

## **CONDITIONS OF APPROVAL**

|                          |                          |
|--------------------------|--------------------------|
| <b>PROJECT:</b>          | PA 2018-63/CUP 2018-20   |
| <b>PROJECT NAME:</b>     | RePlanet Recycling Kiosk |
| <b>PROJECT LOCATION:</b> | APN: 365-280-019         |
| <b>APPROVAL DATE:</b>    | February 19, 2019        |
| <b>EFFECTIVE DATE:</b>   | March 6, 2019            |
| <b>EXPIRATION DATE:</b>  | March 6, 2021            |

## **GENERAL CONDITIONS**

1. Planning Application (PA) No. 2018-63 (Conditional Use Permit (CUP) No. 2018-20) consists of a request by Permit Advisors, to legalize an existing recycling kiosk that is located within the parking lot of an existing commercial complex (Project). The Project is located near the intersection of Malaga Road and Mission Trail and more specifically referred to as 32281 Mission Trail, Lake Elsinore, CA. 92530. (APN: 365-280-019).
2. The applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City, its Officials, Officers, Employees, and Agents from any claim, action, or proceeding against the City, its Officials, Officers, Employees or Agents to attack, set aside, void, or annul an approval of the City, its advisory agencies, appeal boards, or legislative body concerning CUP 2018-20.
3. Within 30 days of Project approval and prior to issuance of any building permits, the applicant shall sign and complete an "Acknowledgement of Conditions," and shall return the executed original to the Community Development Department for inclusion in the case records.

## **PLANNING DIVISION**

4. Conditional Use Permit No. 2018-20 shall lapse and become void two years following the date on which the Conditional Use Permit became effective, unless one of the following: (1) prior to the expiration of two years, a building permit related to the conditional use permit is issued and construction commenced and diligently pursued toward completion; or (2) prior to the expiration of two years, the applicant has applied for and has been granted an extension of the design review approval pursuant to subsections (B) and (C) of LEMC Section 17.168.080. Subject to the provisions of LEMC Section 17.168.110, a conditional use permit granted pursuant to the provisions of this section shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the Conditional Use Permit application.
5. The decision of the Planning Commission shall be final 15 days from the date of the decision, unless an appeal has been filed with the City Council pursuant to the provisions of Chapter 17.168.070 of the Lake Elsinore Municipal Code (LEMC).
6. The Applicant shall meet all applicable City Codes, County, State and Federal laws.
7. The applicant shall at all times comply with Section 17.176 (Noise Ordinance) of the LEMC.
8. The Conditional Use Permit granted herein shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of this

approval. An application for modification, expansion or other change in a Conditional Use Permit shall be reviewed according to the provisions of the LEMC, Title 17 in a similar manner as a new application.

9. A business license shall be obtained within ten (10) days of approval and kept current.
10. There shall be no loitering in or around the business. No loitering signs shall be installed.
11. Conditional Use Permit No. 2018-20 shall be consistent with the floor plan prepared by the applicant and included in the staff report. In the event the applicant proposes to modify the floor plan, the modification shall be subject to review by the Community Development Director. Prior to modification, the Community Development Director may approve the modification or refer the matter to the Planning Commission if determined to be substantial.
12. Business hours shall be limited to Monday through Sunday from 7:00 AM to 7:00 PM. In the event the applicant proposes to modify the hours of operation, the modification shall be subject to review by the Community Development Director. The Community Development Director may approve the modification or refer the matter to the Planning Commission if judged to be substantial.
13. A Temporary Use Permit or Special Event Permit, as applicable, shall be obtained prior to conducting any and all outdoor events on the subject property.
14. If operation of this use triggers concerns related to parking, noise, traffic, or other impacts, at the discretion of the Community Development Director, this Conditional Use Permit may be referred back to the Planning Commission for subsequent review at a Public Hearing. If necessary, the Commission may modify, or add conditions of approval to mitigate such impacts, or may revoke said Conditional Use Permit.
15. Any proposed exterior signage shall comply with LEMC, Title 17 requirements and be subject to a sign permit.
16. Trailers must be maintained in good condition at all times.
17. Must remove graffiti within twenty-four (24) hours.
18. Must obtain an electrical permit for any electrical on the exterior or interior of the trailers.
19. Must obtain a building permit as well as a commercial business license.
20. Must provide adequate lighting for security.
21. The project area shall be kept clear of all trash, rubbish and debris at all times.

**STORM WATER MANAGEMENT / POLLUTION PREVENTION / NPDES:**

22. The project is responsible for complying with the Santa Ana Region NPDES Permits as warranted based on the nature of development and/or activity.

23. The project shall execute and cause to be recorded an Operations and Maintenance Agreement in the approved City format.
24. Project shall have a minimum of four (4) trash cans onsite; two (2) for general trash and two (2) for non-CRV recyclables. Trash cans shall have lids to limit discharge.
25. Two wet bins shall be provided for dumping of liquids from containers. The wet bins shall be dumped in the sanitary sewer daily.
26. Trash shall be kept picked up at all times; trash cans shall be emptied when full and at the close of business and disposed of using CR&R.
27. Project shall have a spill kit onsite.
28. Project shall use dry clean-up methods and/or a mop and bucket for daily cleanup. Disposal of mop water shall be to sanitary sewer.
29. The project shall power wash the site twice a month; BMPs shall be deployed to capture water used in the power washing activity.
30. Project shall be manned during all operational hours.
31. Project is responsible for ensuring that pollutants from the site do not enter the storm drain system. City Municipal Code 14.08 defines "Pollutant" as:

"Pollutant" means anything which causes the deterioration of water quality such that it impairs subsequent and/or competing uses of the water. Pollutants may include but are not limited to paints, oil and other automotive fluids, soil, rubbish, trash, garbage, debris, refuse, waste, ...hazardous waste, chemicals,... animal waste, offensive matter of any kind.

#### **BUILDING DIVISION**

32. Obtain manufacturers Building specs.
33. Maintain ADA accessibility.
34. Homeless prevention plan is required.

#### **CITY OF LAKE ELSINORE FIRE MARSHALL**

35. Obtain one (1) fire extinguisher with a 2A-10BC rating per site.

I hereby state that I acknowledge receipt of the approved Conditions of Approval for the above named project and do hereby agree to accept and abide by all Conditions of Approval as approved by the City of Lake Elsinore Planning Commission on February 19, 2019. I also acknowledge that all Conditions shall be met as indicated.

Date: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone Number: \_\_\_\_\_