



**PLANNING COMMISSION HEARING DATE: SEPTEMBER 01, 2022
AGENDA ITEM NO.: 6**

PROPOSED PROJECT

Case Numbers	PR-2021-001120 (General Plan Amendment, Rezone, Design Review, Variance)	
Request	To consider the following entitlements to expand an existing commercial self-storage facility by constructing an additional 158 self-storage units: 1. General Plan Amendment to amend 1.51-acres of the project site from LDR – Low Density Residential to C - Commercial; 2. Zoning Code amendment to rezone 1.62-acres of the project site from R-1-7000 – Single Family Residential and CG – Commercial General to CG-CS – Commercial General and Commercial Storage Overlay Zones; 3. Design Review of project plans; and 4. Variance to allow a 6-foot-high fence, around the perimeter of the property, where the Zoning Code requires a 6-foot-high wall	
Applicant	Andy Turner of Tierra Corporation	
Project Location	2998 Ivy Street and 3399 Central Avenue, situated on the south side of Ivy Street, west of Rockhill Way and east of State Route 91	
APN	219-270-006, 223-050-009, 223-050-011 and 225-190-017	
Project area	8.22-acres	
Ward	3	
Neighborhood	Victoria	
General Plan Designation	LDR – Low Density Residential and C - Commercial	
Zoning Designation	R-1-7000 – Single Family Residential and CG – Commercial General	
Staff Planner	Brian Norton, Senior Planner 951-826-2308 bnorton@riversideca.gov	

RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. **RECOMMEND that the City Council DETERMINE** that the proposed project will not have a significant effect on the environment based on the findings set forth in the case record and adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) pursuant to CEQA Sections 15074 and 21081.6; and
2. **RECOMMEND that the City Council APPROVE** Planning Case PR-2021-001120 (General Plan Amendment, Rezone, Design Review and Variance) based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions (Exhibits 1 and 2).

SITE BACKGROUND

The 8.22-acre site consists of four contiguous parcels. The southern portion of the site (6.6- acres) is fully developed with an existing self-storage facility (Central Avenue Self-Storage), constructed in 1983 (Conditional Use Permit CU-032-834). The storage facility has 781 self-storage units, recreational vehicle storage and a caretakers living quarters.

The northern portion of the site (1.62-acres) is currently vacant and was previously developed with a single-family residence that was demolished in 2012 to facilitate the widening of State Route 91.

Surrounding land uses include single family residential to the east (across the railroad), railroad lines to the north and south; and single family residential to the west (across State Route 91). (Exhibits 3 and 4).

PROPOSAL

The applicant is requesting approval of entitlements for the expansion of the existing self-storage facility. The expansion would entail site preparation and construction on approximately 1.62 acres of the 8.22-acre site to facilitate an additional 158 storage units and on-site drive-aisles.

The expansion of the self-storage facility is comprised of six buildings, ranging in size from 500 to 4,800 square feet. Individual storage units will range in size from 50 square feet to 100 square feet. Building elevations depict prefabricated, metal structures, 10-feet 8-inches in height. Each unit will include a metal roll up door for access.

New drive aisles connecting the proposed units with the existing self-storage facility will be constructed. Primary vehicle access will continue to be provided by a secure access point from Central Avenue. Ivy Street will be used for emergency access only.

A decorative 6-foot-high aluminum fence is proposed around the perimeter of the proposed expansion. The aluminum fence will include faux horizontal metal slats to provide screening of the storage facility from surrounding uses.

Access to the facility will be 7-days a week from 5:00 a.m. to 9:00 p.m. and the office will continue to operate from 9:00 a.m. to 6:00 p.m. Monday through Saturday and 10:00 a.m. to 4:00 p.m. on Sundays.

Implementation of this project requires the following entitlements:

- General Plan Amendment to amend 1.51-acres (1 parcel) from LDR – Low Density Residential to C – Commercial Land Use Designation;
- Zoning Code Amendment to rezone 1.62-acres (2 parcels) from R-1-7000 – Single Family Residential and CG – Commercial General to CG-CS – Commercial General and Commercial Storage Overlay Zones;
- Design Review of project plans; and
- Variance to allow a 6-foot-high fence around the perimeter of the property, where the Zoning Code requires a 6-foot -high wall.

