



WHEN RECORDED MAIL TO:

City Clerk
City of Riverside
City Hall, 3900 Main Street
Riverside, California 92522

Project: 04-0174

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**COVENANT AND AGREEMENT AND
DECLARATION OF RESTRICTIONS**

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This Covenant and Agreement and Declaration of Restrictions is made and entered into this 17th day of June, 2004, by GUSTAV G. KUHN AND ERNA M. KUHN, husband and wife as community property ("Declarants") with reference to the following facts:

A. Declarants are the fee owner of that certain real property (the "Property") located in the City of Riverside, County of Riverside, State of California, described as follows:

The Northerly 150 feet of the Easterly one-half of the Easterly one-half of Lot 1 in Block 28 of the Riverside Land and Irrigating Company, as shown by Map on file in Book 1 Page 70 of Maps, Records of San Bernardino County, California

B. The Property consists of approximately 0.56 vacant acres at 3396 Harrison Street, situated on the southwest corner of Indiana Avenue and Harrison Street. An application has been filed with the City of Riverside ("City") as Case No. 04-0174 to rezone the property from its current zoning of R-1-65 Single Family Residential to a combination of MP Manufacturing Park and M-2 General Industrial, in repetition of an established pattern of the adjacent property to the west.

C. As a condition to the approval by the City in Case No. 04-0174, Declarants are required to prepare and record a covenant and agreement to limit the list of permitted uses for future development on the Property to only those permitted by the C-2 Restricted Commercial and MP Manufacturing Park Zones.

NOW, THEREFORE, for the purpose of complying with the conditions imposed by the City for the approval of the Property, Declarants hereby covenant and agree that the Property is, and shall hereafter be held, transferred, sold, conveyed, hypothecated, encumbered, leased, rented, improved, used and occupied subject to the following declarations, limitations, covenants, conditions and restrictions:

DESCRIPTION APPROVAL 6/17/04
Clerk
CITY OF RIVERSIDE

80-2

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1. That only the following uses shall be permitted: Any use permitted by Section 19.34.020 USES PERMITTED in the C-2 Restricted Commercial Zone of the Riverside Municipal Code at the date of execution of this Covenant. A Conditional Use permit shall be obtained for any C-2 use which by code requires a Conditional Use Permit. Any use permitted by Section 19.46.020 USES PERMITTED in the MP Manufacturing Park Zone of the Riverside Municipal Code at the date of execution of this Covenant. A copy of said Sections 19.34.020 and 19.46.020 are attached hereto as Exhibit "A" and incorporated herein by this reference.

2. Outdoor storage shall not be permitted or allowed.

3. Building height shall be limited to 45 feet.

4. Signs used shall meet the criteria applicable to shopping centers in the C-2 Zone.

5. This Covenant and Agreement shall not be subject to the doctrine of merger, even though the underlying fee ownership of the Property described herein, or any parts thereof, is vested in one party or entity.

6. Subject to the prior written approval of the City, by its Planning Director, any provision contained herein, may be terminated, modified or amended as to all of the Property or any portion thereof. No such termination, modification or amendment shall be effective until there shall have been executed, acknowledged and recorded in the Office of the Recorder of Riverside County, California, an appropriate instrument evidencing the same including the consent thereto by the City.

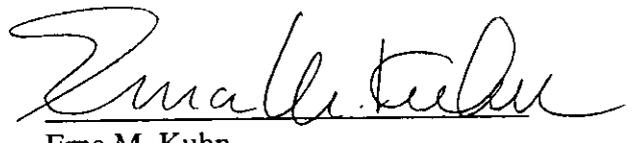
7. Any person, whether an individual, corporation, association, partnership, or otherwise, who now or hereafter owns or acquires any right, title or interest in or to any portion of the Property shall be deemed to have consented and agreed to the restrictions on the use of the Property as set forth herein above.

