment for construction workers, and will provide for up to 1,000 permanent positions required for project operation, contributing to the reduction of the housing-to-employment imbalance in the region;
5. The proposed project will contribute approximately \$6,732,147.70 in traffic impact mitigation fees to the City and County pursuant to the Western Riverside County Transportation Uniform Mitigation Fee and the City of Perris Development Impact Fees. These funds will pay for more than the proposed project's fair share of the traffic and circulation infrastructure in the Western Riverside County area (including the City of Perris) that will be needed to accommodate demand from future growth, including that of the proposed project;
6. The proposed project will improve and construct road infrastructure surrounding the project site, including along Indian Avenue, Morgan Street, and Perris Boulevard;
7. The proposed project would provide attractive landscaping along the perimeter of the project site that would surround a new state-of-the-art warehouse distribution facility in a location that currently contains a turf farm;
8. The proposed project would provide a number of amenities and benefits to the public where none now exist, such as sidewalks, a bus turnout, undergrounded utilities, and improved drainage facilities.

#### **I. Administrative Record**

Various documents and other materials constitute the record of proceedings upon which the City Council bases its Findings (including the Statement of Overriding Considerations and the Mitigation Monitoring Program) and decisions contained herein. Documents related to the Final EIR are located in the Department of Community Development, Planning Division, City of Perris, 135 North "D" Street, Perris, California, 92570. Some documents included in the record of proceedings may also be located at the offices of consultants retained by the City for this proposed project. The custodian for the record of the proceedings is the Director of Community Development for the City of Perris.

#### **J. Summary**

1. Based on the foregoing Findings and the information contained in the administrative record, the City Council has made one or more of the following Findings with respect to each of the significant environmental effects of the proposed project identified in the Final EIR:

a. Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects on the environment.

b. Those changes or alterations are wholly or partially within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other public agency.

c. Specific economic, social, technological, or other considerations make infeasible the Mitigation Measures or Alternatives identified in the Final EIR that would otherwise avoid or substantially lessen the identified significant environmental effects of the project.

2. Based on the foregoing Findings and information contained in the record, it is hereby determined that:

a. All significant effects on the environment due to approval of the proposed project have been eliminated or substantially lessened where feasible;

b. Any remaining significant effects on the environment found unavoidable are acceptable due to the factors described in the Statement of Overriding Considerations in Section F, above.

### **III. APPROVALS**

The City Council hereby takes the following actions:

**A. The City Council certifies the Final EIR for the proposed project.**

**B. The City Council hereby adopts the Mitigation Monitoring Program attached hereto and discussed in the Findings, Section II.D., above, and adopts and incorporates into the proposed project all Mitigation Measures within the responsibility and jurisdiction of the City.**

**C. The City Council hereby adopts these Findings in their entirety, including the Statement of Overriding Considerations.**

**D. Having independently reviewed and analyzed the Final EIR, certified the Final EIR, incorporated Mitigation Measures into the proposed project, and adopted the Findings (including the Statement of Overriding Considerations set forth therein and the Mitigation Monitoring Program attached thereto), the City Council hereby approves the Perris Ridge Commerce Center I Project.**



**EXHIBIT “B”**  
**(RESOLUTION NUMBER 3945)**

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

**CONDITIONS OF APPROVAL**  
**(RESOLUTION NUMBER 3945)**

**Agricultural Diminishment 06-0197, General Plan Amendment 05-0491, Zone Change 05-0492, City Council Development Plan Review No. 05-0493, March 27, 2007**

PROJECT: In anticipation of construction of 1,907,079 square feet of distribution warehousing in two buildings on 90 acres at the northwest corner of Morgan Street and Perris Boulevard, a General Plan Amendment is proposed to change 18 acres designated Community Commercial to LI, and a Zone change to convert all the lands from A-1/Interim Designation to LI in conformance with the General Plan. Agricultural Diminishment 06-0197 will cancel the current Land Conservation (Williamson Act) contract. Applicant: Ridge Property Trust.

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**General Requirements:**

**Zoning Compliance.** The project shall conform to all requirements of the City of Perris Municipal Code Title 19, including conformance with the Light Industrial (LI) zoning standards.

**Future Obligation of Buyers and Lessees.** All future buyers and lessees shall be informed of their obligation to comply with these Conditions of Approval.

