

ORDINANCE NUMBER 1454

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING SPECIFIC PLAN AMENDMENT 24-05086 TO CHANGE THE PERRIS VALLEY COMMERCE CENTER SPECIFIC PLAN LAND USE DESIGNATION OF THE 0.94-ACRE PARCEL LOCATED AT 4063 N. WEBSTER AVENUE (APN:302-260-053) FROM RESIDENTIAL (R) TO COMMERCIAL (C), AND TO APPLY THE RESIDENTIAL OVERLAY ZONE TO A PROPERTY AT 855 W. MARKHAM STREET, AND MAKING FINDINGS IN SUPPORT THEREOF SUBJECT TO CONDITIONS OF APPROVAL.

WHEREAS, the applicant, Marwan Alabassi (“Applicant”), proposes (1) an amendment to the Perris Valley Commerce Center Specific Plan (“PVCCSP”) to change the land use designation of the 0.94-acre parcel located at 4063 N. Webster Avenue (APN:302-260-053) from Residential (R) to Commercial (C), and to apply a Residential Overlay Zone, according to the PVCCSP Residential (R) land use/zoning designation, to a portion of the property at 855 W. Markham Street to offset the loss of a residential unit at the project site per SB 330; and (2) a Major Modification to a prior Conditional Use Permit for an expansion of the existing Chevron service station to include the construction of a 1,536 square foot fueling canopy with six (6) CNG and Diesel fuel dispensers, a second 1,496 square foot fueling canopy with four (4) Hydrogen fuel dispensers, and related equipment enclosures, which is located in the PVCCSP (“Project”); and

WHEREAS, the Applicant submitted an application for Specific Plan Amendment (“SPA”) 24-05086 and Major Modification (“MMOD”) 23-05073 of a prior Conditional Use Permit (06-27) for the Project; and

WHEREAS, and the proposed SPA 24-05086 and MMOD 23-05073 are considered a “project” as defined by the California Environmental Quality Act (“CEQA”); and

WHEREAS, pursuant to CEQA and State CEQA Guidelines, an Initial Study (“IS”) was prepared for the proposed Project and, based upon review thereof by the City as lead agency, a notice of intent to adopt a mitigated negative declaration was provided on January 17, 2025, in accordance with CEQA Guidelines Section 15072, and a Draft Mitigated Negative Declaration No. 2395 (the “MND”) was prepared for the Project and was publicly reviewed for a thirty (30) day period in accordance with CEQA, from January 17, 2025 to February 17, 2025; and

WHEREAS, during the public comment period, certain public comments were received. The public comments received during the public review period did not warrant or result in any “substantial revision,” within the meaning of CEQA Guidelines Section 15073.5, to the MND. Although not required by CEQA, in the interests of thoroughness and

transparency, responses to the public comments received were prepared and included in the Final MND. No “substantial revision” of the MND was made in response to the comments or otherwise, and therefore no recirculation was required pursuant to CEQA Guidelines Section 15073.5. No changes were made to the Draft MND in the Final MND. There was/is no substantial evidence in light of the whole record before the City, including the public comments received, that the Project may have a significant effect on the environment which cannot be mitigated or avoided, and therefore no EIR was/is required pursuant to CEQA Guidelines Section 15073.5; and

WHEREAS, the Riverside County Airport Land Use Commission (“ALUC”) conducted a hearing on November 14, 2024, to consider the Project’s consistency with the C1 Zone and determined that the Project is consistent with the March Air Reserve Base/Inland Port Airport (MARB/IPA) Land Use Compatibility Plan; and

WHEREAS, Chapter 19.54 (Authority and Review Procedures) of the City of Perris Municipal Code (“PMC”) authorizes the City to approve, conditionally approve, or deny requests for Specific Plan Amendments and Conditional Use Permits, as well as Major Modifications to Conditional Use Permits; and

WHEREAS, a duly noticed Planning Commission public hearing was scheduled for February 19, 2025, for the Project. During the public hearing, additional public comments were received regarding the MND, which were duly considered and which did not warrant or result in any revision to the MND, and which did not provide or result in substantial evidence in light of the whole record before the City, including the public comments received, that the Project may have a significant effect on the environment which cannot be mitigated or avoided. Following the hearing, the Planning Commission by a vote of 4-1 recommended approval of the Project to the City Council; and