8. The terms of this Covenant and Agreement and Declaration of Restrictions may be enforced by the City, and its successors and assigns. Should the City bring an action to enforce any of the terms of this Covenant and Agreement and Declaration of Restrictions, the prevailing party shall be entitled to court costs, including reasonable attorneys' fees.

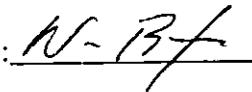
9. This Covenant and Agreement and Declaration of Restrictions shall run with the land and each and all of its terms shall be binding upon Declarants, their heirs, successors, and assigns, and shall continue in effect until such time as released by the Planning Director of the City, or his/her designee, by a writing duly recorded.

IN WITNESS WHEREOF, Declarants have caused this Covenant and Agreement and Declaration of Restrictions and Easements to be executed as of the day and year first written above.


Gustav G. Kuhn

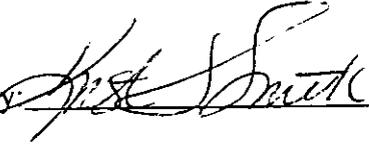

Erna M. Kuhn

APPROVED AS TO CONTENT:

By: 

Planning Department

APPROVED AS TO FORM:

By: 

Deputy City Attorney

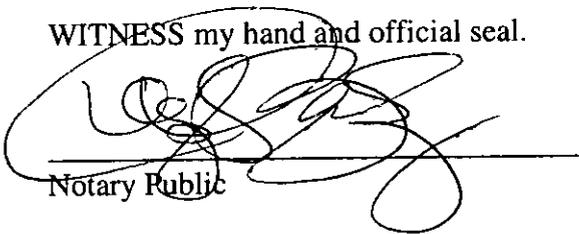
Document:
Covenant & Agreement
Dated 6-17-04

STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)

On June 17, 2004, before me, Cheryl L. Balz, Notary Public, the
undersigned, a notary public in and for said State, personally appeared Gustav G. Kuhn
~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to
be the person(s) whose name(s) ~~is/are~~ subscribed to the within instrument and acknowledged to
me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(ies), and that by
~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the
person(s) acted, executed the instrument.



WITNESS my hand and official seal.

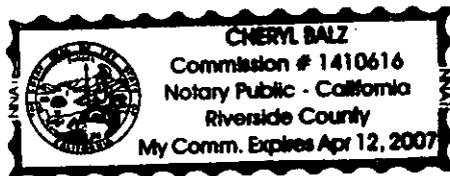


Notary Public

CIA 894

STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)

On June 17, 2004, before me, Cheryl Balz, the undersigned, a notary public in and for said State, personally appeared ERNA M. KUHN ~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the person ~~(s)~~ whose name ~~(s)~~ is ~~are~~ subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in his/her/their authorized capacity ~~(ies)~~, and that by his/her/their signature ~~(s)~~ on the instrument the person ~~(s)~~, or the entity upon behalf of which the person ~~(s)~~ acted, executed the instrument.



WITNESS my hand and official seal.



Notary Signature

EXHIBIT "A"

Chapter 19.34 RESTRICTED COMMERCIAL (C-2) ZONE

Section 19.34.020 Uses permitted.

The following uses shall be permitted in a restricted commercial zone:

A. Any use permitted in the RO, P and C-1-A zones; provided that all uses shall be conducted wholly within a completely enclosed building except drive-thru restaurants, plant nurseries, automobile service stations, parking areas, loading areas and newsstands; and provided further that commercial coaches may be used for sales offices and storage facilities for plant nurseries and for temporary offices during the construction of a permanent building, subject to the approval of a conditional use permit. In determining the appropriateness of utilizing a commercial coach in lieu of a permanent building, the Planning Commission shall take into consideration such factors as the location of the site in relation to residential areas and proximity to areas bearing the design review combining zone and the general developmental pattern of the neighboring area; further, the Commission may establish such development standards for the site and time limitations on the use of a commercial coach as deemed appropriate;

