

Exhibit B

**RECOMMENDED
CONDITIONS OF APPROVAL**

**PLN20-0001
2539 Grant Avenue
Alameda County Assessor's Parcel Number 080G-0910-015-00
Louis Rigaud (Applicant)
MTLG, LLC (Property owner))**

I. COMPLIANCE WITH APPROVED PLANS

1. The applicant and/or property owner shall comply with Exhibits A through G, attached to the staff report dated February 4, 2021, except as hereinafter modified. Exhibits are on file at the City of San Leandro Community Development Department, 835 East 14th Street, San Leandro, California.

Exhibit A – Sheet Index, General Info, Scope of Work, Maps (Sheet 1)
Exhibit B – Property Site Plan (Sheet 2)
Exhibit C – Existing Parking Site Plan (Sheet 3)
Exhibit D – Prop. Parking Site Plan, Parking Table, Storm Drain (Sheet 4)
Exhibit E – Existing Floor Plan, ADA Notes (Sheet 5)
Exhibit F – Combined Existing Site Plan and Floor Plan (Sheet 6)
Exhibit G – Property Entrance/Gate Elevation, Lot Coverage Table (Sheet 7)
2. The applicant and/or property owner shall be responsible for assuring that any successor in interest who assumes responsibility for this zoning approval is informed of its terms and conditions.
3. The approvals granted by the City as a result of this application, as well as the Conditions of Approval, shall be recorded in the office of the County Recorder of Alameda County.

II. PERMITTED USES AND OPERATIONAL REQUIREMENTS

1. This is a Conditional Use Permit approval to allow Vehicle Storage for up to 47 vehicles stored in parking spaces at 2539 Grant Avenue. This Conditional Use permit does not allow storage of semi-trailers or cargo containers such as those utilized for transportation, public storage or moving services and does not allow for the storage of inoperative vehicles. Zoning District: IG (General Industrial District); Alameda County Assessor's Parcel Number (APN): 080G-0910-015-00; Applicant: Louis Rigaud; Property owner: MTLG, LLC.

2. The days and hours of office operation shall be 8:30 a.m. to 4:30 p.m. daily. Any modification to the days and hours shall be submitted in writing and subject to the review and approval of the Community Development Director.
3. The interior use of the building and exterior use of the site shall remain in substantial compliance with the approved plans and exhibits, and as herein modified. Any change to project design shall be subject to the review and approval of the Community Development Director who may administratively approve or require review by the Board of Zoning Adjustments as a modification to the Conditional Use Permit.
4. Within 90 days of this approval, the applicant shall remove any outdoor storage found along the west property line, measuring approximately 400 linear feet.
5. Prior to issuance of occupancy or business license for the recreational vehicle storage facility, the applicant shall install signage and re-stripe the parking lot to add paint markings on the pavement, to clearly identify and differentiate parking spaces designated for RV storage/parking from parking and loading spaces for each land use, as shown in the approved plot plan and to meet any and all applicable codes.
6. Prior to issuance of occupancy or business license for the recreational vehicle storage facility, the applicant shall repair any perimeter fencing in disrepair throughout the property and along its perimeter.
7. Razor/barbed wire, on either a fence, wall or building, is prohibited within 300 feet of the public street frontage, unless such installations will not be visible from any public street as to be determined by and subject to the approval of the Zoning Enforcement Official prior to installation. Razor/barbed wire shall not extend over a property line or over the public right-of-way. Razor/barbed wire shall not be located within 200 feet of a residential district
8. Any new proposed on-site lighting shall be LED or other energy-conserving lighting and shall be designed and located so as to not interfere with traffic on adjacent streets and so as not to shine on adjacent properties or above a horizontal plane, details subject to the approval of the Zoning Enforcement Official. New on-site lighting shall require a plan including specifications of lighting standards and photometric calculations and submitted for review and approval by the Zoning Enforcement Official and Building Official. After installation, the Zoning Enforcement Official reserves the right to require adjustment of light fixtures to comply with this requirement.
9. No sign structures shall be erected without obtaining a building permit and prior approval by the Community Development Director.

10. The property owner shall provide all RV storage facility business operators and their clients a copy of the requirements for the implementation of Best Management Practices for automobile/RV storage facilities, as specified below by the Environmental Services Division. The owner shall be responsible for implementing these Best management Practices per this approval.