PROJECT ANALYSIS

Authorization and Compliance Summary

	Consistent	Inconsistent
General Plan 2025 The project will be consistent with the proposed General Plan land use designation of C – Commercial (Exhibit 5), which provides for retail, sales, service and office uses. The project is consistent with General Plan Policy LU-9 as the project has been designed to be compatible with surrounding uses. Objective LU-9: Provide for continuing growth within the General Plan Area, with land uses and intensities appropriately designated to meet the needs of anticipated growth and to achieve the community's objectives.	☒	☐
Zoning Code Land Use Consistency (Title 19) The proposed CG-CS – Commercial General and Commercial Storage Overlay Zone is consistent with the C - Commercial General Plan Land Use designation (Exhibit 6). Self-storage facilities are permitted in the CG – Commercial General Zone, subject to the approval of the CS – Commercial Storage Overlay Zone. The CS Overlay Zone is established to permit self-storage uses in areas that are particularly difficult to develop due to parcel shape, access, or in areas where parcels are needed to form a buffer between incompatible uses, such as freeways and railroad right-of-way and single-family residences, as is the case with the proposed project. The facility, as proposed, is compatible with surrounding single-family residential uses, railroad and freeway operations.	☒	☐
Compliance with Citywide Design Guidelines The proposed building elevations, site design and conceptual landscaping are consistent with the existing self-storage facility and meet the applicable provisions of the Citywide Design and Sign Guidelines for new commercial development.	☒	☐
Compliance with the Riverside County Airport Land Use Compatibility Plan The site is located within Zone E of the March Air Reserve Base/Inland Port Airport Influence Area. On December 10, 2020, the Riverside County Airport Land Use Commission (ALUC) determined the proposed project to be consistent with the March Air Reserve Base/Inland Port Airport Influence Area (Exhibit 9).	☒	☐

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

<i>Chapter 19.190 - Commercial Storage Overlay Zone</i>				
Standard		Proposed	Consistent	Inconsistent
Minimum Lot Area	1.0 acre	8.22 acres	☒	☐
Minimum Frontage on and Arterial or Collector Street	100-feet	112-feet on Central Avenue (Existing, no change)	☒	☐
Maximum Building Height (Maximum Number of Stories)	20-feet (1 story)	10-feet – 8-inches (1 story)	☒	☐
Minimum Building Setback from any Street	20-feet	350-feet	☒	☐
Minimum Building Setback from a Residentially Zoned Parcel	20-feet	105-feet	☒	☐
Property surrounded by a minimum 6-foot wall	6-foot-tall wall	6-foot-tall fence	☐	☒

FINDINGS SUMMARY

Zoning Code Map Amendment

The proposal to apply the CS – Commercial Storage Overlay Zone to the project site would allow for the construction of 158 additional storage units. The proposed project is consistent with surrounding uses including State Route 91 freeway, existing rail lines and single family residential uses.

The overall design minimizes any impacts to single family residences located approximately 105-feet to the east of the project site.

The proposal to amend the Zone is consistent with the goals, policies, and objectives of the General Plan.

Variance

The Zoning Code requires walls along the perimeter of the project site at least 6-feet in height. The project proposes a 6-foot-high decorative aluminum fence with horizontal slats along the perimeter of the project site. The applicant is requesting a Variance to install a 6-foot-high aluminum fence in place of a masonry wall to facilitate implementation of the proposed project.

The applicant provided justifications in support of the Variance request (Exhibit 8).

Staff can make the necessary findings in support of the Variance to allow a fence, as the site is surrounded by utility easements located along both the west and east side of the property. This would prohibit any type of significant or continuous foundations, including those for masonry walls.

The decorative aluminum fence meets the intent of the Code to provide adequate screening of the facility from surrounding properties.

ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration (MND) has been prepared for the proposed project in accordance with Section 15074 of the California Environmental Quality Act (CEQA) Guidelines. The CEQA documentation states the proposed project will not have a significant effect on the environment, subject to implementation of the Mitigation, Monitoring and Reporting Program (MMRP) (Exhibit 10).

PUBLIC NOTICE AND COMMENTS

Public hearing notices were mailed to property owners within 300 feet of the site. As of the writing of this report, no responses have been received by Planning Staff.

