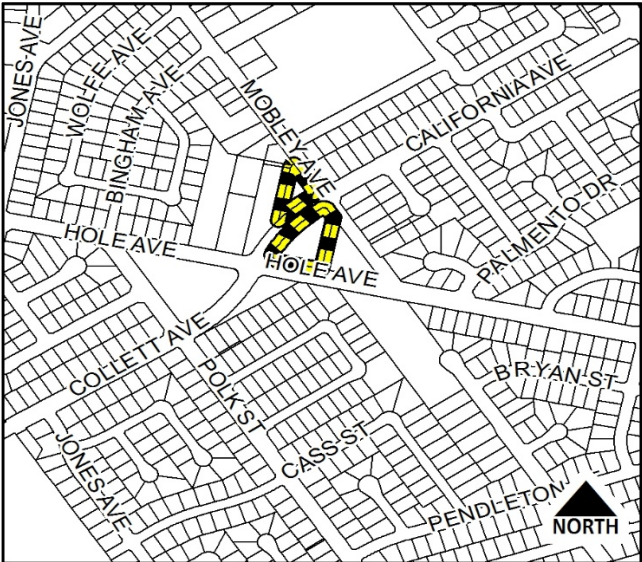




**PLANNING COMMISSION HEARING DATE: SEPTEMBER 19, 2019
AGENDA ITEM NO.: 3**

PROPOSED PROJECT

Case Numbers	P17-0690 (General Plan Amendment) P17-0691 (Zoning Code Map Amendment) P17-0692 (Conditional Use Permit) P17-0693 (Parcel Map) P17-0694 (Design Review)	
Request	To consider the following entitlements to establish a 6,208 square foot automated vehicle wash facility: 1) General Plan Amendment to amend the land use designation of a portion of the proposed project site from MDR - Medium Density Residential to C - Commercial; 2) Zoning Code Amendment to change the zone from R-1-7000 - Single-Family Residential Zone to CR - Commercial Retail Zone; 3) Conditional Use Permit to permit a vehicle wash facility; 4) Tentative Parcel Map No. 37475 to subdivide the 1.86 acre site into 2 parcels (0.46 acres and 1.39 acres); and 5) Design Review of proposed project plans.	
Applicant	Michael Scarbrough of 3K1 Consulting Services, LLC	
Project Location	Northeast corner of California Avenue and Hole Avenue	
APN	143-080-032	
Project area	1.39 acres	
Ward	6	
Neighborhood	La Sierra	
General Plan Designation	MDR – Medium Density Residential	
Zoning Designation	R-1-7000 – Single Family Residential Zone	
Staff Planner	Veronica Hernandez, Associate Planner 951-826-3965 vhernandez@riversideca.gov	

RECOMMENDATIONS

Staff recommends that the Planning Commission recommend that the City Council:

1. **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 recommend that the City Council adopt a Negative Declaration; and
2. **APPROVE** Planning Cases P17-0690 (General Plan Amendment), P17-0691 (Zoning Code Map Amendment), P17-0692 (Conditional Use Permit), P17-0693 (Parcel Map), and P17-0694 (Design Review), 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 1.85-acre site is comprised of a single vacant parcel (one legal lot), bisected by California Avenue. The parcel consists of 1.39 acres to the east and 0.46 acres to the west. Surrounding land uses include vacant property and single family residences to the north (across California Avenue), multi-family residences to the south (across Hole Avenue), commercial and single-family residences to the east, and single family residences to the west (across California Avenue)(Exhibit 3).

On March 8, 1977, the City Council approved an amendment to the Circulation and Transportation Element of the General Plan (Planning Case GP-10-767), to extend California Avenue, which resulted in the bisection of the subject property.

On August 22, 1978, the City Council denied a Zoning Code Amendment (Planning Case R-111-767) to rezone the subject property from the R-1-65 – Single Family Residential Zone to the C-3 – General Commercial Zone.

On June 18, 1998, the City Council approved Parcel Map No. 28844, which would have established the two properties as two legal lots. The Parcel Map was never recorded, and has since expired.

PROPOSAL

The applicant is requesting approval of the following entitlements to establish a 6,208 square foot automated vehicle wash facility: 1) General Plan Amendment to amend the land use designation from MDR - Medium Density Residential to C - Commercial; 2) a Zoning Code Amendment to change the zone from R-1-7000 - Single-Family Residential Zone to CR - Commercial Retail Zone; 3) Conditional Use Permit to permit a vehicle wash facility; 4) Tentative Parcel Map No. 37475 to subdivide the 1.85 acre site into 2 parcels (0.46 acres and 1.39 acres); and 5) Design Review of the proposed project plans.

