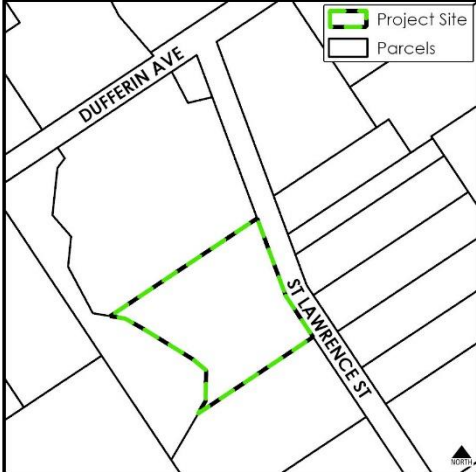




**PLANNING COMMISSION HEARING DATE: AUGUST 14, 2025  
AGENDA ITEM NO.: 2**

**PROPOSED PROJECT**

Case Number	PR-2021-001174 (Conditional Use Permit and Grading Exception)	
Request	To consider the following entitlements to legalize existing accessory structures: 1. Conditional Use Permit to permit accessory structures within the Water Course Overlay Zone; and 2. Grading Exception to allow grading and development within the Woodcrest Arroyo and the 50-foot setback buffer.	
Applicant	Lynette Pasley	
Project Location	2190 St. Lawrence Street, situated on the west side of St. Lawrence Street between Dufferin Avenue and Hermosa Drive	
APN	237-130-023	
Project Area	4.66-acres	
Ward	4	
Neighborhood	Arlington Heights	
General Plan Designation	A/RR – Agricultural/Rural Residential and OS – Open Space/Natural Resources	
Zoning Designation	RA-5 – Residential Agricultural Zone and RA-5-WC – Residential Agricultural and Water Course Overlay Zones	
Staff Planner	Candice Assadzadeh, Senior Planner 951-826-5667 <a href="mailto:cassadzadeh@riversideca.gov">cassadzadeh@riversideca.gov</a>	

## RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. **DETERMINE** that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15303 (New Construction or Conversion of Small Structures) and 15311 (Accessory Structures) of the CEQA Guidelines, as the project will not have a significant effect on the environment; and
2. **APPROVE** Planning Case PR-2021-001174 (Conditional Use Permit and Grading Exception) 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 4.66-acre project site is fully developed with a single-family residence, detached garage, and multiple accessory structures including: sheds, a horse barn, covered pipe corrals, covered wash pen, horse arena, and covered hay barn. Surrounding land uses include residential uses to the north, south, east (across St. Lawrence Street), and west (Exhibits 3 and 4).

A portion of the site was previously used as a riding stable and academy "Pony Hayvin Ranch", which is permitted by right in the RA-5 – Residential Agricultural Zone, but the academy has since been relocated out of city limits and the remaining site improvements are for personal use. Site improvements, including the construction of multiple accessory structures, were completed without permits to facilitate the riding stable and academy. The accessory structures were issued a Code Enforcement citation in 2018, as they were constructed without proper entitlements and permits. The property owner has since been working with the City's development departments to address the citation, with the submittal of the applicable entitlements.

A portion of the site is within the WC – Water Course Overlay Zone which was applied to the subject site in 1985 (Planning Case RZ-079-845). The application of the overlay zone was a condition of approval of Parcel Map No. 20264, which created a total of three parcels, including the parcel immediately to the north and south of the subject site. The condition of approval required that all land within the 100-year flood plan be placed in the Water Course Overlay Zone.

Additionally, the southern portion of the site is located within the Woodcrest Arroyo and the 50-foot arroyo setback. The location of the arroyos were mapped in the Grading Code and adopted by City Council in 1998. It is estimated that of the 4.66-acre project site, approximately 3.25-acres are located within the Woodcrest Arroyo and the 50-foot arroyo setback, leaving only 30-percent of the site to be developed.

## PROPOSAL

The applicant is requesting approval of the following entitlements to legalize unpermitted accessory structures:

- Conditional Use Permit to permit accessory structures within the Water Course Overlay Zone; and
- Grading Exception to allow grading and development within the Woodcrest Arroyo and the 50-foot setback buffer.

The project site consists of eleven unpermitted accessory structures, totaling approximately 22,931 square feet and multiple non-structural site improvements.