STRATEGIC PLAN ALIGNMENT

This project contributes to the Envision Riverside 2025 City Council Strategic Plan Priority 3 **Goal 3.3 Cultivate a business climate that welcomes innovation, entrepreneurship and investment.**

This item aligns with each of the five Cross-Cutting Threads, as follows:

1. *Community Trust* – The proposed project requires public hearings by the Planning Commission and City Council. Additionally, the project's environmental document required a 20-day review and comment period.
2. *Equity* – The proposed project is an expansion of an existing community service that provides a service to residences in the community.
3. *Fiscal Responsibility* – All fiscal responsibility for the proposed project is borne by the applicant.
4. *Innovation* – The proposed expansion of the self-storage facility meets the growing community's needs for increased storage requirements.
5. *Sustainability and Resiliency* – The proposed project is designed to meet the current and future needs of the community.

APPEAL INFORMATION

Actions by the City Planning Commission, including any environmental finding, may be appealed to the City Council within ten calendar days after the decision. Appeal filing and processing information may be obtained from the Planning Department Public Information Section, 3rd Floor, City Hall.

EXHIBITS LIST

1. Staff Recommended Findings
2. Staff Recommended Conditions of Approval
3. Existing Site Photos
4. Location Map
5. Existing and Proposed General Plan Map
6. Existing and Proposed Zoning Map
7. Projects Plans (Project Description, Civil Plans, Architectural Site Plan & Building Elevations, Color Site Plan, Landscape Plan, Fence Plan, Photometric Plan)
8. Applicant Prepared Variance Justifications
9. ALUC Memo – December 10, 2020
10. Mitigated Negative Declaration

Prepared by: Brian Norton, Senior Planner

Approved by: Mary Kopaskie-Brown, City Planner



EXHIBIT 1 – STAFF RECOMMENDED FINDINGS

PLANNING CASES: PR-2021-001120 (General Plan Amendment, Rezone, Design Review, Variance)

Zoning Code Map Amendment (Rezoning) Findings Pursuant to 19.810.040

- A. The proposed Zoning Code Map Amendment (Rezoning) is consistent with the goals, policies, and objectives of the General Plan;
- B. The proposed Zoning Code Map Amendment (Rezoning) will not adversely affect surrounding properties; and
- C. The proposed Zoning Code Map Amendment (Rezoning) will promote public health, safety, and general welfare and serves the goals and purposes of the Zoning Code.

Variance Findings pursuant to Chapter 19.720.040

Variance: To allow a 6-foot-high fence around the perimeter of the property, where the Zoning Code requires a 6-foot-high wall.

- A. The strict application of the provisions of the Zoning Regulations would result in practical difficulties or unnecessary hardships in the development of this property.

The proposed project **complies** with this finding. Strict application of the Zoning Code development standards would require a 6-foot-high wall around the perimeter of the project site. While the site is currently undeveloped, it is surrounded by several utility easements along both the west and east property lines. Footings for a solid masonry wall would conflict with or impede underground utilities. Granting the variance to allow a decorative fence would eliminate the need for a continuous footing, utilizing smaller pole footings. In this case the requirement to construct a masonry wall would result in a practical difficulty in the development of the property.

- B. There are exceptional circumstances or conditions applicable to this property or to the intended use or development of this property, which do not apply generally to other property in the same zone or neighborhood.

The proposed project **complies** with this finding. The project site is narrow and surrounded by several utility easements for existing underground utility lines. A wall on this site is limited as building and/or continuous wall footings would have an impact on existing underground utilities. The shape of the property along with the location and number of easements is an exceptional condition which does not generally apply to other properties in the area. As an alternative to the wall, the applicant is proposing a decorative metal fence to provide screening from adjacent properties. Granting the variance to allow the fence eliminates the need for a continuous footing, with limited impact on underground utilities and the existing easements.

- C. The granting of this request will not prove materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood in which the property is located.

The proposed project **complies** with this finding. The proposed fence will not prove materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood. Granting the variance to construct a decorative fence along the perimeter of the proposed project will provide screening from adjacent properties, similar to a masonry wall, without impacting underground utilities.

- D. The granting of this request will not be contrary to the objectives of the General Plan.

The proposed project **complies** with this finding. Granting the Variance proposed variance will facilitate construction of the expansion of a self-storage facility and is not contrary to the objectives of the General Plan.



EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES

PLANNING CASES: **PR-2021-001120** (General Plan Amendment, Rezone, Design Review, Variance)

Case Specific

• **Planning**

1. The subject property shall be developed and operated substantially as described in the text of this report and as shown on the plot plan and floor plan on file with this case except for any specific modifications that may be required by these conditions of approval. Changes to the approved design will require further review by the Planning Division; a new application and filing fee may be required.
2. The applicant shall comply with conditions of approval of the Riverside County Airport Land Use Commission Development Review Number ZAP1442MA20.
3. Advisory: Signs shall be permitted in accordance with Chapter 19.620 of the Zoning Code. A separate sign application and fees will be required prior to permit issuance.

Prior to Grading Permit Issuance:

4. **MM CUL- 1:** Prior to grading permit issuance, if there are any changes to project site design and/or proposed grades, the Applicant and the City shall contact consulting tribes to provide an electronic copy of the revised plans for review. Additional consultation shall occur between the City, developer/applicant, and consulting tribes to discuss any proposed changes and review any new impacts and/or potential avoidance/preservation of the cultural resources on the project site. The City and the developer/applicant shall make all attempts to avoid and/or preserve in place as many cultural and paleontological resources as possible that are located on the project site if the site design and/or proposed grades should be revised. In the event of inadvertent discoveries of archaeological resources, work shall temporarily halt until agreements are executed with consulting tribe, to provide tribal monitoring for ground disturbing activities.
5. **MM CUL-2:** Archaeological and Paleontological Monitoring: At least 30 days prior to application for a grading permit and before any grading, excavation and/or ground disturbing activities take place, the developer/applicant shall retain a Secretary of Interior Standards qualified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources.
 1. The project archaeologist, in consultation with consulting tribes, the Developer, and the City, shall develop an Archaeological Monitoring Plan to address the details, timing, and responsibility of all archaeological and cultural activities that will occur on the project site. Details in the plan shall include:
 - a. Project grading and development scheduling;
 - b. The development of a rotating or simultaneous schedule in coordination with the developer/applicant and the project archaeologist for designated Native

American Tribal Monitors from the consulting tribes during grading, excavation, and ground-disturbing activities on the site, including the scheduling, safety requirements, duties, scope of work, and Native American Tribal Monitors' authority to stop and redirect grading activities in coordination with all project archaeologists;

- c. The protocols and stipulations that the Applicant, tribes, and project archaeologist/paleontologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits, or nonrenewable paleontological resources that shall be subject to a cultural resources evaluation;
 - d. Treatment and final disposition of any cultural and paleontological resources, sacred sites, and human remains if discovered on the project site; and
 - e. The scheduling and timing of the Cultural Sensitivity Training noted in mitigation measure.
6. A 40-scale precise grading plan shall be submitted to the Public Works Department and include the following:
- a. Hours of construction and grading activity are limited to between 7:00 a.m. and 7:00 p.m. weekdays and 8:00 a.m. and 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or Federal Holidays;
 - b. Compliance with City adopted interim erosion control measures;
 - c. Compliance with all recommendations of the required Project specific Water Quality Management Plan;
 - d. Compliance with any applicable recommendations of qualified soils engineer to minimize potential soil stability problems; and
 - e. Include a note requiring the developer to contact Underground Service Alert at least 48 hours prior to any type of work within pipeline easement.

During Grading and Construction Activities:

7. **MM BIO-1:** In the event that vegetation clearing is necessary during the bird nesting season (February 1 – September 15), a qualified biologist shall conduct a preconstruction survey to identify the locations of nests within the areas affected by clearing activities. An exclusionary zone shall be established around any active nest. The dimensions of the zone shall be determined by a qualified biologist and is dependent on the species of bird detected. This zone shall be clearly marked in the field, and construction or clearing shall not be conducted within this zone until the biologist determines the nest is no longer active.
8. **MM CUL-3:** Treatment and Disposition of Cultural Resources: In the event that Native American cultural resources are inadvertently discovered during the course of grading for this project, the following procedures will be carried out for treatment and disposition of the discoveries:
- 1. Consulting Tribes Notified: within 24 hours of discovery, the consulting tribe(s) shall be notified via email and phone. The developer shall provide the city evidence of notification to consulting tribes. Consulting tribe(s) will be allowed access to the discovery, in order to assist with the significance evaluation.
 - 2. Temporary Curation and Storage: During the course of construction, all discovered resources shall be temporarily curated in a secure location on site or at the offices of the project archaeologist. The removal of any artifacts from the project site will need to be thoroughly inventoried with tribal monitor oversight of the process; and