B. The following uses, if conducted within a completely enclosed building:

1. Blueprinting and photocopying,
2. Health studio, reducing salon or gymnasium,
3. Newspaper publishing and printing,
4. (Repealed by Ord. 6044 § 3, 1993),
5. Furniture reupholstery shop,
6. Rental of automobiles and vans provided that only the parking of said vehicles is permitted outside of a building; however, incidental fueling, cleaning, and/or repairing may occur on the property subject to the granting of a conditional use permit or in conjunction with a service station or automobile service center established by conditional use permit;

C. Uses customarily incidental to the permitted uses; provided, that there shall be no manufacturing, assembling, compounding, processing or treatment of products, other than which is clearly incidental and essential to the permitted uses;

D. Other uses, as provided in Section 19.68.010, which in the judgment of the Commission are similar to, compatible with and no more objectionable than any of those enumerated herein;

E. Special uses, as provided in Section 19.64.040, may be permitted under a conditional use permit;

F. Signs, as provided in Chapter 19.76;

G. The following uses, subject to the granting of a conditional use permit:

1. Museum (commercial),
2. Wedding chapel or parlor,
3. Automobile wash facility having no mechanical apparatus for automobile washing, drying or conveying, but which may have vacuuming devices,
4. Vehicle Repair Facility (Minor) as defined in Section 19.04.489 subject to the following location and development criteria:
 - a. Site Location Criteria. The vehicle repair facility site shall meet the following site location criteria:
 - i. The repair facility shall be located on not less than .5 net acre with access to an existing or planned arterial or secondary street as shown on the City's General Plan.
 - b. Site Development Standards. Notwithstanding other provisions to the contrary, the following site development standards shall apply to vehicle repair facilities:
 - i. All repair work shall be conducted within an enclosed building.
 - ii. Building, parking and vehicle maneuvering areas shall provide adequate provisions for safe circulation within the site and into and out of the site.
 - iii. Service bays shall be designed or oriented so as to not to be readily visible from public rights-of-ways.
 - iv. All outdoor lighting shall be hooded and directed downward to minimize light spillage onto adjacent properties and public rights-of-way.
 - v. Outdoor storage shall not be permitted in the C-2 Zone. Where permitted elsewhere, any proposed outdoor storage shall be subject to approval by the Planning Commission and, if approved, shall be completely screened from public view.
 - vi. The outdoor display of merchandise is not permitted.
 - vii. A six foot high masonry screen wall shall be erected along all property line(s) adjacent to RO zoned and/or planned properties (three feet adjacent to residential front yard setbacks).

viii. There shall be a minimum 15 foot landscaped setback adjacent to public streets, unless the prevailing setback in the area is greater, in which case the setback shall be that typical of the block in which the use is proposed.

ix. Buildings located at property lines adjacent to residentially developed or zoned property shall be constructed to meet exterior sound level limits (45-55 decibels) as required by Section 7.25.020 of the Municipal Code.

x. A trash enclosure shall be provided in accordance with Planning and Public Works Department requirements and standard designs.

xi. No paint and body work shall be permitted on property adjacent to a scenic boulevard as shown on the General Plan.

c. Parking as required per Chapter 19.74.

d. Signs as permitted per Chapter 19.74.

e. The Planning Commission or City Council may grant variances from all standards, except B.11 (paint and body), upon determination that the variances are justified per the findings required by Section 19.64.130 B.

f. Additional conditions can be applied through the CUP process as necessary to further improve the site design, operational characteristics, and land use compatibility of individual projects.

H. Multi-tenant indoor sales center as defined in Section 19.04.383 of this Title with a gross floor area in excess of 25,000 square feet meeting the following standards:

1. No advertising or signage shall include the words such as, but not limited to, "swap", "flea market", "farmer's market" and/or "vendor";

2. Exterior building signage shall be limited to that provided for in Chapter 19.76 of the Zoning Code. Exterior building signs may identify the name of the complex only. No identification of multiple tenants shall be permitted.