WHEREAS, On March 25, 2025, the City Council conducted a duly noticed public hearing regarding the Project, at which time all interested persons were given full opportunity to be heard and to present evidence for the City Council’s consideration (including all oral and written testimony from members of the public and City staff, including, but not limited to, the City staff reports and accompanying documents and exhibits); and

WHEREAS, on March 25, 2025, following the public hearing, the City Council adopted Resolution Number (next in order), adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approving Major Modification 23-05073 for the Project, subject to conditions of approval, effective upon effectiveness of this Ordinance, which the City Council approved for introduction and first reading following the public hearing on the same date; and

WHEREAS, the City Council now hereby intends to approve SPA No. 24-05086 for the Project; and

WHEREAS, before acting, the City Council has heard, been presented with,

and reviewed all the information and data that constitutes the administrative record for the above-mentioned approvals, including all oral and written evidence presented to the City by members of the public and City staff during all Project meetings and hearings; and

WHEREAS, all other legal prerequisites to adopting this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS does find and resolve as follows:

Section 1. Recitals. The above recitals are all true and correct and are incorporated herein by this reference as findings of fact.

Section 2. SPA Findings. The City Council further finds as follows with respect to Specific Plan Amendment 24-05086:

- A. *The Specific Plan Amendment is consistent with the General Plan Land Use Map and applicable General Plan objectives, policies, and programs.*

The proposed amendment to the PVCCSP is to 1) rezone the .94-acre site located at 4063 N. Webster Avenue (APN:302-260-053) from Residential (R) Zone to Commercial (C) Zone within the PVCCSP to facilitate the fueling station expansion, and 2) apply a Residential Overlay (RO) zone in accordance with the PVCCSP Residential (R) zoning designation to 62,000 square feet out of the 88,862 square foot parcel (APN:314-170-012) located at 855 W. Markham Street, thereby changing the zoning designation of said area from Light Industrial (LI) to Light Industrial-Residential Overlay (LI-RO). The portion of the 855 W. Markham Street property to which the RO is being applied is that portion which is outside of the Inner Approach/Departure Zone of the March Air Reserve Base/Inland Port Airport Land Use Compatibility Map, because the Inner Approach/Departure Zone does not permit new residential uses. The proposed application of the RO will legally allow one residential dwelling on said portion of the 855 W. Markham Street property, thereby offsetting the loss of the one existing residential dwelling on the Project site (which will be demolished) and ensuring compliance with SB 330 no net loss requirements. The proposed amendment to rezone the Project site from (R) to (C) according to the PVCCSP will ensure the Project site is developed in compliance with the PVCCSP and consistent with the amended PVCCSP zoning designation for the Project site. With the approval of the SPA, the Project will be consistent with the General Plan, PVCCSP, and the City's Zoning Code.

In addition, the proposed SPA 24-05086 promotes Goal III of the General Plan Land Use Element, and Goals II and V and Policy V.A of the General Plan Circulation Element:

Goal III (Land Use Element): Commerce and industry to provide jobs for residents at all economic levels of both industrial and commercial retail sectors.

Goal II (Circulation Element): A well-planned, designed, constructed, and maintained street and highway system that facilitates the movement of vehicles and provides safe and convenient access to surrounding developments.

Goal V (Circulation Element): Efficient goods movement.

Policy V.A (Circulation Element): Provide for the safe movement of goods along the street and highway.

B. The Specific Plan provides adequate text and diagrams to address the following issues in detail:

1. The distribution, location, and extent of the uses of land, including open space, within the area covered by the Plan.

The SPA will amend the PVCCSP land use map as shown in Attachment A. As amended, the PVCCSP will continue to meet the requirement to provide adequate text and diagrams to adequately address the distribution, location, extent of land uses, and open space requirements, within the area covered by the PVCCSP.

2. The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the Plan and needed to support the land use described in the Plan.

An Initial Study/MND was prepared for the Project and determined that with incorporation of the mitigation measures via the conditions of approval, the Project will have no significant environmental impacts, including with respect to transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities in the PVCCSP area. As amended by the SPA, the PVCCSP will continue to meet the requirement to provide adequate text and diagrams to adequately address the distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities within the area covered by the PVCCSP.

3. Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.