3. Treatment and Final Disposition: The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. The Applicant shall relinquish the artifacts through one or more of the following methods and provide the City of Riverside Community and Economic Development Department with evidence of same:
 - a. Accommodate the process for on-site reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed;
 - b. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore will be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation;
 - c. If more than one Native American tribe or band is involved with the project and cannot come to a consensus as to the disposition of cultural materials, they shall be curated at the Western Science Center or Museum of Riverside by default; and
 - d. At the completion of grading, excavation, and ground-disturbing activities on the site, a Phase IV Monitoring Report shall be submitted to the City documenting monitoring activities conducted by the project archaeologist and Native Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe how each mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting; and, in a confidential appendix, include the daily/weekly monitoring notes from the archaeologist. All reports produced will be submitted to the City of Riverside, Eastern Information Center, and consulting tribes.
9. **MM CUL-4:** Cultural Sensitivity Training: The Secretary of Interior Standards County certified archaeologist and Native American monitors shall attend the pre-grading meeting with the developer/permit holder's contractors to provide Cultural Sensitivity Training for all construction personnel. This shall include the procedures to be followed during ground disturbance in sensitive areas and protocols that apply in the event that unanticipated resources are discovered. Only construction personnel who have received this training can conduct construction and disturbance activities in sensitive areas. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.
10. Construction and operation activities on the property shall be subject to the City's Noise Code (Title 7), which limits construction noise to 7:00 a.m. to 7:00 p.m. weekdays, and 8:00 a.m. to 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or federal holidays.
11. The project shall comply with all existing State Water Quality Control Board and City storm water regulations, including compliance with NPDES requirements related to construction

and operation measures to prevent erosion, siltation, transport of urban pollutants, and flooding.

12. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
13. The Construction Contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
14. To reduce construction related particulate matter air quality impacts of projects the following measures shall be required:
 - a. The generation of dust and fugitive dust shall be controlled as required by SCAQMD Rule 403;
 - b. Grading activities shall cease during period of high winds (greater than 25mph);
 - c. Trucks hauling soil, dirt or other emissive materials shall have their loads covered with a tarp or other protective cover as determined by the City Engineer;
 - d. Contractor shall prepare and maintain a traffic control plan, prepared, stamped and signed by either a licensed Traffic Engineer or a Civil Engineer. The preparation of the plan shall be in accordance with Chapter 5 of the latest edition of the Caltrans Traffic Manual and the State Standard Specifications. The plan shall be submitted to Public Works Department for review and approval. The Traffic Plan shall include, but is not limited to, rerouting construction related traffic off congested streets, consolidating truck deliveries, and providing temporary dedicated turn lanes for movement of construction traffic to and from site. Work shall not commence without an approval traffic control plan from the Public Works Department;
 - e. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;
 - f. Wash off trucks and other equipment leaving the site;
 - g. Replace ground cover in disturbed areas immediately after construction;
 - h. Keep disturbed/loose soil moist at all times; and
 - i. Enforce a 15 mile per hour speed limit on unpaved portions of the construction site.
 - j. To reduce diesel emissions associated with construction, construction contractors shall provide temporary electricity to the site to eliminate the need for diesel-powered electric generators or provide evidence that electrical hook ups at construction sites are not cost effective or feasible.

Prior to Building Permit Issuance:

15. Landscaping and Irrigation plans shall be submitted for Planning Staff review. Design modifications may be required as deemed necessary. Separate applications and filing fees are required.
16. Plans submitted for staff review should specify the location, design and color of all domestic water meters, backflow preventers and utility cabinets subject to the Planning and Public Utilities review and approval. The visibility of such facilities shall be minimized to Planning Division review and approval through means including but not limited to relocation, berms, landscaping, and/or installation of a screen wall.
17. Ground mounted utility and mechanical equipment shall be fully screened from the public right-of-way.