3. Adequate security shall be provided on-site on a 24-hour basis as determined by the City. The level of security shall be determined by a security plan approved by the Planning and Police Departments.

4. The owner/business operator or lessee shall be responsible for adequately maintaining exterior landscaping and irrigation systems and the paving within the parking lot and surrounding the building.

5. No stolen merchandise shall be sold at the multi-tenant indoor sales center.

6. On demand by a Code Enforcement or Police Officer or the Zoning Administrator or

his authorized representative, each vendor shall be required to provide proof of lawful purchase of any goods offered for sale. Failure to maintain such proof shall in and of itself be grounds for setting a public hearing to consider revocation of the conditional use permit;

7. The owner/business operator or lessee shall maintain on-site at all times a copy of the conditions of approval of the conditional use permit, which shall be available for inspection on demand at any time by a Code Enforcement or Police Officer or the Zoning Administrator or his authorized representative. Failure to be able to provide such copy of the conditions shall in and of itself be grounds for setting a public hearing to consider revocation of the conditional use permit;

8. No auto repair shall be permitted in the parking lot or anywhere else on-site.

9. All of the tenants shall properly maintain and display a business license.

10. A regular anti-graffiti program shall be implemented;

11. No scissor gates shall be visible during operating hours;

12. The applicant shall provide a lighting plan certified by a registered lighting engineer or other engineer approved by the Building Division for all outdoor areas. A minimum of one foot candle of lighting shall be provided;

13. The applicant shall submit plans for interior improvements demonstrating consistent fixtures and improvements.

I. Beverage container recycling facility subject to all the requirements of Section 19.28.020(LL) of this title.

J. Off-sale of alcoholic beverages subject to all the requirements of Section 19.26.020 subsection (H) of this title;

K. Multitenant indoor sales center as defined in Section 19.04.383 of this title with a gross floor area of twenty-five thousand square feet or less subject to the granting of a minor conditional use permit meeting the standards contained in Section 19.34.020(G) (8) of this title.

L. Tattoo/body piercing parlors subject to the granting of a minor conditional use permit and in accordance with the following provisions:

1. The business shall not be located within one thousand feet of any other tattoo and/or body piercing parlor as measured from any point from the outer boundaries of the building lease space containing the business.

2. The business shall not be located within five hundred feet of any adult-oriented business as measured from any point from the outer boundaries of the building lease

space containing the business.

3. The business shall not be located within five hundred feet of any business selling alcoholic beverages, as measured from any point from the outer boundaries of the building lease space containing the business.

4. The business shall not be located within one hundred feet of any existing residential zone as measured from any point between the outer boundaries of the building lease space containing the business and the nearest property line of a residentially zoned property.

5. The business shall not be located within six hundred feet of a school, park or day care center as measured from any point between the outer boundaries of the lease space containing the business to the nearest property line of the school, park or day care center.

6. The hours of operation shall be no earlier than 7:00 a.m. and no later than 10:00 p.m.

M. The display of live plant materials outside of a permitted permanent plant nursery enclosure which is located within a business with a year round nursery function, subject to the following standards:

1. Outdoor display of items shall be limited to live plants only and shall not be for the purpose of any other form of merchandise display.

2. The outdoor display shall be confined to a maximum of twenty feet immediately adjacent to the main public entrance or parking lot frontage of the permanent plant nursery enclosure.

3. Plant displays shall not obstruct walkways, driveways, parking areas, pathways or any surface designed to accommodate disabled persons, including but not limited to, designated handicapped parking spaces. Plant displays shall also not extend into any public rights-of-way.

4. All cashiering shall occur within the retail building or permanent nursery enclosure.

5. There shall be no more than a single one square foot (12"x12") price sign for each variety of live plant product displayed. Each permitted sign shall be placed immediately adjacent to the plant product referenced on the permitted price sign.