The parcel consists of two lots bisected by California Avenue: a 1.39-acre lot on the east side of California Avenue (the subject property), north of Hole Avenue, and a 0.46-acre lot on the west side of California Avenue. The applicant is proposing a parcel map to create two separate legal lots, as the lots are currently bisected by California Avenue and cannot be developed together. A General Plan Amendment and Zoning Code Amendment are proposed for the 1.39 acre parcel. The proposed vehicle wash facility will be fully contained on this parcel. No development is proposed for the 0.46 acre parcel at this time.

The proposed vehicle wash facility will consist of a one-story building with a single vehicle wash tunnel, two vacuum rooms, an equipment room, two restrooms, and office, and an employee break room. Thirty-one covered combination vacuum stalls/parking spaces are provided to the east of the vehicle wash building.

The architectural design of the building is modern with Spanish influences and includes a mix of parapet and hip tile roofs, smooth stucco, stone veneer, metal awnings, and aluminum accent green screens. A steel pergola is proposed at the vehicle wash exit adjacent to California and Hole Avenues. Large windows are also proposed facing California Avenue. Access to the site will be provided from a 30-foot wide driveway on Hole Avenue.

The conceptual landscape design features a variety of trees and water-efficient ground cover plants around property lines and landscape planters in the parking lot. A bio-retention basin is proposed behind a landscaped setback along Hole Avenue.

PROJECT ANALYSIS

AUTHORIZATION AND COMPLIANCE SUMMARY

	<i>Consistent</i>	<i>Inconsistent</i>
<p><i>General Plan 2025</i></p> <p>The proposed project is consistent with the proposed General Plan Land Use designation of C – Commercial (Exhibit 4). The proposed land use designation provides for retail, sales, service, and office uses that serve multiple neighborhoods within the City. The proposal to amend the General Plan Land Use designation will be consistent with the following Objective and further the intent of the General Plan 2025:</p> <p><u>Objective LU-59:</u> Maintain and enhance the quality of life in the La Sierra neighborhood.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><i>Zoning Code Land Use Consistency (Title 19)</i></p> <p>The proposed project is consistent with the proposed CR – Commercial Retail Zone, which is consistent with the proposed C-Commercial General Plan Land Use designation (Exhibit 5). The CR – Commercial Retail Zone allows for vehicle wash facilities subject to the approval of a Conditional Use Permit and compliance with Site Location, Operation, and Development Standards. This proposed project is consistent with the applicable development standards for vehicle wash facilities.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><i>Subdivision Code Consistency (Title 18)</i></p> <p>The project proposes a Parcel Map (Parcel Map No. 37475) to subdivide the property into two lots. As proposed, the Parcel Map meets the minimum standards of the Subdivision Code and lot standards of the R-1-7000 – Single Family Residential and CR – Commercial Retail Zones of Title 19 (Zoning Code).</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><i>Compliance with Citywide Design & Sign Guidelines</i></p> <p>The proposed project substantially meets the objectives of the Citywide Design Guidelines for new commercial development related to building siting and orientation, massing, articulation and architectural treatment, parking layout, and landscaping. As proposed and conditioned, the proposed project is consistent with the Citywide Design Guidelines.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Chapter 19.110 Commercial and Office Development Standards for the CR-Commercial Retail Zone					
<i>Standard</i>			<i>Proposed</i>	<i>Consistent</i>	<i>Inconsistent</i>
Floor Area Ratio	0.50		0.11	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lot Requirements	Lot Size	20,000 sq. ft.	60,672 sq. ft. (1.39 acres)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Lot Width	60 feet	± 108 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Lot Depth	100 feet	± 297 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Building Height	75 feet		22 feet, 11 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Setbacks	Front	0 Feet	30 feet (Mobley Avenue) 87 feet (Hole Avenue)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Interior Side	0 Feet	5 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Street Side	0 Feet	15 feet, 6 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Chapter 19.425 Vehicle Wash Facility Development Standards				
<i>Standard</i>		<i>Proposed</i>	<i>Consistent</i>	<i>Inconsistent</i>
Screening of Equipment	Equipment, supplies and activities - Contained within an enclosed building.	Vehicle wash equipment - Located within an enclosed building.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Frontage	Located on Arterial Street	California and Hole Avenues – 88-foot Arterials	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Circulation	Preclude traffic congestion on public streets and provide safe ingress, egress and movement of traffic.	Site access and circulation - Provide safe ingress and egress movements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Landscape Setback	10 foot setback adjacent to any public street	11-32 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Noise	Compliance with Title 7 of the Municipal Code.	Proposed project complies with Title 7 of the Municipal Code.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Water Runoff	Water flow resulting from the washing facilities - Confined to the site.	Water flows - Confined to the site.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>Chapter 19.580</i> <i>Parking and Loading Development Standards</i>				
<i>Standard</i>		<i>Proposed</i>	<i>Consistent</i>	<i>Inconsistent</i>
<i>Parking Requirements</i>	Vehicle Wash Facility: 1 space/ 2 employees per shift = 2 spaces required	31 combination parking spaces/vacuum stalls	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Landscape Setback</i>	15 feet (Hole Avenue)	32 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

