



**PLANNING COMMISSION HEARING DATE: SEPTEMBER 21, 2017**

**AGENDA ITEM NO.: 4**

**PROPOSED PROJECT**

<i>Case Numbers</i>	P17-0481 (Conditional Use Permit), P17-0482 (Design Review)	
<i>Request</i>	To consider a Conditional Use Permit and Design Review of project plans to permit an existing 1,140 square foot modular building used as an agricultural field office.	
<i>Applicant</i>	Robert Inge of RBI Landscape, Inc.	
<i>Project Location</i>	7797 Summit Street, situated on the northeast corner of Summit Street and Jefferson Street	
<i>APN</i>	242-050-002	
<i>Project area</i>	12 acres	
<i>Ward</i>	4	
<i>Neighborhood</i>	Arlington Heights	
<i>General Plan Designation</i>	A/RR-Agriculture/Rural Residential	
<i>Zoning Designation</i>	RA-5-Residential Agricultural Zone	
<i>Staff Planner</i>	Judy Egüez, Associate Planner; 951-826-3969; jeguez@riversideca.gov	

## RECOMMENDATIONS

Staff recommends that the City Planning Commission:

1. **DETERMINE** that the proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction or Conversion of Small Structures); and
2. **APPROVE** Planning Cases P17-0481 (Conditional Use Permit) and P17-0482 (Design Review), based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions.

## SITE BACKGROUND

The 12-acre site is developed with a plant nursery and an 1,140 square foot modular office building. It is surrounded by residential uses to the south and east and agricultural uses to the north, south and west. The Gage Canal runs along the northwest side of the property.

The site is secured by a 6-foot high chain link fence and gate at the entrance on Summit Street. Lined potted plants surround the perimeter along Jefferson Street, Summit Street and the residences to the east, serving as a landscape buffer. The remainder interior of the site contains rows of plant materials, some of which are covered by an agricultural tent. The north side of the property contains a modular office building and incidental storage of cargo containers and agricultural equipment, covered by a fabric canopy with metal poles.

On January 10, 2017, the Code Enforcement issued a citation to the property owner for not obtaining required permits for the installation of the modular office building.

## PROPOSAL

The applicant requests a Conditional Use Permit and Design Review of project plans to permit the existing 1,140 square foot modular building as an agricultural field office and construction of 11 parking spaces.

The applicant, RBI Landscaping, Inc., specializes in growing succulents and palms and sells them to a private commercial developer. The applicant indicates that they plan to expand their business to wholesale customers. The company employs 11 individuals; three employees manage the business operations in the office, and eight employees work in the care and maintenance of the nursery. Hours of operation are Monday through Saturday from 7:00 a.m. to 3:30 p.m.

Access to the site is provided via a single driveway from Summit Drive. No additional improvements are proposed as part of this project.

**PROJECT ANALYSIS**

<i>Authorization and Compliance Summary</i>			
	N/A	Consistent	Inconsistent
<p><b><i>General Plan 2025</i></b></p> <p>The proposed project is consistent with the underlying General Plan 2025 land use designation of A/RR-Agricultural/Rural Residential, which will further Objective LU-6: Retain functional agricultural areas within Riverside, particularly within the greenbelt area, while allowing for sensitive, low-intensity residential uses. The proposed project promotes the intent of the General Plan by embracing the agricultural heritage of the City and perpetuating agricultural uses within the Arlington Heights Greenbelt.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b><i>Zoning Code Land Use Consistency (Title 19)</i></b></p> <p>The underlying base zone RA-5-Residential Agricultural Zone allows for an Agricultural Field Office use subject to the approval of a Conditional Use Permit and compliance with the operation and development standards outlined in Chapter 19.100.030 (14) Permitted Land Uses and Chapter 19.445 - Agricultural Field Office Development Standards. The Agricultural Field Office complies with these development standards as provided in the analysis below.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b><i>Compliance with Citywide Design Guidelines &amp; Sign Guidelines</i></b></p> <p>The proposed project meets the objectives of the City's Citywide Design and Sign Guidelines. The modular building contains a pitched roof with varied rooflines. Its facades contain siding with skirting to screen the foundation elements.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS**

<i>RA-5 –Residential Agricultural Zone Development Standards</i>					
	<b>Standard</b>		<b>Proposed</b>	<b>Consistent</b>	<b>Inconsistent</b>
<b>Max. Building Height</b>	35 feet		12 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Min. Building Setbacks</b>	Front (Summit Street) 40 feet		479 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Interior Sides 20 feet		167 feet and 466 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rear (adjacent to Gage Canal) 25 feet		119 Feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Parking</b>	5 spaces plus 1/250 square feet of office area	10 spaces	11 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>Chapter 19.445 Operation and Development Standards - Agricultural Field Office</i>		
<b>Standard</b>	<b>Consistent</b>	<b>Inconsistent</b>
a. The use shall be conducted on a property zoned RA-5 having five acres or more gross area which is zoned for agricultural uses and which is predominately occupied by a commercial agricultural business	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The use shall be in conjunction with any permitted agricultural uses, provided that such office shall be occupied by an agricultural business, which business is either located on-site or off-site the property	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The use shall be established within a stick built, mobile coach or prefabricated structure, attached to or detached from any other building on the property.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Adequate parking and vehicular access shall be available in accordance with Chapter 19.580 (Parking and Loading) of the Zoning Code	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The building shall comply with the setback standards established for accessory structures in Chapter 19.440 (Accessory Buildings and Structures) of the Zoning Code.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## DESIGN REVIEW