6. Activities such as potting, arranging, packaging, or propagation are prohibited.

7. Display racks or other structures utilized to display live plants shall not exceed six feet in overall height.

8. Outdoor display of live plant material shall only occur during the hours that the business is open to the public.

(Ord. 6509 § 5, 2000; Ord. 6461 § 1, 1999; Ord. 6422 § 9, 1997; Ord. 6413 § 4, 1997; Ord. 6367 § 3, 1997; Ord. 6229 §§ 2, 3, 1995; Ord. 6122 § 20, 1994; Ord. 6044 § 3, 1993; Ord. 6033 § 7, 1993; Ord. 5610 § 4, 1988; Ord. 5570 § 1, 1987; Ord. 5504 § 2, 1987; Ord. 5319 § 6, 1985; Ord. 5054 § 1, 1982; Ord. 4821 § 1, 1980; Ord. 4107 § 3, 1974; Ord. 4040 § 1, 1973; Ord. 3999 § 4, 1973; Ord. 3956 § 1, 1972; Ord. 3953 § 2, 1972; Ord. 3803 § 1, 1971; Ord. 3712 § 5, 1970; prior code § 36.97)

Chapter 19.46 MANUFACTURING PARK (MP) ZONE

Section 19.46.020 Uses permitted.

The following uses shall be permitted in a Manufacturing Park Zone, if conducted within a completely enclosed building and if conducted within the limits of the standards of performance set forth in this Chapter:

1. Administrative or executive offices of a business or industrial establishment;
2. Manufacture, assembly, fabrication, warehousing, and wholesale distribution of goods, wares, merchandise, articles or substances; provided, that goods, wares, merchandise, articles or substances which are combustible, inflammable, explosive or likely to create fire, radiation or explosive hazards to surrounding property may be stored and used in reasonable quantities as an incident to any permitted use only if such storage and use are allowed in the certificate of occupancy under such reasonable conditions as may be deemed necessary in the interests of public safety; and further provided that any use prohibited in the M-1 and M-2 zones shall also be prohibited in the MP zone;
3. Publishing and printing;
4. Research offices and laboratories for the conduct of scientific research and theoretical studies and investigations, including the fabrication and testing of prototypes, and the performance of environmental tests, and related activities, by or under the supervision of professional scientists and highly trained specialists in the fields of physical, economic or social research;
5. Restaurants, cafes and cafeterias, including those with outdoor dining as defined in Section 19.04.394 of this Title, operated in conjunction with and incidental to a single permitted use for the convenience of persons employed upon the premises or operated within a multitenant industrial park for the convenience of persons employed within the same industrial park, each established and operated in accordance with the following criteria:
 - A. A permitted restaurant, cafe or cafeteria shall be located within the building of a single permitted use to serve the employees of that use only, or shall be located in a tenant or owner space in a multitenant industrial park developed with attached tenant or owner spaces to primarily serve the employees of that multitenant industrial park. This use shall not be permitted as the sole or primary use in a separate freestanding building,
 - B. A permitted restaurant, cafe or cafeteria located in a tenant or owner space in a multitenant industrial park shall not exceed one thousand five hundred square feet in total area including kitchen, storage, restroom and outdoor dining areas. A permitted

restaurant, cafe or cafeteria located within the building of a single permitted use is not restricted to a maximum size,

C. The menu shall be limited to breakfast, lunch and snack items only. Alcoholic beverage sales shall be limited to the incidental sale of beer and wine only, subject to the granting of a minor conditional use permit and the site location criteria, operation standards, development standards and exemptions of Section 19.26.020, subsection J of this Title,

D. The hours of operation shall be limited to six a.m. to six p.m., Monday through Friday,

E. Parking shall be established and maintained in accordance with subsection O of Section 19.74.010 of this Title;

6. Signs may be erected in an MP zone as provided in Chapter 19.76;

7. Outdoor storage incidental to a permitted use shall be permitted in accordance with Section 19.46.100;

8. Uses customarily incidental to any permitted uses shall be permitted, provided that no accessory building shall be located within the yard areas required by this Title, except as otherwise specified in this Chapter;