FINDINGS SUMMARY

Zoning Code Map Amendment and Conditional Use Permit

Rezoning the property to CR – Commercial Retail Zone will facilitate a commercial development compatible with the surrounding neighborhood.

The proposed vehicle wash facility is an appropriate use for the intersection of California Avenue and Hole Avenue. The proposed project will not be detrimental to the health, safety, or general welfare of the public or surrounding area, and will provide a convenient amenity for the neighborhood.

The site has been designed with adequate vehicular access and internal circulation. The vehicle wash facility provides screening of the drive-thru operations by providing a 3-foot high decorative masonry screen wall and decorative pergola at the vehicle wash entrance and exit and landscaping along Hole and California Avenues. For the reasons stated above, staff can support the Zoning Code Map Amendment and Conditional Use Permit.

ENVIRONMENTAL REVIEW

A Negative Declaration has been prepared for this proposed project in accordance with Sections 15074 of the California Environmental Quality Act (CEQA) Guidelines and Section 21081.6 of CEQA (Exhibit 7). The CEQA documentation states the proposed project will not have a significant effect on the environment.

PUBLIC NOTICE AND COMMENTS

Public hearing notices were mailed to property owners within 300 feet of the site. Staff received one comment letter in opposition, expressing concern about the water usage of a vehicle wash facility and the proliferation of such uses in the surrounding neighborhood (Exhibit 8). The development will be reviewed by Public Works to ensure compliance with the water discharge and treatment requirements. Additionally, the Zoning Code does not provide a minimum separation distance between vehicle wash facilities.

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. Location Map
4. Existing and Proposed General Plan Map
5. Existing and Proposed Zoning Map
6. Project Plans (Site Plan/Floor Plan, Paving Plan, Vehicle Access Exhibit, Preliminary Grading Plan, Cross Section, Erosion Control Plan, WQMP Plan, Utility Plan, Building Elevations, Renderings, Wall Plans & Details, Fence Site Plan, Tentative Parcel Map No. 37374, Conceptual Landscape Plans)
7. Draft Negative Declaration
8. Public Comments
9. Existing Site Photos

Prepared by: Veronica Hernandez, Associate Planner

Reviewed by: Candice Assadzadeh, Senior Planner

Approved by: Mary Kopaskie-Brown, City Planner



EXHIBIT 1 – STAFF RECOMMENDED FINDINGS

PLANNING CASES: **P17-0690** (General Plan Map Amendment)
 P17-0691 (Zoning Code Map Amendment)
 P17-0692 (Conditional Use Permit)
 P17-0693 (Parcel Map)
 P17-0694 (Design Review)

Zoning Code Map Amendment pursuant to Chapter 19.810.040:

1. The proposed Rezoning is consistent with the goals, policies, and objectives of the General Plan;
2. The proposed Rezoning will not adversely affect surrounding properties; and
3. The proposed Rezoning will promote public health, safety, and general welfare and serves the goals and purposes of the Zoning Code.

Conditional Use Permit Findings pursuant to Chapter 19.760.040 (Vehicle Wash Facility):

1. The proposed project 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;
2. The proposed project 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
3. The proposed project 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.



EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES

PLANNING CASES: **P17-0690** (General Plan Map Amendment)
 P17-0691 (Zoning Code Map Amendment)
 P17-0692 (Conditional Use Permit)
 P17-0693 (Parcel Map)
 P17-0694 (Design Review)

1. 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 an additional application and fee may be required.
2. The subject property shall be developed and operated substantially as described in the text of this report and as shown on the proposed project plans on file with this case except for any specific modifications that may be required by these conditions of approval.
3. The applicant is advised that the business or use for which this conditional use permit is granted (Vehicle Wash Facility) cannot be legally conducted on the subject property until all conditions of approval have been met to the satisfaction of the Planning Division.
4. 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 Issuance of Grading Permit:

5. Parcel Map No. 37374 shall be recorded.
6. General Plan Amendment (P17-0690) shall be finalized and/or adopted.
7. Zoning Code Amendment (P17-0691) shall be finalized and/or adopted.
8. If there are any changes to proposed 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 proposed 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 proposed project site if the site design and/or proposed grades should be revised.
9. The Property Owner/Developer shall provide a letter from a County certified Archaeologist and Paleontologist stating that the Property Owner/Developer has retained these individuals, and that the Archaeologist and Paleontologist shall be on call during all grading and other significant ground-disturbing activities in native sediments.

10. 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.
11. A 40-scale precise grading plan shall be submitted to Public Works 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 any applicable recommendations of qualified soils engineer to minimize potential soil stability problems;
 - d. Include a note requiring the developer to contact Underground Service Alert at least 48 hours prior to any type of work within pipeline easement; and
 - e. Identification of location, exposed height, material and finish of any proposed retaining walls.

During Grading and Construction Activities:

12. In the event that Native American cultural resources are inadvertently discovered during the course of grading for this proposed project, the following procedures will be carried out for treatment and disposition of the discoveries:
 - a. During the course of construction, all discovered resources shall be temporarily curated in a secure location on site or at the offices of the proposed project archaeologist. The removal of any artifacts from the proposed project site will need to be thoroughly inventoried with tribal monitor oversight of the process; and
 - b. 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:
 - i. 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;
 - ii. 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;

- iii. If more than one Native American tribe or band is involved with the proposed project and cannot come to a consensus as to the disposition of cultural materials, they shall be curated at the Western Science Center or Riverside Metropolitan Museum by default; and
 - iv. 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 proposed 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.
- 13. 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.
- 14. The proposed 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.
- 15. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the proposed project site.
- 16. 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 proposed project site during all project construction.
- 17. To reduce construction related particulate matter air quality impacts of the proposed project the following measures shall be required:
 - a. The generation of dust shall be controlled as required by the AQMD;
 - b. 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;
 - c. The project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards;
 - d. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;
 - e. Wash off trucks and other equipment leaving the site;
 - f. Keep disturbed/loose soil moist at all times;
 - g. Suspend all grading activities when wind speeds exceed 25 miles per hour; and
 - h. Enforce a 15 mile per hour speed limit on unpaved portions of the construction site.
- 18. The applicant shall be responsible for erosion and dust control during construction phases of the proposed project.

19. 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:

20. Landscaping and Irrigation plans shall be submitted to the Planning Division for review. Design modifications may be required as deemed necessary. Separate applications and filing fees are required.
 - a. The Landscaping and Irrigation Plans must provide planters at the green screens along the northwest elevation (California Avenue), to support plantings in that area.
21. 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.
22. An exterior lighting plan shall be submitted to staff for review and approval. 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. 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). 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 twenty (20) feet in height, including the height of any concrete or other base material.
23. Roof and building mounted equipment shall be fully screened from the public right-of-way. Screening material shall be at least as high as the proposed roof mounted equipment and shall be architecturally integrated with the proposed structure.
24. Ground mounted equipment shall be fully screened from the public right-of-way.

Prior to Release of Utilities and/or Occupancy:

25. 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 proposed project. Contact Veronica Hernandez, Associate Planner, at (951) 826-3965 vhernandez@riversideca.gov to schedule the final inspection at least one week prior to needing the release of utilities.

Site Operation Standards:

26. All operations shall be in compliance with Title 7 (Noise Control) of the Riverside Municipal Code.
27. 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
28. The applicant shall be responsible for maintaining free of litter, the area adjacent to the premises over which they have control.

29. No outdoor pay phones shall be permitted on the premises.
30. 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.
31. No vehicles shall be parked on the carwash premises other than those of persons attending to business on the site, vehicles being serviced for customers, vehicles of employees, and other service vehicles used in the operation of the carwash. No vehicle may be parked on the premises and offered for sale.

Standard Conditions:

32. There is a 36-month time limit in which to satisfy the conditions and record this map. Six subsequent one-year time extensions may be granted by the Community & Economic Development Director upon request by the applicant. Application for a one-year time extension must be made prior to the expiration date of the map. No time extension may be granted for applications received after the expiration date of the map.
33. The General Plan Amendment, Rezoning, Conditional Use Permit, and Design Review 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.
34. 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.
35. The 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.
36. The proposed 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.
37. 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.