### *Site Access*

Vehicular access to the site is provided from an existing driveway on Summit Street. The gravel drive aisle leading to the agricultural field office will provide a turn-around at the terminus for fire access. A path of travel is proposed from the accessible spaces, across the drive aisle, to the agricultural field office. Staff supports the site design as it meets all the standards and provides adequate separation from the surrounding residences.

### *Architecture*

The modular office building is a prefabricated structure approximately 24 feet in width and 49 feet in length. The facades contain a light gray siding with white trim and a matching skirting to screen the foundation elements. A ramp will be constructed along the north elevation for accessibility. It is located on the northwestern portion of the site behind the nursery plants and not visible from Summit Street. Staff supports the proposed modular office building as it will be harmonious with the surrounding neighborhood.

## NEIGHBORHOOD COMPATIBILITY

This 12 acre property is located within the Arlington Heights Greenbelt area which is predominantly agricultural in nature. The proposed agricultural field office, in conjunction with the existing plant nursery business (RBI Landscaping, Inc.), is compatible with the surrounding development pattern of the area. In addition, the adjacent residences to the east will not be impacted as the agricultural field office will be setback over 400 feet away. Additionally, adequate parking will be provided on site for employees, customers and visitors, in compliance with the Zoning Code.

## ENVIRONMENTAL REVIEW

The project is categorically exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15303 (New Construction or Conversion of Small Structures).

## 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 staff.

## 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. Findings
2. Staff Recommended Conditions of Approval
3. Aerial Photo/Location
4. General Plan Map
5. Zoning Map
6. Project Plans (Site Plan and Building Elevations)
7. Existing Site Photos

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Prepared by: Judy Egüez, Associate Planner

Reviewed by: Ted White, Deputy Director

Approved by: Rafael Guzman, Director of Community & Economic Development



*EXHIBIT 1 – STAFF RECOMMENDED FINDINGS*

**PLANNING CASES:** P17-0481 (Conditional Use Permit), and P17-0482 (Design Review)

*Conditional Use Permit Findings pursuant to Chapter 19.760.040*

- a. The proposed use is substantially compatible with other existing and proposed uses in the area, including factors relating to the nature of its location, operation, building design, site design, traffic characteristics and environmental impacts;
- b. The proposed use will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area; and
- c. The proposed use will be consistent with the purposes of the Zoning Code and the application of any required development standards is in the furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest. (Ord. 6966 §1, 2007)



EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

**RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES**

**PLANNING CASES:** P17-0481 (Conditional Use Permit), and P17-0482 (Design Review)

**Case Specific**

**Planning**

1. **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.
2. 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.

*During Construction Activities:*

3. During all project site construction, the Construction Contractor shall limit all construction-related activities that would result in a noise disturbance to between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday and between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays. No construction is permitted on Sundays or federal holidays.
4. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.

*During Business Operations:*

5. A copy of the 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.

**Standard Conditions**

6. There shall be a one-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.
7. 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.

8. The applicant is advised that the business or use for which this Conditional Use Permit is granted cannot be legally conducted until all conditions of approval have been completed to the satisfaction of the Community & Economic Development Department, Planning Division and as approved by the Planning Commission. Upon completion of the Project, a Staff inspection must be requested, and UTILITIES will not be released until it is confirmed that the approved plans and all conditions have been implemented.
9. 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.
10. This 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.
11. Plans shall be submitted for plan check review to assure that all required conditions have been met prior to exercising of this permit.

### **Fire Department**

12. An automatic fire sprinkler system is required by City Ordinance 16.32.080. Under separate cover, submit plans for the automatic fire sprinkler system(s) and obtain approval from the Fire Department prior to installation. Systems exceeding 20 sprinkler heads shall be provided with supervisory service and shall be monitored by a UL Central Station (UJFX) and shall be UL, FM or ETL certificated for the life of the system. Post Indicator valves, Detector Check control valves and water flow switches are required to be supervised by an UL listed central station. Have a UL, FM or ETL listed and licensed C10 fire alarm contractor submit plans and obtain approvals prior to installation. Alarm contractor shall provide a copy of a maintenance contract complying with N.F.P.A. 72. Contact the Riverside Public Utilities Department at (951) 826-5285 for the requirements for the dedicated fire service and backflow requirements.
13. A fire sprinkler system is not required if the modular office bears the HCD insignia from the state. Or if the office is 1,000 square feet or less and at least 140 square feet is storage for the nursery to be exempt per our ordinance.
14. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
15. Construction plans shall be submitted and permitted prior to construction.
16. Fire Department access shall be maintained during all phases of construction.