**Compliance with City Ordinances.** The applicant shall inform the buyer or lessee of the obligation to maintain compliance with all local and City ordinances, including, but not limited to, an annual fire inspection and maintenance of a City business license.

**Expansion of Use.** No expansion of the site or the use shall occur without subsequent reviews and approvals from the Planning Division of the Development Services Department.

**Conformance to Approved Plans.** All site development and improvements, including building color and materials shall conform substantially to the approved set of plans date-stamped 3/1/07, or as amended by these conditions.

**Required Setbacks.** No structure shall encroach into the required rear, side or front yard setbacks of any and all lots.

**Fire Marshal.** The project shall adhere to all applicable city ordinances for fire safety/emergency services as mandated by the City Fire Marshal and the Uniform Fire Code.

**Building Official.** The project shall adhere to all applicable building and development codes, City codes and ordinances, State-mandated requirements and the requirements of the Building Official.

**City Engineer.** The project shall adhere to the requirements of the City Engineer as indicated in the attached revised Conditions of Approval dated March 20, 2007.

**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 this project. 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.

**March Air Reserve Base.** The following recommendations and requirements were provided by the Department of the Air Force (letter dated February 28, 2006), March Joint Powers Authority (letter dated January 13, 2006), and the Airport Land Use Commission (letter dated July 10, 2006):

- a. Incorporate noise attenuation measures into the office portions of the building to insure interior noise levels from aircraft operations are at or below 45 CNEL.
- b. The project shall provide an executed avigation easement to the March Joint Powers Authority/MIP and the City of Perris.
- c. All reflective materials that are in the pilot's line of sight on approach to the runway should be non-reflective, such as ductwork, windows and roofs should be painted or covered with a non-reflective material.
- d. Any use that would direct a steady light or flashing light of red, white, green or amber toward an aircraft in takeoff or final approach shall be prohibited.
- e. Any use that would generate excessive smoke or water vapor, or which would attract large concentrations of birds or otherwise affect safe air navigation is prohibited.
- f. Any use that would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- g. The manufacturing and storage of dangerous quantities of explosive or flammable materials is prohibited. Any use of the facility that may include highly combustible materials, highly flammable material, chemicals or explosives, be reviewed and approved in coordination with MARB.
- h. A "Notice of Airport in the Vicinity" shall be provided to all potential purchasers and tenants.
- i. Any proposed change in the use of this structure that would increase the non-warehouse proportion of planned square footage shall be referred to Airport Land Use Commission staff for review.

**Trash Enclosures.** Covered trash enclosures shall be constructed to the City standard under building permit. Trash enclosures shall be readily accessible to the office portions of the building, and be screened by landscaping from the public view. Trash enclosure shall be constructed with a wood trellis and include pedestrian access.

**Waste Hauling.** The developer shall use only the City-approved waste hauler for all construction and other waste disposal.

**Lighting.** The applicant shall submit a lighting plan to the Planning Division for review and approval. Full cutoff fixtures shall be used to prevent light and glare above the horizontal plane of the bottom of the lighting fixture. A minimum of one (1) foot-candle of light shall be provided in parking and pedestrian areas.

**SCE.** The applicant shall contact the Southern California Edison (SCE) area service planner (951 928-8323) to complete the required forms prior to commencement of construction.

**Specific Project Requirements:**

**Performance Standards.** The applicant shall comply with all Performance Standards listed in Chapter 19.44.070.

**Mitigation Monitoring Program.** The applicant shall comply with all provisions of the Mitigation Monitoring Program.

**Parking.** All required parking shall comply with the requirements of Chapter 19.69 of the Municipal Code and provide the amount of improved parking for each site indicated on the approved plan.

**Loading Zones.** Loading zones shall be designated by labeling and/or striping.

**Power Outlets at Truck Docks.** Power outlets are required at truck docks to prevent refrigerated trucks from idling longer than 5 minutes.

**Meandering Sidewalk.** The applicant shall install a meandering public sidewalk along Perris Boulevard and Indian Avenue.

**Bus Stops.** The Riverside Transit Agency (RTA) recommends relocating and upgrading existing bus stop on Perris Boulevard adjacent to the site, and providing new bus stops along westbound Morgan Street and northbound Indian Avenue. The bus shelters should incorporate architectural elements from the project.