9. The following uses shall be permitted in a manufacturing park zone with a conditional use permit:

A. Automotive service stations, including indoor facilities for lubrication, battery and brake service, tire repair, minor adjustments and repair and the sale of food, non-alcoholic beverages, beer, wine and sundry items of convenience to the motorist, but excluding painting, body work, steam cleaning, major repairs, mechanical washing facilities, utility truck or trailer rentals, and packaged ice sales, in accordance with the provisions of Section 19.28.020(II),

B. Restaurants, cafes and cafeteria, including those with outdoor dining and food preparation as defined in Section 19.04.394 which do not meet the criteria set forth in paragraph J of Section 19.46.020 of this Title. Outdoor dining and/or food preparation shall be subject to the requirements, as applicable, of Section 19.26.020, subsections (G) and (I) of this Title,

C. On-sale of all alcoholic beverages subject to a minor conditional use permit and the site location criteria, operation standards, development standards and exemptions of Section 19.26.020, subsection 10 of this title,

D. One dwelling unit designed to be used in connection with any permitted use, provided that such dwelling shall be occupied by the owner, lessee or an employee and his family,

E. Clubs and lodges (private, nonprofit),

F. Recreational facilities, privately operated (excluding bowling alleys, ice skating rinks and roller skating rinks),

G. Vocational schools meeting the standards set forth in Section 19.20.020(N) of this Title,

H. Child day care centers,

I. Churches, but excluding associated weekday schools for general education purposes. A church, within an existing industrial complex as defined in Section 19.76.010, is permitted subject to approval of a minor conditional use permit as set forth in Section 19.64.230(C),

J. The use of a mobile medical unit when such use is in conjunction with an established medical office and the mobile medical unit is to be located on the same property or on adjacent property. Mobile medical units shall meet the following site development standards:

1. The unit shall not be located within any required front or street side yard. An interior side or rear yard where off-street parking is allowed may be occupied by a mobile medical unit,

2. Off-street parking as required by this Title shall be provided for both the permanent facility and the mobile medical unit,

3. Adequate screening in the form of landscaping and/or solid fences or walls shall be provided where the mobile medical unit would be visible from a street or abutting property,

4. The mobile medical unit may be placed only in the location approved by the Planning Commission or the City Council and may remain in such location for a maximum of two days per week,

K. Methadone treatment facility as defined in Section 19.04.271 of this title subject to the granting of a conditional use permit meeting the standards contained in paragraph J of Section 19.20.020 of this Title,

L. Recycling centers (drop-off or buy-back) and material processing facilities (MPF's) for paper, glass, plastic, household hazardous waste, aluminum and other metals subject to the following site location criteria and site development standards:

1. Site Location Criteria. The recycling center and/or MPF shall meet the following location criteria:

a. The facility will not substantially increase vehicular traffic on streets in a residentially

zoned district,

- b. The facility will not substantially lessen the usability and suitability of adjacent or nearby properties,
- c. The site is served by streets and highways adequate in width and pavement type to carry the quantity and type of traffic generated by said use,
- d. The site is adequate in size and shape to accommodate said use, and to accommodate all yards, walls, vehicular stacking, parking, landscaping and other required improvements,
- e. No recycling center or MPF shall be closer than three hundred feet from any property in a residential or commercial zone or from any school, church, hospital or similar use involving a large assemblage of people,

2. Site Development Standards. Notwithstanding other provisions to the contrary, the following site development standards shall apply to recycling centers and MPF's:

- a. Any portion of the site not within a completely enclosed building shall be surrounded by a solid masonry wall not less than six feet in height with appropriate landscaping and irrigation,
- b. All materials stored out-of-doors shall be kept within storage bins or bales screened from view from adjacent properties and streets,
- c. All dismantling of assembled materials shall be done within a completely enclosed building,
- d. Baling, shearing and compacting equipment shall be located within a completely enclosed building,
- e. The site shall be fully landscaped on the interior and additional perimeter landscape screening may be required by the Zoning Administrator to adequately screen the operation. A minimum of twenty feet of on-site landscaping shall be provided along each street frontage unless additional landscaping is required by the underlying zone. The plot plan, building elevations, landscaping, irrigation and sign plans are subject to the approval of the Zoning Administrator or Planning Commission, pursuant to this Title.
- f. A covenant as approved by the Planning and Legal Departments restricting recyclable material to paper, cardboard, glass, plastic, household hazardous waste, aluminum and other metals shall be recorded against the property. The receiving or processing of scrap steel and junked cars shall be specifically prohibited,
- g. Plans for household hazardous waste handling, containment and disposal shall be approved by the Fire Department,

h. Hours of operation shall be limited to six a.m. to six p.m. Monday through Saturday and eight a.m. to four p.m. on Sunday,

i. All recycling centers and MPF's shall be staffed during business hours,

j. Plans for an on-going cleaning and maintenance program as well as the control of noise, odor, dust, litter and the like shall be submitted for review and approval,

M. Solid waste transfer stations and material recovery facilities (MRF's) including conveyor belts, metallic separators, balers, etc., subject to the following environmental, site location and development criteria:

1. Environmental Review. An environmental impact report (EIR), prepared by a consultant selected under the terms of the City's California Environmental Quality Act guidelines, shall be required. Prior to commencement of the preparation of the EIR, a preliminary conference with the applicant and the Planning Department shall be held. Issues addressed by the EIR shall include, but not be limited to, the following: land use; traffic, noise, aesthetics, including screening and landscaping; odor; dust; litter control and ongoing maintenance; groundwater protection; prevailing wind direction; and release of hazardous substances,

2. Site Location Criteria. The transfer station and/or MRF shall meet the following location criteria:

a. The facility will not substantially increase vehicular traffic on streets in a residentially zoned district,

b. The facility will not substantially lessen the usability and suitability of adjacent or nearby properties,

c. The site is served by an improved arterial street adequate in width and pavement type to carry the quantity and type of traffic generated by said use,

d. The site is adequate in size and shape to accommodate said use, and to accommodate all yards, walls, vehicular stacking, parking, landscaping and other required improvements,

e. No transfer station or MRF shall be closer than six hundred feet from any property in a residential or commercial zone or from any school, church, hospital or similar use involving a large assemblage of people,

f. In siting new buildings for construction, consideration shall be given to prevailing wind direction and location of large vehicle doors in order to minimize odors,

3. Site Development Standards. Notwithstanding other provisions to the contrary, the following site development standards shall apply to transfer stations and MRF's:

- a. Lot area and width. The gross land area shall not be less than five acres with a minimum street frontage of one hundred forty feet;
- b. Setbacks. Except as setbacks along major streets may require additional dimensions, all buildings, structures or improvements shall meet the setbacks as required in Section 19.46.050 of this Title. The setbacks specified in this paragraph may be used only for the following purposes:
 - i. Passage or temporary standing of automobiles,
 - ii. Landscape areas,
 - iii. Light poles and standards,
- c. All equipment and activities associated with this use shall be contained within an enclosed building with only sufficient openings for ingress/egress of vehicles,
- d. Sufficient off-street parking shall be provided to accommodate all company, employee and visitor vehicles on site,
- e. On-site truck stacking and maneuvering area shall be provided as necessary to accommodate the anticipated vehicular usage of the transfer station/MRF, depending on the size and nature of the facility, and shall be completely screened by solid masonry walls not less than six feet in height with appropriate landscaping and irrigation. No truck stacking and maneuvering area shall be permitted within the required front and street side yard setback,
- f. Any water flow resulting from the use of wash facilities shall be contained on site and disposed of through an on-site drainage system,
- g. The noise, dust and odor levels generated by the facility shall conform to Section 19.46.120 of this Title,
- h. All materials stored outside shall be kept within storage bins or bales screened from view from adjacent properties and streets,
- i. Material recovery facilities shall be permitted in conjunction with a transfer station. A covenant as approved by the Planning and Legal Departments restricting recyclable material to paper, cardboard, glass, plastic, household hazardous waste, aluminum and other metals shall be recorded against the property. The covenant may also restrict the nature and quantities of household hazardous waste. The receiving or processing of scrap steel and junked cars shall be specifically prohibited,
- j. Lighting shall be focused, directed and so arranged as to prevent glare or direct illumination on streets or adjoining property,
- k. Hours of operation shall be limited to six a.m. to six p.m. Monday through Saturday