Four of the accessory structures and site improvements are located within the boundaries of the mapped Woodcrest Arroyo and 50-foot setback buffer, specifically:

- Horse Barn – 1,887 SF

- Covered Pipe Corral – 2,210 SF
- Covered Wash Pen – 896 SF
- Covered Hay Barn – 2,412 SF
- Redwood Retaining Walls (15-inches in height) and stairs

Six of the accessory structures and site improvements are located within the boundaries of the mapped Woodcrest Arroyo and 50-foot setback buffer and within the WC – Water Course Overlay Zone, specifically:

- Tool Shed – 165 SF
- Two Tack Sheds – 207 SF each, totaling 414 SF
- Two Covered Pipe Corrals – 3,242 SF and 3,744 SF
- Horse Arena – 7,621 SF
- Irrigation Pond
- Infiltration Basin

One existing 340 SF shed located at the northwest corner of the property that is outside both the Woodcrest Arroyo and the WC – Water Course Overlay Zone.

## PROJECT ANALYSIS

### Authorization and Compliance Summary

	Consistent	Inconsistent
<p><b>General Plan 2025</b></p> <p>The General Plan 2025 Land Use Designation for the site is A/RR – Agricultural/Rural Residential and OS – Open Space/Natural Resources (Exhibit 5). The proposed project is consistent with the Objectives and Policies of the General Plan 2025, specifically:</p> <p><u>Objective LU-38:</u> Preserve and enhance Arlington Heights' major cultural-historical and environmental amenities, including citriculture, arroyos, hillsides, Victoria Avenue and the Gage Canal, while providing opportunities for residential development that is sensitive to the neighborhood's heritage.</p> <p>The site is located within the Arlington Heights neighborhood, which is the heart of the City's greenbelt. The equestrian use of the site is a direct tie to the neighborhood's heritage.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Zoning Code Land Use Consistency (Title 19)</b></p> <p>The project site is zoned RA-5 – Residential Agricultural Zone and RA-5-WC – Residential Agricultural and Water Course Overlay Zones, consistent with the A/RR – Agricultural/Rural Residential and OS – Open Space/Natural Resources General Plan land use designations (Exhibit 6).</p> <p>The RA-5 Zone allows for animal keeping of non-domestic animals (equine) by right, subject to compliance with the Site Location, Operation, and Development Standards. The WC Overlay Zone allows for accessory structures subject to the approval of a Conditional Use Permit and determination that the structures do not</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<p>significantly affect the carrying capacity of the particular flood way, subject to approval of the City Engineer.</p> <p>The project Civil Engineer determined that the slab elevation of the accessory structures varies, ranging from at or above the base flood elevation to 9 feet below the base flood elevation (Exhibit 8).</p> <p><u>Horse Barn (1,887 SF):</u> The horse barn is at the base flood elevation and therefore does not impact the carrying capacity of the floodway.</p> <p><u>Shed (340 SF):</u> The 340 square foot shed at the northwest corner of the property is above the base flood elevation and therefore does not impact the carrying capacity of the floodway.</p> <p><u>Tack Sheds (207 SF each):</u> The sheds along the north property line each provide under 160 square feet of surface area perpendicular to the direction of flow. The sheds would result in less than a foot of rise in the flood plain and therefore does not impact the carrying capacity of the floodway.</p> <p><u>Hay Storage Barn (2,412 SF):</u> The hay storage barn has a surface area equal to approximately half of the flood plan cross-sectional area. The project Engineer recommended that the structure should either be removed or the exterior walls taken down, so that it is open in nature, similar to the other structures. The applicant has proactively removed the exterior walls of the hay barn, consistent with the recommendations of the project Engineer.</p> <p><u>Covered Pipe Corral (3,744 SF):</u> The 3,744 square foot pipe corral has lower panels on all sides. The panels on the long sides are parallel to the path of flow and would not have any impact on the carrying capacity of the drainage. The panels on both ends are perpendicular to the direction of flow; the project Engineer recommended that these panels should be removed. The applicant has proactively removed the exterior walls of the hay barn, consistent with the recommendations of the project Engineer.</p> <p><u>Circular Pipe Corral (2,210 SF):</u> The circular pipe corral has bamboo lower panels. The project Engineer recommended that these panels be removed so there is no obstruction of water flow. If the panels cannot be removed, the project Engineer recommends that the structure is removed. This recommendation has been added as a condition of approval.</p> <p>The project is consistent with all applicable development standards of the Zoning Code.</p>		
<p><b><i>Hillside and Arroyo Grading Ordinance Consistency (Title 17)</i></b></p> <p>The project site is subject to Section 17.28.020 - Hillside/Arroyo Grading provisions of the Grading Code, due to the project site being located within the Woodcrest Arroyo and containing a blue line stream at the southwest boundary of the property. The proposal is generally consistent with the grading standards and requirements established in the Grading Code with the exception of the following:</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<p>1) Grading and development within the mapped Woodcrest Arroyo and the 50-foot setback.</p> <p>The Grading Code allows for consideration of Grading Exceptions to deviate from the development standards. The applicant is requesting a Grading Exception to legalize unpermitted structures within the boundaries of the Woodcrest Arroyo and 50-foot setback buffer (Exhibit 9).</p>		
<p><b>Riverside County Airport Land Use Compatibility Plan</b></p> <p>The project site is partially located within Compatibility Zone E (Other Airport Environs) of the March Air Reserve Base / Inland Port Airport Land Use Compatibility Plan. Zone E does not restrict residential density or uses. Staff has determined that the proposed project is consistent with the March Air Reserve Base / Inland Port Airport Land Use Compatibility Plan.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