18. **Photometric/Lighting Plan:** Revise the photometric lighting plan such that the plan provided incorporates the following changes:
- a. Light spill beyond property lines, shall not exceed 0.5-foot candles.
 - b. A photometric study and manufacturer's cut sheets of all exterior lighting on the building, in the landscaped areas and in the parking, lot shall be submitted with the exterior lighting plan.
 - c. All on-site lighting shall provide a minimum intensity of one foot-candle and a maximum of ten foot-candles at ground level throughout the areas serving the public and used for parking, with a ratio of average light to minimum light of four to one (4:1).
 - d. The light sources shall be shielded to minimize off-site glare, shall not direct light skyward and shall be directed away from adjacent properties and public rights-of-ways. If lights are proposed to be mounted on buildings, down-lights shall be utilized. Light poles shall not exceed fourteen (14) feet in height, including the height of any concrete or other base material.
19. Prior to Building Permit Issuance, the Developer shall complete a lot tie to the satisfaction of the Planning Division and Public Works Department.

Prior to Release of Utilities and/or Occupancy:

20. Install the landscape and irrigation per the approved plans and submit the completed "Certificate of Substantial Completion" (Appendix C of the water Efficient Landscaping and Irrigation Ordinance Summary and Design Manual) signed by the Designer/auditor responsible for the project. Contact the case planner to schedule the final inspection at least one week prior to needing the release of utilities.

Standard Conditions:

21. There shall be a two-year time limit in which to commence the project beginning the day following approval by the Planning Commission unless a public hearing is held by City Council; in that event the time limit begins the day following City Council approval.
22. Entitlements associated with this case may be granted time extensions by the Community & Economic Development Director, or their designee, up to a total of five years beyond the original approval expiration date prior to issuance of any building permits. At the exhaustion of Community & Economic Development Director approved extensions, the original Approving or Appeal Authority may grant one final permit extension of up to two years following a public hearing noticed pursuant to Section 19.670.030 (Notice of Hearing for Discretionary Actions Requiring a Public Hearing). A public hearing notification fee is required of the applicant in such case in addition to a time extension fee. Once a building permit has been issued, the development will be considered vested and time extensions are no longer needed.
23. Prior to case entitlement expiration, as identified in condition #20, if building permits have not been obtained, a time extension request shall be submitted to the Planning Division. The request shall include a letter stating the reasons for the extension of time and associated fee shall be submitted to the Planning Division.

PLEASE BE ADVISED THAT THE APPLICANT WILL NOT BE NOTIFIED BY THE PLANNING DIVISION ABOUT THE PENDING EXPIRATION OF THE SUBJECT ENTITLEMENT.

24. Enumeration of the conditions herein shall not exclude or excuse compliance with all applicable rules and regulations in effect at the time this Conditional Use Permit is exercised.

25. The project must be completed per the entitlements approved by the Planning Commission and City Council, including all conditions listed in this report. Any substantial changes to the project must be approved by the Planning Commission or minor modifications by the Community & Economic Development Director or designee. Upon completion of the project, an inspection must be requested, and UTILITIES will not be released until it is confirmed that the approved plans and all conditions have been implemented.
26. Within 30 days of approval of this case by the City, the developer shall execute an agreement approved by the City Attorney's Office to defend, indemnify, including reimbursement, and hold harmless the City of Riverside, its agents, officers and employees from any claim, action, or proceeding against the City of Riverside, its agents, officers, or employees to attack, set aside, void, or annul, an approval by the City's advisory agency, appeal board, or legislative body concerning this approval, which action is brought within the time period provided for in Section 66499.37 of the Government Code. The City will promptly notify the developer of any such claim, action or proceeding and the City will cooperate in the defense of the proceeding.
27. The project shall fully and continually comply with all applicable conditions of approval, State, Federal and local laws in effect at the time the permit is approved and exercised and which may become effective and applicable thereafter, and in accordance with the terms contained within the staff report and all testimony regarding this case. Failure to do so will be grounds for Code Enforcement action, revocation or further legal action.
28. The project entitlements are issued based upon the business operations plan and information submitted by the applicant, which has been used as the basis for evaluation of the proposed use in this staff report and for the conditions of approval herein. Permittee shall notify Community Development Department, Planning Division, of any change in operations and such change may require a revision to the Conditional Use Permit. Failure to notify the city of any change in operations is material grounds for revocation of this Conditional Use Permit.
29. Construction plans shall be submitted for plan check review to assure all required conditions have been met prior to exercising these entitlements.