**Glazing.** Non-reflective glass shall be utilized for architectural elevations.

**Roof Parapet.** The height of the roof parapet shall fully screen any roof mounted equipment. All vent pipes and similar devices shall be painted to match the building.

**Downspouts.** Exterior down spouts are not permitted on the front elevations of any building facing Perris Boulevard, Morgan Street, and Indian Avenue. Downspouts on these elevations shall be located inside the building.

**Preliminary Water Quality Management Plan.** A Preliminary Water Quality Management Plan shall be approved for the project prior to City Council hearing

**Signage.** A sign program is required for the project.

**CEQA Filing Fee.** Within three days of City Council approval, the applicant shall submit a check to the City, payable to Riverside County, in the amount of **\$2,500.00** for payment of State Fish and Game fees and County documentary handling fee for an Environmental Impact Report (EIR). In accordance with Section 711.4 of the State Fish and Game Code, no project shall be operative, vested, or final until the filing fees have been paid.

**Requirements for Agricultural Diminishment 06-0197:**

**Recordation.** The Certificate of Tentative Partial Cancellation of Land Conservation Contract shall be recorded with the County Recorder.

**Final Cancellation.** Prior to scheduling the approval of the Final Partial Cancellation of Land Conservation Contract before the City Council, the following Conditions of Approval shall be met:

- a. The alternative use [DPR 05-0493] shall be approved.
- b. The Cancellation Fee of \$1,628,625.00 shall be paid.

**Cancellation Fee.** The cancellation fee shall be paid upon approval of the proposed project by City Council, within one year of the recordation of the Tentative Cancellation, or the cancellation fee will be recalculated.

**Additional Plan Requirements:**

**Public Improvement Plans.** The applicant shall submit public improvement plans as directed by the City Engineer for review and approval.

**Site Lighting Plan.** The applicant shall submit a lighting plan to the Planning Division for review and approval. Full cutoff fixtures shall be used to prevent light and glare above the horizontal plane of the bottom of the lighting fixture. A minimum of one (1) foot-candle of light shall be provided in parking and pedestrian areas.

**Water Quality Management Plan.** The applicant shall submit a final WQMP including, but not limited to, plans and details providing the elevations, slopes, and other details for the proposed structural source control BMPs: vegetative swale, detention basins, and canopy for trash enclosure areas. The Public Works Department shall review and approve the final WQMP plans and details.

**Landscaping Plans.** Prior to the issuance of building permits, three (3) copies of Construction Landscaping and Irrigation Plans shall be submitted to the Planning Department for approval and shall be accompanied by the appropriate filing fee. The landscape and irrigation plan shall be prepared by a registered landscape architect and conform to the requirements of Chapter 19.70 of the Municipal Code. The location, number, genus, species, and container size of the plants shall be shown. The landscaping shall be consistent with the approved conceptual landscape plan, and the following shall apply:

- a. **Streetscape** requirements to establish continuity of landscaping along Perris Boulevard and Indian Avenue shall be similar to the Evans Road Streetscape. This will include meandering sidewalks and a river rock-accented median.
- b. **Accent Landscape.** The applicant shall install accent landscaping, featuring tiered landscaping planting and mature trees (36” box or larger on Perris Boulevard, 24” box elsewhere) at all entrances as well as the northwest intersection of Perris Boulevard and Morgan Street, and the northeast corner of Morgan Street and Indian Avenue. Final design shall be subject to the review and approval of Planning staff.
- c. **Parking Area Buffer.** A minimum 3 foot high hedge is required to screen non-truck parking areas from the Perris Boulevard and Morgan Street right of ways.
- d. **Parking Area Landscaping.** A minimum of one tree per 6 parking stalls shall be required per Chapter 19.69 of the Municipal Code. 25% of these shall be 24” box sized.
- e. **Berms and Swales.** Berming and swales are required in front of the screen wall and along Perris Blvd. Swales should transition into the required berms.
- f. **Street Trees.** All street trees shall be 24-inch box size or larger, and planted a maximum of 30 feet on center within the parkway.
- g. **Specialty Paving.** Landscape Plan should incorporate special pavements (accent colors, textures, and patterns) to indicate building entrances and pedestrian pathways.
- h. **Perimeter Landscaping.** Perimeter landscape shall include 24” berms (except where it presents an impediment to drainage), and dominate use of turf as a groundcover in parkway.
- i. **BMPs for Water Quality.** All BMPs (vegetated swales, detention basin, etc.) shall be indicated on the landscape plans with appropriate planting and irrigation.
- j. **Maintenance.** Parkway landscaping and irrigation shall be maintained by the applicant and/or future property owners or tenants. All required landscaping shall be maintained in a viable growth condition.
- k. **Landscape Inspections.** The project applicant shall inform the on-site project manager and the landscape contractor of their responsibility to call for landscape inspections. A minimum of three (3) landscape inspections are required in the following order, and the landscape inspection card shall be signed by the City’s landscape inspector to signify approval at the following stages of landscape installation:
  - 1) At installation of irrigation equipment, when the trenches are still open;
  - 2) After soil preparation, when plant materials are positioned and ready to plant; and,