<b>Chapter 19.440 – Accessory Structures and Buildings</b>					
<b>Standard</b>			<b>Proposed</b>	<b>Consistent</b>	<b>Inconsistent</b>
<b>Building Setbacks</b>	Interior Side	5 feet	Minimum of 5 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rear	5 feet	Minimum of 81 feet (Horse Arena)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Maximum Building Setback Lot Coverage</b>	Side	35 percent	21 percent	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rear	35 percent	0 percent	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Lot Coverage</b>	30 percent		17 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Building Height</b>	20 feet		Maximum of 18 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## FINDINGS SUMMARY

### Conditional Use Permit

With the granting of the Conditional Use Permit, the unpermitted accessory structures in the WC – Water Course Overlay Zone, would be permitted. The accessory structures are ancillary to the primary residential use of the property, and allow for the keeping of equine, which helps to further preserve the agricultural character of the RA-5 – Residential Agricultural Zone. The placement of the accessory structures have been analyzed by the applicant's Civil Engineer, and with concurrence from the City Engineer, determined that the accessory structures do not impact the carrying capacity of the floodway. Therefore, the proposed project will not have substantial adverse effects on the surrounding properties or uses. 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. The project complies with the standards of the Zoning Code.

#### *Grading Exception*

The project site is subject to Section 17.28.020 - Hillside/Arroyo Grading provisions of the Grading Code, due to the project site being located within the Woodcrest Arroyo and containing a blue line stream at the southwest boundary of the property.

A site-specific Biological Resources Assessment was prepared for the project by Jennings Environmental, LLC, consisting of a literature review, site walk, and assessment of biological and wildlife resources. The qualified Biologist determined that no impacts occurred to the Woodcrest Arroyo, state and federal waters, and MSHCP riparian/riverine resources as a result of the proposed project. Additionally, a baseline site assessment was prepared by Riverside-Corona Resource Conservation District (RCRCD), and it was concluded that the normal hydrological functions of the Woodcrest Arroyo are present in the form of carrying storm runoff and natural erosion and sedimentation processes.

The construction of the accessory structures has not impacted the Woodcrest Arroyo topographically, hydrologically, or biologically. The applicant provided justifications in support of the Grading Exception request (Exhibit 9). Exhibit 1 outlines the necessary findings in support of the Grading Exception to allow grading and development within the mapped Woodcrest Arroyo and the 50-foot setback buffer.

## **ENVIRONMENTAL REVIEW**

The Planning Division of the Community & Economic Development Department determined the proposal to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Sections 15303 (New Construction or Conversion of Small Structures) and 15311 (Accessory Structures) of the CEQA Guidelines, as the 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. As of the writing of this report, no responses have been received by staff regarding the proposed project.

## **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. Conditions of Approval
3. Existing Site Photos
4. Location Map
5. General Plan Map
6. Zoning Map
7. Woodcrest Arroyo Map
8. Project Plans (Civil Site Plan, Water Course Overlay Zone Narrative)
9. Applicant Prepared Grading Exception Justifications
10. Biological Resources Assessment, prepared by Jennings Environmental, LLC, dated May 2025

---

Prepared by: Candice Assadzadeh, Senior Planner  
Reviewed by: Brian Norton, Principal Planner  
Approved by: Maribeth Tinio, City Planner



*EXHIBIT 1 – FINDINGS*

**PLANNING CASE: PR-2021-001174** (Conditional Use Permit and Grading Exception)

**Conditional Use Permit Findings pursuant to Chapter 19.760.040, as outlined in the staff report:**

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 purpose of the Zoning Code and the application of any required development standards in the furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest.