As amended by the SPA, the PVCCSP will continue to meet the requirement to provide adequate text and diagrams to adequately address standards and criteria by which development will proceed, and standards for conservation, development, and utilization of natural resources, where applicable. The SPA only involves changes to

the PVCCSP land use/zoning map which utilize or apply PVCCSP land use/zoning designations that already exist in the PVCCSP (i.e., applying the PVCCSP (R) land use/zoning designation, with its associated existing standards and criteria, as an overlay to a portion of the 855 W. Markham property, and applying the PVCCSP (C) land use/zoning designation, with its associated standards and criteria as they currently exist, to the Project site in lieu of the current (R) designation).

4. A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out the provisions contained in paragraphs 1, 2, and 3 above.

SPA 24-05086 proposes no changes to the circulation element of the PVCCSP. Chapters 4.0 – On-Site Design Standards and Guidelines, 5.0 – Off-Site Design Standards and Guidelines, 6.0 – Landscape Standards and Guidelines, 8.0 – Industrial Design Standards and Guidelines of the PVCCSP, provide adequate text and diagrams, and standards and criteria by which the proposed development will proceed, including standards for conservation, development, and utilization of natural resources, where applicable. SPA 24-05086 does not propose to change or revise any text or diagrams in these Chapters.

As noted above, SPA 24-05086 proposes to only change the Land Use map to rezone the .94 acre Project site from Residential to Commercial (C) and to apply a Residential (R) overlay to the above-referenced nearby property for the purpose of facilitating the construction of three (3) islands to accommodate six (6) CNG and Diesel fuel dispensers under a proposed 1,536 square foot canopy; two (2) islands to accommodate four (4) Hydrogen fuel dispensers under a proposed 1,496 square foot canopy; and two (2) walled enclosures for CNG, Hydrogen, and Electrical equipment.

Chapter 13 – Implementation and Administrative Process of the PVCCSP establishes a program of implementation measures, including regulation, programs, and financing measures necessary to carry out the provisions contained in paragraphs 1, 2, and 3 above. Chapter 3 – Infrastructure Plan of the PVCCSP outlines public works projects within the PVCCSP with text and diagrams intended to guide and support development in the PVCCSP.

As amended by the SPA, the PVCCSP will continue to meet the requirement to provide adequate text and diagrams to adequately address a program of implementation measures including regulation, programs, public works projects, and financing measures necessary to carry out the provisions contained in paragraphs 1, 2, and 3 above.

Section 3. Based upon the foregoing and the whole administrative record, including all oral and written statements and reports presented by City staff and members of the public at its public hearing on March 25, 2025, the City Council hereby: (1) determines that the required CEQA review for approval of SPA 24-05086 is covered under and included within the City Council's approval of Mitigated Negative Declaration No. 2395 (and the included Mitigation Monitoring and Reporting Program) as set forth in Resolution Number 6643, which is

incorporated herein by reference and reiterated with respect to the CEQA findings and determination for approval of SPA 24-05086; and (2) approves SPA 24-05086, subject to the Planning Division, Building, Fire, Public Works and Engineering Departments' Conditions of Approval (COA), and incorporated herein by this reference).

Section 4. Severability. If any subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional or otherwise unenforceable, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declare that they would have passed each subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more subsection, subdivision, paragraph, sentence, clause, or phrase be declared unconstitutional or otherwise unenforceable.

Section 5. Effective Date. This Ordinance shall take effect 30 days after its adoption.

Section 6. Certification. The City Clerk shall certify the passage and adoption of this Ordinance and cause the same to be posted at the designated locations in the City of Perris.

Section 7. The Mayor shall sign this Ordinance, and the City Clerk shall certify the adoption of this Ordinance.

ADOPTED, SIGNED, and APPROVED on this 8th day of April 2025.

Mayor, Michael M. Vargas

ATTEST:

City Clerk, Nancy Salazar

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

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Ordinance Number 1454 was duly and regularly introduced by the City Council of the City of Perris at a regular meeting held on the 25th day of March 2025 and duly and regularly adopted by the City Council of the City of Perris at a regular meeting held on the 8th day of April, by the following called a vote:

AYES: NAVA, CORONA, RABB, VALLEJO, VARGAS
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

City Clerk, Nancy Salazar

Attachments: Existing and Proposed Zone Change Map