

CITY OF PERRIS
DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION
FINAL CONDITIONS OF APPROVAL

CUP22-05002, CUP22-05003, and Variance 24-05022

October 16, 2024

Project: Conditional Use Permit (CUP) 22-05002, Conditional Use Permit (CUP) 22-05003, and Variance 24-05022 – A proposal to consider the following entitlements to facilitate the construction of a travel center on 14.4 acres located on the northwest corner of Ethanac Road and Trumble Road in the Commercial Community (CC) Zone: 1) Conditional Use Permit for a travel center consisting of a 2,228 square foot drive-thru restaurant, an 11,752 square foot convenience store, and fueling facilities for trucks and passenger vehicles; 2) Conditional Use Permit for an 8,452 square foot truck shop; and 3) Variance to allow a freeway-oriented sign. Applicant: Alan Robertson, Ethanac Travel Center.

GENERAL CONDITIONS:

1. **Mitigation Monitoring Program.** The project shall comply with all provisions of the adopted Mitigation Monitoring and Reporting Program (MMRP). The Mitigation Monitoring and Reporting Program (MMRP) for the Initial Study/Mitigated Negative Declaration (SCH: 2024010850). It shall be implemented in accordance with the timeline, reporting, and monitoring intervals listed.
2. **Approval Period for Conditional Use Permit 22-05002, Conditional Use Permit 22-05003, and Variance 24-05022.** In accordance with P.M.C. Section 19.50.080, Expiration and Extension of Time, this approval shall expire three (3) years from the date of Planning Commission approval. Within three (3) years, the applicant shall demonstrate the beginning of substantial construction as contemplated by this approval, which shall thereafter be diligently pursued to completion or substantial utilization. If this does not occur, a maximum of three (3) one-year extensions may be requested. A written request for extension shall be submitted to the Planning Division at least ten (10) days prior to the initial (and any subsequent extension) expiration of the Conditional Use Permit.
3. **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 approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voters of the City concerning **Conditional Use Permit (CUP) 22-05002, Conditional Use Permit (CUP) 22-05003, and Variance 24-05022**. The City shall promptly notify the applicant of any claim, action, or proceeding for which indemnification is sought and shall further cooperate fully in the defense of the action.
4. **Notice of Determination.** Within five (5) days of Planning Commission approval, the applicant shall file a Notice of Determination to the Riverside County Clerk and submit appropriate payment of fees in accordance with Section 753.5, (Title 14) of the California

Code of Regulations.

• **PLANNING DIVISION**

5. **Municipal Code Compliance.** The project shall conform to the Commercial Community Zone standards of the City of Perris Municipal Code.
6. **Expansion of Use.** No expansion of the site or the use shall occur without subsequent reviews and approvals from the Planning Division.
7. **Conformance to Approved Plans.** Development of the project site, building elevations, and landscaping shall conform substantially to the plans approved by the Planning Commission on **October 16, 2024, ~~October 2, 2024~~**, or as amended by these conditions. Any deviation shall require appropriate Planning Division review and approval.
8. **Advisory - Signs:** Signs shall be permitted in accordance with Chapter 19.75 Sign Regulations of the Zoning Code. Any proposed wall or monument sign shall require a separate sign application and payment of applicable fee subject to review and approval by the Planning Division. Additionally, a separate sign permit is required for the proposed freeway oriented sign.
9. **City Ordinances and Business License.** The subject business shall maintain compliance with all local and City Ordinances, including but not limited to an annual fire inspection and maintenance of a City business license.
10. **Rooftop Solar.** The project does not propose rooftop solar panels at this time. However, if the project were to propose solar rooftop solar panels in the future, the applicant/developer shall prepare a solar glare study that analyzes glare impacts, and this study shall be reviewed by the Airport Land Use Commission and March Air Reserve Base.