38. 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.
39. 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.
40. Failure to abide by all conditions of this Conditional Use Permit shall be cause for revocation.
41. The proposed 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.
42. The plans shall be submitted for plan check review to assure that all required conditions have been met prior to exercising of this permit.
43. 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**

Prior to Building Permit Issuance:

44. 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 (UUFX) 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.
45. One new public fire hydrant is required on California Avenue, closest to the corner of Hole Avenue.
46. 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.
47. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
48. Construction plans shall be submitted and permitted prior to construction.
49. Fire Department access is required to be maintained during all phases of construction.

- **Public Works**

Prior to Building and/or Grading Permit Issuance:

50. Storm Drain construction will be contingent on engineer's drainage study.
51. Installation of sewer lateral(s) to serve the proposed project to Public Works specifications.
52. Size, number and location of driveways to Public Works specifications.
53. All security gates or facilities proposed now or in the future will be located on-site and adequate stacking space and vehicle turn-around area will have to be provided to Public Works specifications.
54. Applicant shall submit to the City for review and approval, a project-specific WQMP that:
 - a. 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;
 - b. Incorporates the applicable Source Control BMP's as described in the Santa Ana River Region WQMP and provides a detailed description of their implementation;
 - c. Incorporates Treatment Control BMP's as described in the Santa Ana River Region WQMP and provides information regarding design considerations;
 - d. Describes the long-term operation and maintenance requirements for BMP's requiring long-term maintenance; and
 - e. Describes the mechanism for funding the long-term operation and maintenance of the BMP's requiring long-term maintenance.
55. 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 Home Owners 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.
56. If the proposed 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.

Prior to Final Inspection:

57. Plant 24" box size trees, on California Avenue, species shall be Cercis Canadensis 'Redbud Forest Pansy'. On Mobley, specie shall be Pittosporum undulatm 'Victorian Box.' On Hole Avenue, species shall be Tabebuia chrysotricha 'Golden Trumpet Tree'. Typical spacing is 35 feet; final spacing will be determined by the Tree Inspector at time of spotting. Quantity and final spotting will determined after site inspection after fine grading and hardscape installation has been completed.
58. Installation of automatic irrigation system to provide deep-root watering to trees is required.

59. Applicant shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of payment. If the proposed 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.

Prior to Closeout or Issuance of Certificate of Occupancy/Certificate of Use:

60. The applicant shall:
- a. Demonstrate that all structural BMP's described in the project-specific WQMP have been constructed and installed in conformance with approved plans and specifications;
 - b. Demonstrate that applicant is prepared to implement all non-structural BMP's described in the approved project-specific WQMP; and
 - c. Demonstrate that an adequate number of copies of the approved project-specific WQMP are available for the future owners/ occupants.
61. Advisory: Protect existing landscaping, irrigation, street trees, walking trail and vinyl fencing in place. Any damages will be the responsibility of the developer/applicant to repair and replace as needed.
- **Public Utilities – Electric**
62. All utilities shall be satisfactorily relocated, protected and/or replaced to the specifications of the affected departments and agencies, and easements for such facilities retained as necessary.
63. Blanket Public Utility Easement required on all parcels.
64. The provision of utility easements, water, street lights and electrical underground and/or overhead facilities and fees in accordance with the rules and regulations of the appropriate surveyor.
65. Provisions for electrical Utility equipment to provide power to the site is the responsibility of the developer. Please make sure that all clearances are maintained and location of the equipment is approved by the Utility.
66. Developer is responsible for all trenching, installation of conduit and sub-structures required to provide power to the site.
67. Plot existing electrical distribution facilities on the original site plan.
68. Please show proposed location of transformers and electrical rooms.
- **Parks, Recreation & Community Services – Park Planning**
69. Developer shall make payment of all applicable Park Development Impact Fees (local, aquatic, regional/reserve and trail fees) per RMC Chapters 16.60, 16.44 and 16.76.