- 3) At final inspection, when all plant materials are installed and the irrigation system is fully operational.

**Screen Walls.** The proposed decorative screen wall shall screen views into the site from the public right of way and adjacent uses. The plans and details for the screen wall shall be reviewed and approved by the Planning Division and be included in the landscape plan check submittal package. The following shall apply:

- a. **Architecture.** The design of the screen walls shall be architecturally tied to the building, significantly articulated, and demonstrate base, body and cap elements.
- b. **Height.** The decorative screen walls shall be 10 feet in height.
- c. **Location.** The decorative wall screening the truck loading areas from the right of way along Morgan Street shall be located a minimum of 40 feet from the property line.
- d. **Gates** shall be constructed of tubular steel in a color complementary to the building. No chain link shall be visible to public areas.
- e. **Knox boxes** are required for all gates, and shall be approved by the Fire Marshal and issued by the Building Division.
- f. **Graffiti.** All block walls shall be treated with a graffiti resistant coat. Any graffiti located on site shall be removed within 48 hours. The site shall be maintained graffiti-free at all times.

**Prior to the Issuance of Grading Permits:**

**Migratory Bird Treaty Act and Nesting Birds.** The applicant shall avoid potential impacts to breeding birds in compliance with the Migratory Bird Treaty Act (MBTA). To mitigate potential impacts to nesting birds to less than significant level, site disturbance, including all future clearing and grubbing, should be conducted outside the bird nesting period. If this is not possible, a focused pre-construction survey shall be conducted for nesting birds (from March 15<sup>th</sup> to July 31<sup>st</sup>) within 72 hours prior to the initiation of ground disturbance, including all clearing, grubbing and grading activities. If any active nests are detected, they shall be flagged and mapped in accordance with the provisions of the Mitigation Monitoring Program.

**WQMP.** Water Quality Management Plan (WQMP) No. 05-0493 shall be approved for the project by the Public Works Department.

**Prior to the Issuance of Building Permits:**

**Parcel Merger.** A Certificate of Parcel Merger shall be approved and recorded.

**Building Plans.** All Conditions of Approval shall be copied onto the approved building plans.

**Sign Program.** A sign program is required for the project and the application shall be submitted

for review and approval by the Planning Division prior to the issuance of building permits. The following is required for the project:

- a. Signs shall be oriented to the public street from which the structure or use takes access. Building-mounted signs should be located above principal entrances, and monument signs should be located at vehicular/pedestrian entrances. Signs shall be incorporated into the architectural design of the building and consolidated to reduce visual clutter.
- b. Entry monumentation shall be provided at entrances to the facility, and at the northwest corner of Perris Boulevard and Morgan Street, and the northeast corner of Indian Avenue and Morgan Street.
- c. Site signage shall incorporate construction materials utilized with the building architecture such as plaster and rock.

**Planning Clearance.** The applicant shall first obtain clearance from the Planning Division verifying that all pertinent conditions of approval have been met.

**Assessment and Community Facilities Districts.** The project shall be annexed into any assessment, community facilities, or similar district that provides funding for maintenance, services, or public improvements that benefit the project. The costs and benefits shall be described in the applicable district and annexation documents. The developer shall complete all actions required to complete such annexation prior to issuance of a Certificate of Occupancy. This condition shall apply only to districts existing at the time the project is approved (or all requirements have been met for a certificate of occupancy, as applicable). Such districts may include, but are not limited to, the following:

- a. Landscape Maintenance District No. 1;
- b. Flood Control Maintenance District No. 1;
- c. Maintenance District No. 84-1;
- d. North **or** South Perris Community Facilities Assessment District;
- e. Ramona Mobility Group District; and
- f. Road and Bridge Benefit District.