Prior to Grading Permit Issuance:

11. **Mitigation Measures.** All applicable mitigation measures shall be satisfied.
12. **Grading Plans.** Grading plans shall be submitted to the City Engineer for review and approval. Grading plans shall be consistent with approved development plans.
13. **Southern California Edison (SCE).** The developer/owner shall contact the Southern California Edison (SCE) area service planner (951-928-8323) to complete the required forms prior to the commencement of construction. No grading permits shall be issued until the City Engineer receives a letter from SCE indicating that the electrical service will be placed underground.
14. **Eastern Municipal Water District (EMWD).** After the City's approval, the applicant shall also submit landscape and irrigation plans to EMWD for approval and comply with required EMWD inspections. Contact EMWD at 951 928-3777, ext. 4334.
15. **Preliminary Water Quality Management Plan (PWQMP) 22-05002.** A Preliminary WQMP was prepared for the proposed project site. All PWQMPs were determined to be in substantial compliance, in concept, with the 2012 Riverside County WQMP Manual requirements. The following conditions apply:
 - a. The development shall be subject to all provisions of City of Perris Ordinance Number 1194, which establishes stormwater/urban runoff management and discharge controls

- to improve water quality and comply with federal regulations, and any subsequent amendments, revisions, or ordinances pertaining thereto.
- b. The structural BMPs selected for this project have been approved in concept. The owner shall submit a final WQMP including plans and details providing the elevations, slopes, and other details for the proposed structural BMPs including one bio-retention basin, associated Flexstorm pre-treatment units, self-retaining landscape and covered trash enclosures. The Public Works Department shall review and approve the final WQMP text, plans and details.
 - c. This is a multi-use type of facility. The shops building area will need to be permitted with the California Industrial General Permit. The fueling station and the restaurant should not be included into the IGP discharge area.
16. **Final Water Quality Management Plan (FWQMP).** Prior to the issuance of grading permits, an FWQMP is required to be submitted. To mitigate impacts related to pollutant loading to receiving waters and/or increased erosion/siltation resulting from the long-term operation of the project, the applicant shall develop, receive approval from the City, and implement an FWQMP. The FWQMP shall contain measures that will effectively treat all pollutants of concern and hydrologic conditions of concern, consistent with the Preliminary WQMP and developed in compliance with the MS4 permit. The FWQMP shall specifically identify pollution prevention, source control, treatment control measures, and other Best Management Practices (BMPs) that shall be used on-site to control predictable pollutant runoff to reduce impacts to water quality to the maximum extent practicable. The FWQMP shall substantially comply with site design, source control, and treatment control BMPs proposed in the approved Preliminary Water Quality Management Plan (PWQMP).
17. **Planning Clearance.** The applicant shall first obtain clearance from the Planning Division to verify that all pertinent conditions of approval have been met.

Prior to Building Permit Issuance:

18. **Mitigation Measures.** All applicable mitigation measures shall be satisfied.
19. **Fees.** The developer shall pay the following fees prior to the issuance of building permits:
 - a. Stephen's Kangaroo Rat Mitigation Fees of \$500.00 per acre;
 - b. Multiple Species Habitat Conservation Plan fees currently in effect;
 - c. Current statutory school fees to all appropriate school districts;
 - d. Any outstanding liens and development processing fees owed to the City.
 - e. Appropriate Road and Bridge Benefit District fees;
 - f. Appropriate City Development Impact Fees in effect at the time of development.
20. **Construction Drawings.** All Building, Community Services, Planning, Public Works, and Engineering conditions of approval shall be copied on the construction drawings. The Conditions shall be annotated for ease of reference (i.e. Sheet and detail numbers).
21. **School District.** The proposed project shall adhere to the standard requirements and fees established by the Romoland and Perris Union High School District.
22. **Performance Standards.** The applicant shall comply with all Performance Standards in Chapter 19.44.070 of the Perris Municipal Code.
23. **Site Plan Requirements.** The following shall be shown on the building plan check set for

Planning staff review and approval:

- a. **Parking Stalls.** Parking stalls for passenger vehicles shall be stripped in accordance with Chapter 19.69.030C.5b of the Zoning Code (double striped).
 - b. **Charging Stations (Passenger Vehicles).** The applicant shall install the EV parking spaces as shown on the plans for both sites. Electric Vehicle charging stations for passenger vehicles and the station locations and specifications shall be included on the building plans
 - c. **Charging Stations (Trucks).** The applicant shall provide future EV (Electric Vehicle) ready truck parking spaces.
 - d. **Second Trash Enclosure.** Provide a second trash enclosure closer to the restaurant for convenience.
24. **Construction Practices.** To reduce potential noise and air quality nuisances, the following items shall be listed as "General Notes" on the construction drawings:
- a. Construction activity and equipment maintenance are limited to weekday hours between 7:00 a.m. and 7:00 p.m. Construction may not occur on weekends or State holidays without the prior consent of the Building Official. Non-noise-generating activities (e.g., interior painting) are not subject to these restrictions.
 - b. Construction routes are limited to City of Perris designated truck routes.
 - c. Water trucks or sprinkler systems shall be used during clearing, grading, earth moving, excavation, transportation of cut or fill materials, and construction phases to prevent dust from leaving the site and to create a crust after each day's activities cease. At a minimum, this would include wetting down such areas in the late morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
 - d. A person or persons shall be designated to monitor the dust control program and to order increased watering as necessary to prevent the transport of dust off-site. The name and telephone number of such people shall be provided to the City. Also, a board shall be placed at the subject site to include a person and phone number for the public to call in case of dirt and dust issues.
 - e. Project applicants shall provide construction site electrical hook-ups for electric hand tools, such as saws, drills, and compressors, to eliminate the need for diesel-powered electric generators or provide evidence that electrical hook-ups at construction sites are not practical or prohibitively expensive.
25. **ADA Compliance.** The project shall conform to all disabled access requirements in accordance with the State of California, Title 24, and the Federal Americans with Disabilities Act (ADA).
26. **Screening of Roof-Mounted Equipment.** Proper screening shall be provided to prevent public views of all HVAC equipment and roof-mounted equipment. Also, all vent pipes and similar devices shall be painted to match the building.
27. **Mechanical Equipment.** All ground mechanical equipment shall be screened from the public right-of-way by a view obscuring fence, wall, or landscaping to the satisfaction of

the Planning Division.

28. **Downspouts.** Exterior downspouts are not permitted on building elevations facing the public right of way. Interior downspouts are required for these elevations.
29. **Trash Enclosure Requirements.** Trash enclosures shall be screened with landscaping (vines and shrubs) and provide decorative solid trellis cover per the development plans presented to the Planning Commission. Trash enclosures shall have a decorative trellis cover, a metal mesh between the trellis cover and the trash enclosure wall, and the enclosure and gates shall be painted in a complimentary color to the building. Furthermore, all Trash Enclosure locations shall have an ADA path of travel from each one of the buildings to the trash enclosure it is meant to serve.
30. **Utilities.** If applicable, all utilities such as cable TV and electrical distribution lines (including those that provide direct service to the project site and/or currently exist along public right-of-way) adjacent to the site shall be placed underground, except for electrical utility lines rated at 65kv or larger. All utility facilities attached to buildings, including meters and utility boxes, shall be painted to match the wall of the building to which they are affixed. These facilities shall also be screened from the public right-of-way by landscaping.
31. **Roof Parapets.** 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.
32. **On-site & Off-site Utilities.** All utilities attached to buildings, including meters and utility boxes, shall be painted to match the wall of the building to which they are affixed. These facilities shall also be screened from the public right-of-way by landscaping.
33. **Landscape and Irrigation Plans.** Submit three (3) copies of the landscape and irrigation plans to the Planning Division for review and approval. Design modifications may be required as deemed necessary. A separate application and applicable fee are required. Landscape plans shall comply substantially with the conceptual plans approved by the City Council. The plans shall be prepared by a California-registered Landscape Architect and conform to the requirements of Chapter 19.70 – Landscaping of the Perris Municipal Code. The following shall be included:
 - a. **Interstate 215.** As provided on the conceptual landscape plans, the applicant shall provide additional evergreen trees at the west perimeter adjacent to Interstate 215 freeway.
 - b. **Landscape Berms.** A 6-foot high, landscaped berm planted with a mix of trees, shrubs, and ground cover shall be installed in front of the 14-foot-high screen wall.
 - c. **Passenger Vehicle Parking Areas.** A minimum of 30% of trees shall be a 36-inch box or larger in passenger vehicle parking areas. Also, a minimum of one 24-inch box tree for every 6 parking stalls shall be provided.
 - d. **Parking Lot Screening.** All parking areas along the street frontages shall be screened by a minimum 36-inch high shrubs using a double-row of 5-gallon shrubs at 3 ½ feet off center.
 - e. **BMPs for Water Quality.** All BMPs (vegetated swales, detention basins, etc.) shall