**Grading Exception Findings pursuant to Chapter 17.32.020**

Request: To allow grading and development within the mapped Woodcrest Arroyo and the 50-foot setback buffer.

1. **That the strict application of the provisions of this Title would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent Title 17.**

The proposal complies with this finding. Strict application of the Grading Code would require complete avoidance of development and grading within the mapped Woodcrest Arroyo and 50-foot setback buffer.

The applicant is requesting a Grading Exception to allow grading and development within a portion of the Woodcrest Arroyo and 50-foot setback buffer. These established boundaries, as outlined in Section 17.080.011 of the Grading Code, were mapped using aerial photographs, and did not include site-specific evaluations of the topography and ecological habitat.

There was minimal and selective vegetation removal and minor surfacing leveling within the project site to provide safe and functional access for equestrian use. Construction of the accessory structures did not contain any significant earth movement, alteration of slope stability, or disruption of natural drainage patterns that would constitute as grading, as defined by the Grading Code.

The vegetation that was removed consisted primarily of invasive species, including tumbleweeds and Tamarisk (salt cedar) which are known to displace native vegetation, reduce soil quality, and degrade habitat value for native wildlife. Eliminating invasive vegetation allowed for the re-establishment of native plant communities, which in turn enhances habitat quality for birds, pollinators, and small mammals. This positively contributes to the preservation of the biological resources in the region and aligns with the local and state conservation goals.

Furthermore, a site-specific Biological Resources Assessment was prepared for the project, consisting of a site walk and assessment of biological and wildlife resources. The qualified



Biologist determined that the proposed project did not impact any biological resources, including the Woodcrest Arroyo. Additionally, a baseline site assessment was prepared by Riverside-Corona Resource Conservation District (RCRCD), and it was concluded that the normal hydrological functions of the Woodcrest Arroyo are present in the form of carrying storm runoff and natural erosion and sedimentation processes.

Therefore, the strict application of the provisions of Title 17 (Grading Code) result in practical difficulties and unnecessary hardships inconsistent with the general purpose and intent of Title 17, which are to protect life, limb, property, the public welfare and the physical environment by regulating grading on private property, and to further regulate hillside and arroyo grading in a manner which minimizes the adverse effects of grading on natural landforms, soil erosion, dust control, water runoff, and construction equipment emissions.

2. **That there are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.**

The proposal complies with this finding. The established boundaries of the Woodcrest Arroyo, as outlined in Section 17.080.011 of the Grading Code, were mapped using aerial photography instead of site-specific evaluations. While the project site is located within the mapped Woodcrest Arroyo, the site is more level and stable compared to many parcels within mapped arroyo areas which contain steep slopes, uneven topography, or altered drainage patterns.

A site-specific Biological Resources Assessment was prepared for the project, consisting of a site walk, and assessment of biological and wildlife resources. The qualified Biologist determined that the project site features a pre-development natural drainage pattern, consisting of an earthen channel, along the southwest portion of the site in alignment with historic conditions, dating back to 1948. Furthermore, the qualified Biologist determined that through a review of historical aerials indicate that the project site has been subject to different agricultural and residential uses over the last 74 years, which has contributed to maintaining the natural drainage pattern of the earthen channel.

The site is located in a RA-5 – Agricultural Residential Zone and the Arlington Heights neighborhood, which is the City's greenbelt area. RA-5 Zoned properties are typically large lots and have been historically developed with very-low density residential uses and associated agricultural and animal keeping uses. Neighboring parcels to the east (across St. Lawrence Street) and to the west (fronting onto Adams Street) also share the same RA-5 zoning, but the development restrictions do not apply to these parcels.

Additionally, historical aerials show remnants of development within mapped Woodcrest Arroyo area dating back to 1998, when the arroyos were mapped using aerial photography. The previous development did not impact the Woodcrest Arroyo topographically, hydrologically, or biologically.

For the reasons stated above, there are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not generally apply to other property in the same zone or neighborhood.

3. **That the granting of a waiver will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which the property is located.**

The proposal complies with this finding. The established boundaries of the Woodcrest Arroyo, as outlined in Section 17.080.011 of the Grading Code, were mapped using aerial photography instead of site-specific evaluations. A site-specific Biological Resources Assessment was prepared for the project, consisting of a site walk, and assessment of biological and wildlife resources. The qualified Biologist determined that no impacts occurred

to the Woodcrest Arroyo, state and federal waters, and MSHCP riparian/riverine resources as a result of the proposed project. Additionally, a baseline site assessment was prepared by Riverside-Corona Resource Conservation District (RCRCD), and it was concluded that the normal hydrological functions of the Woodcrest Arroyo are present in the form of carrying storm runoff and natural erosion and sedimentation processes.