**Fees.** The following fees shall be paid as appropriate to the project:

- a. Stephen's Kangaroo Rat Mitigation Fee
- b. Current Development Impact Fees
- c. Current Transportation Uniform Mitigation Fees (TUMF)
- d. Current Multiple-Species Habitat Conservation Plan fees (MSHCP)
- e. Statutory school fees as applicable to all appropriate school districts
- f. Any outstanding development processing fees
- g. Any lien owed to the City of Perris

**Prior to Issuance of Occupancy Permits:**

**Avigation Easement.** The applicant shall grant to the City of Perris and to the March Inland Port Airport Authority an avigation easement in the form and manner approved by the

City Attorney and shall cause such easement to be duly recorded in the office of the County Recorder.

**Planning Inspection Required.** The applicant shall have complied with all pertinent Conditions of Approval and have all required parking, lighting, landscaping and automatic irrigation installed and in good condition. The irrigation and landscaping shall conform to the approved landscaping and irrigation plans.

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**APPROVAL DATE**

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**PROJECT PLANNER**

cc: Building Division/Fire Marshal  
City Engineer





# CITY OF PERRIS

**HABIB MOTLAGH, CITY ENGINEER**

**EXHIBIT "B"**  
**(RESOLUTION NUMBER 3945)**

## *CONDITIONS OF APPROVAL*

P8-1039

February 27, 2007, **Revised March 5, 2007, Revised March 7, 2007, Revised March 20, 2007 @ Planning Commission**

Perris Ridge Commerce Center – NWc of Perris Blvd. & Morgan St.

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

1. Drainage and flood control facilities and improvements shall be provided in accordance with Riverside County Flood Control and Water Conservation District and the City of Perris requirements and standards. The following drainage related conditions are the requirements of this project:
  - a. Onsite publicly maintained drainage facilities located outside of road right-of-way shall be constructed within dedicated drainage easements.
  - b. Onsite drainage facilities outletting sump conditions if approved by the City Engineer shall be designed to convey the tributary

100-year storm flows. Additional emergency escape for the storm flows shall also be provided.

- c. The property's street and onsite grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area. No ponding or concentration of water to upstream and downstream properties shall be permitted. Minimum onsite grading shall be 0.5%.
- d. Drainage easements shall be obtained from the affected property owners for the release of concentrated or diverted storm flows onto the adjacent property. A copy of the drainage easement shall be submitted to the City for review prior to its recordation. Unless adequate downstream facilities exist, onsite private drainage basins shall be installed to mitigate the increase flow between developed and undeveloped conditions per RCFC standards.
- e. All drainage facilities with the exception of nuisance drainage improvements shall be designed to convey the 100-year storm runoff. To eliminate nuisance runoff from all exterior driveways, minimum 18" storm drain and catch basins along west side of Perris Blvd. from northerly driveway (Dawes ST.) shall be installed and connected to the proposed master planned drainage facilities (Lat "G") in Morgan Street. Catch basins and 18" inlet facilities shall also be installed at proposed driveways along Morgan Street including the intersection of Perris Blvd.
- f. A detailed hydrology report and hydraulic calculation shall be submitted to the City for review and approval. The report shall address the offsite flow, accumulative onsite runoff and the impact to adjacent downstream properties.
- g. All grading and drainage improvements shall comply with NPDES and Best Management Practices. Erosion control plans shall be prepared and submitted to Water Quality Board and the City of Perris as part of the grading plans.
- h. Construction of Master Planned Underground Drainage Facilities (Lateral "G-1") along Morgan Street from westerly side of Indian Avenue and connection to Perris Valley Channel will be required. In the event, Line "G" as proposed by IDS is complete; this project shall connect to these facilities and improve the interim dirt channel east of Redlands Avenue and install concrete bottom. The existing drainage improvements at Morgan and Indian Avenue shall be connected to Line "G-1".