- be landscaped with appropriate plant materials and irrigation.
- f. **Shade Tree.** The project shall provide shade trees throughout the parking lot.
 - g. **Water Conservation.** All irrigation systems shall require rain-sensing override devices and soil moisture sensors. Landscaping shall comply with Zoning Code Chapter 19.70 (www.cityofperris.org) for mandated water conservation.
 - h. **Maintenance.** All landscaping shall be maintained in a viable growth condition.
 - i. **Enhanced Pavement.** Decorative pavement treatments (accent colors, textures, and patterns) shall be used for the driveway entrances and pedestrian pathways.
34. **Uplighting.** Uplighting shall be provided along Ethanac Road, Trumble Road, and I-215 freeway to accentuate the building architecture and landscaping.
35. **Fence and Wall Plan.** As provided on the fence and wall plan, along the westerly and southerly property lines, the project shall provide a 14-foot-high aluminum fence with a berm and decorative pilasters every 100 linear feet and/or corners with decorative caps. The project shall provide an 8-foot-high aluminum fence with decorative pilasters every 100 linear feet and/or corners with decorative caps along the northerly, easterly, and southerly property lines. The above-ground storage tanks shall be screened with a 12-foot 6-inch high split face block wall with decorative pilasters every 100 linear feet and/or corners with decorative caps. The above-ground storage tanks shall not exceed the height of the decorative block wall.
36. **Service Bay Screening.** Provide adjacent screening consisting of additional landscaping or a higher wall/fence to prevent the view of the service bays at the truck shop building.
37. **Graffiti.** All block/tilt-up walls shall be treated with a graffiti-resistant coat.
38. **Photometrics Plan (Site Lighting Plan).** The applicant shall submit a Photometrics Plan to the Planning Division for review and approval by the Planning Division for the subject site. The lighting plan shall include photometric, fixture details, and standard light elevations to meet 2700 KV illumination or less (to provide adequate illumination) for all project components. High-efficiency fixtures with full-cut-off shields shall be used to prevent light and glare above the horizontal plane of the bottom of the lighting fixture. At least one foot-candle of light shall be provided in all parking lots, and pedestrian areas for safety and security. All lighting shall be shielded downward to prevent light pollution from spilling onto adjacent parcels or the public right of way.
39. **Truck and Vehicle Canopies.** The truck and vehicle canopies shall have decorative posts to match the building.
40. **Travel Center Building Accent Color.** Provide a different color for the Hardie Plank that complements the color scheme proposed for the Travel Center building.

During Construction:

41. **Southern California Edison (SCE).** The developer/owner shall contact the Southern California Edison SCE area service planner to complete the required forms prior to the commencement of construction.
42. **Waste Hauling and Disposal.** The project shall use only the City-approved waste hauler for all construction and other waste disposal.

