

PLANNING COMMISSION  
RECOMMENDED CONDITIONS

PLANNING COMMISSION HEARING DATE: MARCH 31, 2022

**PLANNING CASE:**     **PR-2021-001082** (Zoning Code Text Amendment and Minor Conditional Use Permit)

**Planning Division**

1. The Zoning Code text shall be amended as shown in Exhibit 8 contained in the attached City Planning Commission staff report dated March 31, 2022.
2. Article V – Permitted Uses Table shall be revised pursuant to Exhibit 8 contained in the attached City Planning Commission staff report dated March 31, 2022.
3. All applicable conditions of approval of related Design Review (PR-2021-001220) shall apply.
4. Plans shall conform to the exhibits attached to this report. Proposed modifications to the approved design shall be submitted to the Planning Division and shall include revised exhibits and a narrative description of the proposed modifications. The Applicant is advised that additional development applications and fees may be required.
5. All conditions of Riverside County Airport Land Use Commission case ZAP1491MA21 shall apply.
6. **Advisory:** Signs shall be permitted in accordance with Chapter 19.620 of the Zoning Code. Any new signs shall be subject to separate review and assessment. A separate sign application, including fees and additional sets of plans, will be necessary prior to sign permit issuance.

*Prior to Building Permit Issuance:*

7. Provide manufacturer's cut sheets of the paint booth, to ensure that the paint booth is designed to comply with South Coast Air Quality Management District (SCAQMD) standards.

*Site Operation Conditions:*

8. Outdoor storage shall be limited to vehicles associated with a dealership.
9. All operations shall be in compliance with Title 7 (Noise Control) of the Riverside Municipal Code.
10. A copy of the Minor Conditional Use Permit and the final Conditions of Approval shall be available at the site and presented to City staff, including the Police Department and Code Enforcement, upon request. Failure to have the latest approved conditions available upon request will be grounds for revocation
11. The applicant shall be responsible for maintaining free of litter, the area adjacent to the premises over which they have control.
12. The owner and/or occupant shall be liable for the cost of excessive police service or response in accordance with Chapter 9.60 of the Riverside Municipal Code.

*Standard Conditions:*

13. There shall be a one-year time limit in which to commence construction of 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.
14. The Minor Conditional Use Permit may be granted time extensions by the Community & Economic Development Director, or their designee, up to a total of two years beyond the original approval expiration date prior to issuance of any building permits. Once a building permit has been issued, the development will be considered vested and time extensions are no longer needed.

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

15. 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.
16. The Minor Conditional Use Permit may be modified or revoked by the City Planning Commission, or the City Council should they determine that the proposed use or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to public safety, property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
17. This 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.
18. The applicant shall comply with all federal, state, and local laws and shall cooperate with the Riverside Police Department (RPD) in the enforcement of all laws relating to this permit. Material violation, as determined by the City Planning Commission, of any laws in connection with this use or failure to cooperate with RPD will be cause for revocation of this permit.
19. This permit is issued based upon the plans 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 this permit. Failure to notify the city of any change in operations is material grounds for revocation of this conditional use permit.
20. The Applicant of the business subject to this Conditional Use Permit acknowledges all of the conditions imposed and accepts this permit subject to those conditions and with the full awareness of the provisions of Title 19 of the Riverside Municipal Code. The Applicant

shall inform all its employees and future operators of the business subject to this permit of the restrictions and conditions of this permit as they apply to the business operations.

21. Failure to abide by all conditions of this Conditional Use Permit shall be cause for revocation.
22. Enumeration of the conditions herein shall not exclude or excuse compliance with all applicable rules and regulations in effect at the time this permit is exercised.

### **Fire Department**

23. Fire sprinkler, fire alarm, fixed extinguishing system, emergency radio systems, standpipes or any other type of fire protection systems that are required by the California Fire Code, California Building Code or City Ordinance, shall be submitted by a California Licensed contractor, under separate permit to Riverside Fire Department for approval and permit issuance prior to any work on such systems.
24. 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.
25. To comply with all applicable requirements per CFC, Chapter 33 (Fire Safety During Construction and Demolition).
26. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
27. Construction plans shall be submitted and permitted prior to construction.
28. Fire Department access shall be maintained during all phases of construction.

### **Public Utilities - Electric**

29. Developer is responsible for all trenching, installation of conduit and sub-structures required to provide power to the site. In addition to installing spare conduits, also stub and cap along property frontage.
30. Plot existing electrical distribution facilities on the original site plan.
31. Provide transformer and switchgear location.

### **Public Works – Environmental Compliance**

32. Wastewater Discharge Survey for all industrial sites to be submitted tenant and approved by Environmental Compliance (EC) prior to operation. If an interceptor, clarifier or wastewater treatment system is determined as required to be installed or replaced for a tenant, this requirement must be complied prior to opening the business or by the date determined by EC.
33. Limit the use of outside, rainwater exposed gutters or drains.
34. Limit outdoor storage in rainwater exposed areas to protect from stormwater. Under no circumstances can materials be stored which allow for discharge of pollutants during a storm event.
35. Plumbing plan details to be submitted to EC during Building and Safety Plan Check Review.
36. If carwash activities are proposed, a completed Wastewater Discharge Authorization Certificate (WDAC) Application must be submitted to EC for review and approval, including description pretreatment, such as clarifier/water recycling system.

37. If carwash activities are proposed, a sampling station is required—submit proposed installation on plans.
38. If carwash activities are proposed, plumbing plan details must be submitted during the Building and Safety Plan Check submittal and obtain EC approval.
39. Other items for correction may need to be completed after actual plans are submitted for a formal review.

### **Public Works – Land Development**

*Conditions to be fulfilled prior to permit issuance unless otherwise noted:*

40. Prior to permit issuance, add the following notes to the site/plot or landscape plans and email PDF to [gstanaka@riversideca.gov](mailto:gstanaka@riversideca.gov) for review and approval:
  - a. PROTECT IN PLACE existing Street Trees in PUBLIC RIGHT-OF-WAY along LINDGERGH DRIVE. If existing Street Trees are found by Tree Inspector at time of scheduled site inspection (after fine grading and hardscape installation is complete), to be missing, dead, damaged or in poor condition, they will be required to be removed and replaced with 24" box size trees to match existing. Planting, staking, irrigation, root barriers to Landscape & Forestry specifications.
41. 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.