Since Line "G" from Perris Blvd. to Redlands Blvd. as proposed by IDS does not comply with all Flood Control Standards, this developer shall not receive drainage credit for installation of Line "G-1" and include the maintenance of Line "G-1" facilities and a portion of the cost of downstream facilities (Line "G") and the interim channel with the proposed Flood Control Maintenance District. ***In the event RCFC accepts to maintain Line "G-1", drainage credit shall be provided.***

This project is proposing to utilize existing Lateral E-1 located along west side of Perris Blvd. These improvements currently drain to a natural open channel located along the north side of Ramona Expressway. ***If additional flow from this development contributes to existing open channel along Ramona Expressway,*** the channel shall be improved at a minimum to provide for a concrete bottom and graded as required beyond existing development. Construction of Master Planed Drainage Facility Lateral E-2 and connection to existing Lateral E-1 at intersection of Ramona Expressway and Perris Blvd. may be required and shall be evaluated during plan check review.

Prior to issuance of a grading permit, the Developer shall obtain NPDES, WQMP permit and prepare SWPPP. Erosion control plans shall be prepared and submitted to the City Engineer as part of the grading plans.

- i. Onsite drainage facilities shall be collected via onsite underground facilities and conveyed to proposed master planed facilities.
2. This and other similar projects will significantly impact the transportation infrastructure within the City of Perris and adjacent communities. For this reason, the following transportation related improvements are required to mitigate the initial and the ongoing impact to the transportation facilities. These improvements shall be coordinated with proposed improvements by IDS and the City of Perris Ramona Expressway and Perris Blvd. TUMF projects.
3. Perris Blvd. from Morgan Street to Ramona Expressway along west side shall be improved with concrete curb, gutter, located 47' west of centerline, 40' of new pavement and 14' wide landscaped median within 64', 1/2-width dedicated right-of-way. Perris Blvd. along east side within the same reach as required shall be improved with new pavement to provide for 2 northbound, and a 150' long left turn pocket (all legs and directions at Morgan and Dawes intersections), 3 southbound lanes, and a continuous dedicated right turn lane.

4. Indian Avenue from Morgan Street to Ramona Expressway along the east side shall be improved with concrete curb, gutter, located 32' east of centerline and minimum of 30' of new pavement within 47', ½-width dedicated right-of-way. No parking signs shall be installed along Indian Avenue on both sides between Ramona Expressway and Morgan Street. Existing improvements along east side of Indian Avenue shall be grinded/overlay (0.15). **Continuous various width landscaped Hardscape median similar to existing median** shall be installed as determined by ~~City Engineer to limit turning movements on Indian Avenue~~ **Planning Department between Morgan and Ramona Expressway. The median shall be designed to accommodate access to existing businesses and the proposed use.**

Indian Avenue from north of Ramona Expressway to Oleander Avenue shall be constructed to provide for minimum of 30' of new pavement within dedicated right-of-way. The horizontal alignment of Indian Avenue shall be in compliance with Riverside County standards.

5. Morgan Street from Perris Blvd. to Indian Avenue shall be improved along north side to provide for curb, gutter, located 32' north of centerline and 30' of new pavement within 47', ½-width dedicated right-of-way. Morgan Street along the south side within the same reach shall be improved with all new pavement to provide for one continuous left turn pocket and one through lane. The existing pavement along Morgan Street (south side) shall be removed and replaced to meet the designated traffic index. The intersection of Morgan/Indian and Morgan/Perris Blvd. shall be widened to general plan standards (all sides and legs).
6. Traffic index of 11 shall be used for any work on Ramona Expressway, 10.5 for Oleander and Perris Blvd., 10 for Indian, and 9 for Morgan.
7. Prior to issuance of occupancy permit, the applicant shall pay the City \$500,000 for their contribution towards implementation of interim and ultimate improvements to I-215/Ramona Expressway interchange and Oleander Avenue interchange. This one time contribution is above and beyond TUMF, DIF, and other City fees and is not reimbursable.
8. The intersection of Ramona Expressway with Perris Blvd. (all legs and directions), the intersection of Ramona Expressway with Indian (east/west bound), and the intersection of Indian with Oleander Avenue (north bound) shall be improved to provide for minimum of 2 left turn pockets, 2 through lanes, and a dedicated right turn lane.

Ramona Expressway shall have 3 east/west bound lanes at these intersections.