- **Building and Safety**

70. The proposed project shall fully comply with the 2016 version of the California Building, Plumbing, Mechanical, Electrical, Green, Energy and Fire Codes as adopted and amended by the City of Riverside; **or** the version of these codes in effect at the time a new permit application is filed.
71. License Design Required: Given the proposed project scope of work, an appropriately Licensed California Design Professional is required and the plans and supporting documents shall bear the stamp, date, and signature of the Licensed Professional in accordance with Sections 5537 and 6737 of the California Business & Professions Code.
72. Plan Review Policy: Building plan review fees will cover the initial plan check and two rechecks only. Any additional review required beyond the first three (3) shall be paid by the applicant on an hourly basis in accordance with the currently adopted B&S fee schedule.
73. Turnaround Times: The proposed project requires a 20 working day (4 week) review period for the initial plan check turnaround and a 10 working day (2 week) back check for each subsequent plan review.

Advisory: Expedited plan review services may be available that can reduce the plan check turnaround times in half for an additional fee. Please make any such requests at the permit counter prior to plan check submittal in order to verify staff availability.
74. Conditions of Approval: A copy of the City Conditions of Approval, signed by the applicant, shall be incorporated as the second sheet of the building plans and be present at the time of initial plan check submittal. Building plans must show in detail how they will conform to the required conditions as applicable.
75. Plan Review Submittal Package: Plan Review Submittal Package: At the time of the initial plan check submittal and permit application; (4) complete sets of building plans, which include grading plans, architectural, structural, and MEP plans, are required. In addition, (2) sets of supporting structural calculations, Title 24 energy compliance reports, soil reports, or other related project specifications shall be submitted by the applicant prior to the commencement of plan review services
76. Building Fees: All building plan check, permit, and other development related impact fees from the various City Departments and Agencies must be paid prior to building permit issuance.
77. Separate Permits Required: A separate review, approval and permit is required for any proposed onsite improvements NOT specially included within this permit application scope of work, as required by the City of Riverside. For example, any onsite structural demolition, perimeter walls and fences, retaining walls, trash enclosures, light standards, signs, etc.
78. Soil Report: A soil report with a study of liquefaction potential is required in accordance with the provisions set forth in the most recently adopted version of the California Building Code.
79. Structural Calculations: Two (2) sets of supporting structural calculations shall be prepared under the direction of a California licensed Engineer or other appropriately licensed design professional. Each set of structural calculations shall bear the wet stamp, date and signature of the licensed design professional prior to permit issuance.
80. Green Code: Building alterations with a permit valuation of \$200,000 or above shall comply with the most recent version of the state adopted California Green Building Standards Code.

Advisory: The City of Riverside enforces the Mandatory Measures adopted by the State and not the Tier 1 or 2 Green Standards which are optional to the applicant.

81. Project Scope of Work: A detailed scope of work shall be provided on the title sheet of the building plans clearly indicating all proposed building and site improvements to be reviewed by the City under the proposed permit application.

Advisory: Not providing clear project information may delay the review and approval process and subsequent permit issuance.

82. Accessibility: The proposed project shall fully comply with Chapter 11-B of the most recent version of the California Building Code and include all exterior and interior accessible features as required.

- a. On the civil and architectural site plans, clearly indicate the accessible route(s) from public way on site and interconnecting each building onsite, along with all accessible parking and paths of travel to the buildings entrance.
- b. An accessible route is required from the building to any trash enclosure on site if the facility has employees on site.
- c. If the building includes employee workstations, fully accessible restroom(s) are required.

83. Title 24 Energy Standards Compliance: Each set of building plans shall incorporate a copy of all required Title 24 California energy compliance reports, supporting documents, and mandatory measures based on the most recent version of the adopted Energy Standards; including but not limited to the building envelope, lighting systems (both internal and external), mechanical HVAC systems and water heaters, where applicable.

Advisory: Assure that the required energy report(s) are generated using the latest version of the States approved energy software solution(s) and that each report is registered with an approved HERS provider prior to initial plan check submittal.

84. Waste Pre-Treatment Required: The proposed carwash facility shall obtain written review and approval from the City Public Works Environmental Compliance Division for the required in ground clarifier on site. Complete plans are required at the time of building plan check submittal.

Advisory: Additional plan review comments may be forthcoming once construction drawings are completed and submitted for a comprehensive building plan check prior to permit issuance.

- **Environmental Compliance**

Prior to Building Permit Issuance:

85. 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.
86. If a sampling station is required—submit proposed installation on corrected plans.
87. Applicant must request inspection to verify the required installation or construction via inspection by EC Section representative, with a report stating that conditions have been met, and the permit card (if applicable) signed off by EC Inspector.
88. Proposed trash enclosures with drains to sanitary sewer must have cover to control rainwater intrusion.

Advisory: Other items for correction may need to be completed after actual plans are submitted for a formal review.

- **Public Utilities – Water**

89. No Conditions