and eight a.m. to four p.m. on Sundays,

l. All transfer stations and MRF's shall be staffed during business hours,

m. No trash shall be stored overnight. Recyclables may be stored overnight within appropriate storage containers or bales screened from view from adjacent properties and streets,

4. Paving. All open areas, other than landscaped planter beds shall be paved with not less than two and one-half inches of asphaltic concrete or an equivalent surfacing meeting the established standards and specifications of the Public Works Department, shall be graded and drained so as to adequately dispose of all surface water and shall be maintained in good repair,

5. Screening. Any portion of the site not entirely within a completely enclosed building shall be surrounded by a solid masonry wall not less than six feet in height with appropriate landscaping and irrigation,

6. Landscaping.

a. Quantity and Distribution.

i. A minimum of 20-foot-wide planters shall be provided along all street frontages except for driveway openings,

ii. A minimum of one hundred fifty square feet of planting area shall be provided at the intersection of two property lines at each street corner,

b. Planting Beds.

i. All landscaping materials shall be contained in planting beds,

ii. Each planting bed shall be enclosed by concrete or masonry curbing at least six inches thick and six inches in height above the paving surface,

c. Plant Materials.

i. Each planting bed shall contain appropriate groundcover consisting of plants and nonplant materials as hereinafter provided and/or shrubbery,

ii. Nonplant material such as statuary or fountains may be used in landscaped areas, provided they do not dominate the planting beds,

iii. Other nonplant materials such as crushed rock, redwood bark chips, and pebbles shall not be used exclusively in lieu of growing groundcovers,

d. Maintenance.

- i. All plant materials shall be regularly maintained in conformity with accepted practices for landscape maintenance,
- ii. Each planting bed shall be served by at least one permanent automatically controlled water irrigation line.

7. Other Requirements.

- a. A daily cleaning and ongoing maintenance program as approved by the Planning Commission shall be established,
- b. All incoming or outgoing trucks shall be completely enclosed or equipped with an impermeable cover.

10. Construction Caretaker Temporary Living Quarters shall be permitted subject to approval of a Minor Conditional Use Permit in accordance with the standards specified in Section 19.64.230(B). (Ord 6726 § 12, 2004; Ord. 6565 § 3, 2001; Ord. 6367 § 5, 1997; Ord. 6353 § 2, 1997; Ord. 6324 § 5, 1996; Ord. 6122 § 22, 1994; Ord. 6044 § 5, 1993; Ord. 5990 §§ 1, 2, 1992; Ord. 5976 §§ 10, 11, 1991; Ord. 5743 § 1, 1989; Ord. 5742 § 1, 1989; Ord. 5740 § 1, 1989; Ord. 5695, § 5, 1988; Ord. 5689 § 1, 1988; Ord. 5486 § 4, 1987; Ord. 5319 § 9, 1985; Ord. 5132 § 6, 1983; Ord. 4946 § 1, 1981; Ord. 4187 § 3 (part), 1975)