43. **Dust Monitor.** A person or persons shall be designated to monitor the dust control program and to order increased watering as necessary to prevent the transport of dust off-site. The name and telephone number of such persons shall be provided to the City. Also, a dust control sign shall be placed adjacent to each phase to allow the public to call for any dust issues.
44. **Temporary Construction Fencing.** A six-foot high temporary chain link fence (with view obscuring mesh) is required along the perimeter of each phase during construction. The fence shall limit public access to each construction site.

Prior To Issuance of Occupancy Permits:

45. **City 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 (Street Lights and Traffic Signals)
 - d. Any other applicable City Assessment and Community Facilities Districts.
46. **On-Site Landscape Inspections.** The project applicant shall inform the on-site project manager and the landscape contractor of their responsibility to call for a final landscape inspection after the installation of all landscaping and irrigation system is completely operational. Before calling for a final inspection, the City's "Certificate of Compliance" form shall be completed and signed by the designer/auditor responsible for the project and submitted to the project planner. The project planner shall sign off the "Certificate of Compliance" to signify code compliance and acceptance.
- 47.
48. **Final Inspection.** The applicant shall obtain occupancy clearance from the Planning Division by scheduling a final Planning inspection after final sign-off from the Building Division and Engineering Department. Planning Staff shall verify that all pertinent conditions of approval have been met. The applicant shall have all required paving, parking, walls, site lighting, landscaping, and automatic irrigation installed and in good condition.
49. **Outstanding Fees.** Any outstanding processing fees due to the Planning Division shall be paid prior to building occupancy.
50. **Occupancy Clearance.** The applicant shall have all required paving, parking, screen walls, colors and materials (per approved elevation plans), site lighting, landscaping, and automatic irrigation installed and in good condition prior to the Planning sign-off.

Operational Conditions:

51. **Overnight Parking.** Overnight truck parking is prohibited. **The operator shall monitor that truck parking is not long-term.**
52. **Security Door.** Install a security door to prevent the public from entering the truck driver amenity areas.
53. **Property Maintenance.** The project shall comply with provisions of Perris Municipal Code 7.06 regarding Landscape Maintenance and Chapter 7.42 regarding Property Maintenance, including one-year landscape maintenance of on-site landscaping. In addition, the project shall comply with the one-year landscape maintenance schedule identified in Public Works Department Condition of Approval No. 5, dated November 29, 2023.
54. **On-Street Parking.** On-street parking and staging of trucks or trailers associated with the project is strictly prohibited.
55. **Graffiti and Property Maintenance.** The project shall comply with the Perris Municipal Code Chapter 7.42 regarding Property Maintenance. The site shall be maintained graffiti-free state at all times. Graffiti located on site shall be removed within 48 hours. Graffiti shall be painted over in panels and not patches. In addition, it will match the color of the wall or material surface. Furthermore, the applicant shall apply an anti-graffiti coating on the walls.
56. **Truck Routes.** The applicant shall notify all truck drivers of the truck routes adopted by the City Council. Signs shall be provided on-site and within the public right-of-way to direct all trucks to use designated truck routes only as approved by the Engineering and Planning Departments. The Project shall utilize designated truck routes per the Circulation Element. Truck routes in the area include Trumble Road, Ethanac Road, and I-215 freeway.
57. **Truck Engine Idling.** The applicant shall place signage letting truck drivers know that truck engine idling is limited to no more than 5 minutes.
58. **Future Obligation of Buyers and Lessees.** All future buyers and lessees shall be informed of their obligation to comply with these Conditions of Approval. The applicant shall provide a copy of these conditions and inform the buyer or lessee of their obligation to maintain compliance with all local and City ordinances, including but not limited to an annual fire inspection and maintenance of a City business license.

• **ENGINEERING DEPARTMENT**

59. The project shall adhere to the requirements of the City Engineer as indicated in the attached Engineering Conditions of Approval dated **September 23, 2024**. On and off-site improvement plans shall be submitted for review and approval by the City Engineer.