9. Oleander Avenue from Indian Avenue to I-215 shall be improved as required to provide for minimum of 2 through lanes (each direction), 2 left turn lanes at intersection with Indian (east bound), one dedicated right turn lane at intersection with Indian (east bound) and one dedicated left turn lane (both directions) at Patterson Avenue.
10. Existing traffic signals at all intersections conditioned for improvements shall be improved and upgraded to accommodate the proposed improvements. Unless otherwise existing, a new signal shall be installed at the intersection of Dawes with Perris Blvd.
11. All new improvements at the above intersections shall be designed and installed with a concrete structural section a minimum of 100' from BCR/ECR.
12. Existing power poles within the project site or along the project boundary (under 65kv), if any, shall be removed and cables undergrounded. All other utility poles, if any, shall be removed and utilities undergrounded.
13. On and offsite street, drainage, water, sewer, striping, signing, streetlight, grading, paving and erosion control plans along with hydrology and hydraulic reports shall be submitted to the City Engineer's office for review and approval.
14. Access shall be restricted along Perris Blvd. and Morgan Street except as shown on the site plan. Except at Dawes, access to Perris Blvd. is right in and out only. Access to Indian Avenue shall be restricted to right in and out for the most southerly and the ~~2<sup>nd</sup>~~ **most** northerly driveway.
15. 6' wide concrete sidewalk, handicap ramps, and driveways shall be installed pursuant to ADA and Riverside County standards. All driveway approaches shall be constructed per Riverside County Standards for Commercial Driveway (Std. 207A) and comply with the ADA requirements. ***Meandering sidewalk shall be installed along Indian Avenue and Perris Blvd. as approved by Planning Department.***
16. Streetlights shall be installed along all perimeter streets as approved by the City Engineer per Riverside County and Southern California Edison standards.

17. The proposed development is in the service area of Eastern Municipal Water District. The applicant shall provide water and sewer facilities to this development and comply with EMWD, Fire Department, and Health Department's requirements.
18. Prior to issuance of building permit for commercial/industrial projects and prior to recordation of final map for residential projects, the developer shall sign the consent and waiver forms to join the Landscaping, Flood Control, Public Safety, and Lighting Districts and pay the 18-month advanced energy charges for streetlights. All offsite storm drain facilities including catch basins and pipes shall be annexed to Flood Control District. In the event, RCFC does not maintain any of the proposed offsite storm drain facilities and other offsite drainage facilities proposed by IDS; it shall be annexed to Flood Control District for maintenance. Also refer to condition 1e.
19. All right-of-way necessary for construction of the street and traffic improvements as identified including and utility construction easements, not under Applicant's ownership, shall be acquired by the Applicant, at Applicant's sole cost. If Applicant is unsuccessful in negotiating any right-of-way acquisition with third party owners after a 30-day period, then City shall conduct the necessary analysis to determine in its sole discretion whether to attempt to acquire the right-of-way by exercise of its power of eminent domain; provided, however, that nothing herein shall be deemed a prejudgment or commitment with respect to condemnation.
20. Applicant and City shall cooperate to ensure that Applicant receives, to the greatest extent practicable, reimbursement for all of Applicant's eligible costs of constructing all of the street and traffic improvements through the provisions of a developer agreement, reimbursement agreement, or some similar agreement between Applicant and the City and/or the establishment of a community facilities district or road and bridge benefit district that will fund the costs of such construction. Notwithstanding the foregoing, City shall have no obligation to reimburse or credit Applicant from any source of City funding other than under the local Development Impact Fee program as adopted by the City. Other sources of reimbursement may include the Transportation Uniform Mitigation Fee (TUMF) program, future developers who benefit from the improvements construction by Applicant, and/or participants in a community facilities or road and bridge benefit district created to fund such improvements and other improvements in the vicinity of Applicant's project. This developer shall be required to join the proposed City of Perris road and bridge benefit district.

21. The proposed landscaping along the perimeter of this project and along Perris Blvd. median shall be designed and constructed to prohibit irrigation runoff from spilling over to the adjacent roads.
22. Improvements along Indian and Perris Blvd. shall be in a manner to accommodate bus turnouts as determined by RTA.

*Habib Motlagh*

Habib Motlagh  
City Engineer