Furthermore, the project Civil Engineer accessed the location of the accessory structures within the WC – Water Course Overlay Zone and determined that with modifications, the structures do not significantly affect the carrying capacity of the particular flood way (Exhibit 8).

The construction of the accessory structures has not impacted the Woodcrest Arroyo topographically, hydrologically, or biologically. Therefore, the granting of a waiver will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which the property is located.



*EXHIBIT 2 – CONDITIONS OF APPROVAL*

**PLANNING CASE: PR-2021-001174** (Conditional Use Permit and Grading Exception)

**Planning**

1. Legalization of on-site structures shall occur based upon the following time frames:
  - a. Applicant shall initiate and pull building permits no later than 90-days after the final approval of the entitlements; and
  - b. All structures shall receive an approved Final Inspection no later than 6-months from the approval of the entitlements.
2. 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.
3. The subject property shall be developed and operated substantially as described in the text of this report and as shown on the project plans on file with this case except for any specific modifications that may be required by these conditions of approval. Any proposed future development or modifications to the approved herein may require specific environmental technical studies and entitlements.

*Prior to Issuance of Grading Permit:*

4. 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:*

5. 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.
6. If earth moving activity is required as a requirement of future modifications, the project shall comply with all SCAQMD requirements in affect at the time for air quality impacts.

7. The applicant shall be responsible for erosion and dust control during construction phases of the project.
8. 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 Issuance of Building Permit:*

9. **]**Ensure that the plans provided for building permit plan check incorporates the following revision:
  - a. The panels on the 2,210 square foot circular pipe corral shall be removed, consistent with the recommendations of the project Engineer. If the panels cannot be removed, the entire structure must be demolished, consistent with the recommendations of the project Engineer.

*Site Operation Standards:*

10. All operations shall comply with Title 7 (Noise Control) of the Riverside Municipal Code.

*Standard Conditions:*

11. There shall be a two-year time limit for 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.
12. The Conditional Use Permit and Grading Exception 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.

**Please be advised that the applicant will not be notified by the Planning Division about the pending expiration of the subject entitlement.**

13. 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.
14. 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.

15. 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.
16. 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.
17. 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.
18. The Applicant is subject to this Conditional Use Permit and Grading Exemption 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.
19. Failure to abide by all conditions of this Conditional Use Permit and Grading Exemption shall be cause for revocation.
20. 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**

21. Codes in Effect: The proposed project shall fully comply with the 2022 Edition of Title 24, the California Building Standards Code, as adopted and amended by the City of Riverside, or the edition of these codes in effect at the time a building permit application is filed.
22. Fire Apparatus Access Roads: Existing fire apparatus access roads shall be maintained in accordance with California Fire Code (2022) §503, as adopted and amended by the City of Riverside.

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

##### Conditions to be fulfilled prior to final inspection unless otherwise noted:

23. An Encroachment Permit is required to be processed through the Public Works Department to allow existing private improvements to be within the public right of way.
24. 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:
  - 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.
25. 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 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.
26. Prior to building or grading permit closeout or the issuance of a certificate of occupancy or certificate of use, 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.
27. On site plan, provide linear footage labels, clearly marked, along all parcel lines.
28. Prior to permit issuance, add the following notes to the site/plot or landscape plans and contact the Public Works Department Tree Inspector for review and approval:
- Protect in place existing citrus trees in public right-of-way along St Lawrence Street. If existing citrus 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-inch box size trees to match existing. Planting, staking, irrigation, root barriers to Landscape & Forestry specifications.
29. All new/unpermitted nonresidential structures within the Special Flood Hazard Zone AE shall either be elevated to 1-foot above the base flood elevation to conform with Section 16.18.100.C.1 of the Riverside Municipal Code (RMC) or:
- a. Be floodproofed, together with attendant utility and sanitary facilities, below the elevation recommended under Section 16.18.100.C.1 of the RMC, so that the structure is watertight with walls substantially impermeable to the passage of water;
  - b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
  - c. Be certified by a registered civil engineer or architect that the standards of Section 16.18.100.C.2.a and b of the RMC are satisfied. Such certification shall be provided to the Public Works Flood Plain Administrator.