• **PUBLIC WORKS DEPARTMENT**

60. The project shall adhere to the requirements of the Public Works Administration Department as indicated in the attached Conditions of Approval dated **November 29, 2023**.

- **COMMUNITY SERVICES DEPARTMENT**

61. The project shall adhere to the requirements of the Community Services Department as indicated in the attached Conditions of Approval dated **September 5, 2024**.

- **BUILDING OFFICIAL/FIRE MARSHAL**

62. The project shall adhere to the requirements of the Building & Safety Division as indicated in the attached Conditions of Approval dated **January 19, 2022 and March 30, 2022**.

- **FIRE DEPARTMENT**

63. The project shall adhere to all conditions of approval by the Fire Department, dated **March 30, 2022**, consisting of the following requirements.

- a. The project shall comply with all requirements set forth by the California Code of Regulations Title 24 Parts 1-12, respectively.
- b. The adopted edition of the California Code of Regulations, Title 24, Parts 1 through 12, and the Perris Municipal Code shall apply at the time the architectural plans are submitted for construction permits.
- c. Prior to the to the issuance of a grading permits a Fire Department access plan shall be submitted to the City of Perris for review and approval. The Fire Department access plan shall comply with the requirements specified by the City of Perris Guideline for Fire Department Access & Water Requirements for Commercial & Residential Development, and the California Fire Code, Chapter 5.
- d. Prior to the to the issuance of a grading permits, evidence of sufficient fire flow of 2,000 GPM for 2 hours shall be provided to the City of Perris. The City of Perris Building and Fire Marshal Water Available/Fire Flow Form shall be utilized.
- e. A Fire Department access road complying with the CFC, Chapter 5 and the approved Fire Department access plans shall be installed prior to building construction.
- f. All required fire hydrants shall be installed and operational prior to building construction. All fire hydrants shall remain operational during construction.
- g. All required fire hydrants shall be readily visible and immediately accessible. A clear space of not less than 3 feet shall be maintained at all times.
- h. A minimum of two points of connection to the public water shall be provided for the private fire-line water.
- i. The private underground fire-line system shall be a looped design.
- j. The Fire Department Connection (FDC) shall be located within 100 feet of a public fire hydrant. The fire hydrant shall be on the same side of the street. A vehicle access roadway/approach shall not be placed between the FDC and the fire hydrant.

- k. Prior to construction, a temporary address sign shall be posted and clearly visible from the street.
- l. The permanent building address shall be provided and either internally or externally illuminated during hours of darkness. The address shall be clearly visible from the street fronting the property and comply with California Fire Code Section 505.1 for size and color.

The building shall be provided with an automatic fire sprinkler system in accordance with NFPA 13. Construction plans shall be submitted to the City of Perris for review and approval prior to installation.

- m. Prior to building final, the building shall be provided with a Knox Lock key box located no more than seven-feet above the finished surfaced and near the main entrance door.
- n. Prior to the issuance of a Certificate of Occupancy the building shall be provided with an emergency radio communication enhancement system. The emergency radio communication enhancement system shall meet the requirements of CFC § 510 and all applicable subsection. The system shall be installed and inspected by the City of Perris Building Department before the Certificate of Occupancy is issued. The requirement can be waived by the Fire Marshal if the building is evaluated by an Emergency Radio Communication Specialist license by FCC, who certifies the building meets the emergency communications capability as specified by the California Fire Code § 510. The certification shall be in the form of a written report which outlines the analysis used in determining the building meets the emergency communications without an enhancement system.
- o. Prior to the issuance of building permits a City of Perris Chemical Classification Disclosure shall be submitted for review and approval. All hazardous materials as defined by the fire code that will either be stored or used at the facility shall be disclosed. The disclosure package can be obtained at <https://www.cityofperris.org/home/showpublisheddocument?id=2401>

END OF CONDITIONS