- **Public Works**

30. Prior to final inspection for the development project, the applicant shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of payment. If the project improvements include qualifying right-of-way dedications and/or street improvements to a TUMF regional arterial roadway as identified on the Regional System of Highways and Arterials, the developer may have the option to enter into a Credit/ Reimbursement Agreement with the City and Western Riverside Council of Governments (WRCOG) to recover costs for such work based on unit costs as determined by WRCOG.

The terms of the agreement shall be in accordance with the RMC Chapter 16.68 and the TUMF Administrative Plan requirements. Credit/reimbursement agreements must be fully executed prior to receiving any credit/reimbursement. An appraisal is required for credit/reimbursement of right of way dedications and credit/reimbursement of qualifying improvements requires the public bidding and payment of prevailing wages in accordance with State Law. For further assistance, please contact the Public Works Department.

31. Prior to issuance of a building or grading permit, the applicant shall submit to the City for review and approval, a project specific WQMP that:

Addresses Site Design BMP's such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas and conserving natural areas;

Incorporates the applicable Source Control BMP's as described in the Santa Ana River Region WQMP and provides a detailed description of their implementation;

Incorporates Treatment Control BMP's as described in the Santa Ana River Region WQMP and provides information regarding design considerations;

Describes the long-term operation and maintenance requirements for BMP's requiring long-term maintenance; and

Describes the mechanism for funding the long-term operation and maintenance of the BMP's requiring long-term maintenance.

32. Prior to issuance of any building or grading permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument acceptable to the City Attorney to inform future property owners of the requirement to implement the approved project-specific WQMP. Other alternative instruments for requiring implementation of the approved project-specific WQMP include: requiring the implementation of the project-specific WQMP in the Homeowners Association or Property Owners Association Conditions, Covenants and Restrictions (C,C&R's); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the project-specific WQMP; or equivalent may also be considered. Alternative instruments must be approved by the City prior to the issuance of any building or grading permits.

33. If the project will cause land disturbance of one acre or more, it must comply with the statewide General Permit for Storm Water Discharges Associated with Construction Activity. The project applicant shall cause the approved final project-specific WQMP to be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

34. Prior to building or grading permit closeout or the issuance of a certificate of occupancy or certificate of use, the applicant shall:

Demonstrate that all structural BMP's described in the project specific WQMP have been constructed and installed in conformance with approved plans and specifications;

Demonstrate that applicant is prepared to implement all non-structural BMP's described in the approved project specific WQMP; and

Demonstrate that an adequate number of copies of the approved project specific WQMP are available for the future owners/ occupants.

- **Fire Department**

35. An Alternate Means and Method (AM&M) is approved to provide onsite fire hydrant at 350 feet spacing, in lieu of providing fire sprinklers to the 200 square feet storage modules..., full detail of all approved methods is provided in the AM&M document, on file with Riverside City Fire Department, titled: 2998 Ivy AMM FIRE MMA.

36. Onsite private fire hydrants shall comply with the spacing as approved within the Riverside City Alternate Means and Method. Approved document on file with Fire Department, titled: 2998 Ivy AMM FIRE MMA.

37. Required for the rear exit gate. Provide for fire department access to the gate. "Knox" key devices are available for use in the city. Contact the Fire Department for applications and details. The onsite fire department emergency access shall comply with the following:

38. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
 39. Construction plans shall be submitted and permitted prior to construction.
 40. Provide for fire department access to the facility. "Knox" key devices are available for use in the city. Contact the Fire Department for applications and details.
 41. Fire Department access shall be maintained during all phases of construction.
- **Public Utilities – Water**
 42. No construction of structures will be allowed within the waterline easement along the easterly side of the project. Utility access from Ivy must be maintained.
 43. Access to the waterline easement from Ivy Street must be maintained.
 44. All access manholes and valve cans shall be adjusted to the final grade of the proposed improvements.
 45. Any relocations of conflicting water main or appurtenances shall be coordinated with RPU water, and at the expense of the developer.
 46. Existing underground vault fire service, located near Ivy St., is required to be upgraded to current City standard, with an approved above ground RPDA fire backflow device.
 - **Public Utilities – Electric**
 47. Maintain proper clearance within easements and any power pole/services.
 - **Parks, Recreation & Community Services**
 48. Developer shall make payment of all applicable Park Development Impact Fees (local, aquatic, regional/reserve and trail fees) for privately developed areas.