III. ENGINEERING & TRANSPORTATION DEPARTMENT REQUIREMENTS

1. Pursuant to Government Code Section 66020, including section 66020 (d)(1), the City HEREBY NOTIFIES the applicant for this Project that the 90-day approval period (in which the applicant may protest the imposition of any fees, dedications, reservations, or other exactions imposed on this Project by these Conditions of Approval) will begin on the date of the conditional approval of the Project. If the applicant fails to file a protest within this 90-day period, complying with all of the requirements of Government Code Section 66020, the applicant will be legally barred from later challenging any such fees, dedications, reservations or other exactions.
2. The proposed development shall comply with the City ordinance, policies and regulations. All improvements shall be in accordance with the City's Design Standards, Specifications and Standard Plans unless otherwise specifically approved by the City Engineer.
3. All outdoor equipment and materials storage areas shall be covered or shall be designed with Best Management Practices (BMPs) to limit the potential for runoff to contact pollutants. The site storm drainage inlets shall be protected and cleaned at least once yearly prior to the rainy season to ensure any polluted runoff does not exit the site.
4. Sidewalks and parking lots shall be swept regularly to minimize the accumulation of litter and debris.
5. The project site shall include BMPs to prevent sediment and other pollutants from tracking on vehicle tires from the unpaved portion of the property, through the paved area of the site and onto Grant Avenue.
6. No person shall dispose of, nor permit the disposal, directly or indirectly, of vehicle fluids, hazardous materials, or rinse water into storm drains.
7. No vehicle fluid removal shall be performed outside a building, nor on asphalt or ground surfaces, whether inside or outside a building, except in such a manner as to ensure that any spilled fluid will be in an area of secondary containment. Leaking vehicle fluids shall be contained or drained from the vehicle immediately.

8. No person shall leave unattended drip parts or other open containers containing vehicle fluid, unless such containers are in use or in an area that cannot discharge to the storm drain, such as an area with secondary containment.

IV. BUILDING & SAFETY SERVICES DIVISION REQUIREMENTS

1. The proposed project shall comply with all Applicable Code and City ordinances, policies and regulations.
2. Required ADA parking should be 4 spaces, 2 van and 2 standard, correct plans.
3. Provide accessible parking signage details, striping and clearances.
4. Show ADA path of travel from parking to entrance of office for new RV storage and existing turbine business.
5. Provide floor plan showing RV office space and existing turbine office space show existing and new restrooms for both spaces.
6. Clarify location of available tenant spaces.
7. Provide accessible restroom details.

V. BUILDING & SAFETY REQUIREMENTS – FLOOD REVIEW

1. The Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) under the National Flood Insurance Program shows this site to be in Flood Zone "AO (Depth 1-Foot)". FIRM zone AO (Depth 1-Foot) designations are areas of shallow flooding, ponding or sheet flow with a Base Flood Elevation (BFE) of 1-foot above the highest adjacent ground. Therefore, proposed vehicle storage facility is subject to National Flood Insurance Program regulation, and shall comply with the following:
 - A. Vehicles placed on site must be fully licensed and Ready for Highway Use. "Ready for highway use" means that it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

VI. ALAMEDA COUNTY FIRE DEPARTMENT REQUIREMENTS

1. Plans shall meet building and fire codes adopted at time of building plan submittal.
2. The following conditions of approval shall be met prior to the issuance of a building permit and fire clearance for occupancy:

- A. A Pedestrian Access Gate shall be provided.
- B. 2A1-B:C fire Extinguishers in weather-proof cabinets (a fire extinguisher shall be accessible within 5 feet of travel distance).
- C. A Knox Box for Fire Department Access shall be provided.

VII. ENVIRONMENTAL SERVICES REQUIREMENTS

- 1. Conditional Use Permit requires the implementation of Best Management Practices for automobile/RV storage facilities:
 - A. Facilities accepting or storing vehicles must have adequate drip pans available.
 - B. The storage yard must perform frequent inspections and ensure that vehicles are not leaking onto the pavement. Place drip pans under leaking vehicles.
 - C. Facilities must have adequate supplies of tarps to cover vehicles that come in with missing hoods or have the engine area exposed. Rain water must be prevented from entering the engine compartment while the vehicle is stored outside. Ensure leaking or wrecked vehicles are not leaking.
 - D. Facilities storing or accepting vehicles onsite are ultimately responsible for compliance with all storm water regulations.
 - E. Do not rinse or wash vehicles onsite unless the facility has a permitted wash pad structure from the local waste water agency (Oro Loma Sanitary District) and City of San Leandro. Keep vehicle rinse and wash water out of the storm drain.
 - F. Ensure RV owners use legal, approved sewage disposal stations to empty their septic and/or grey water tanks.
 - G. Label/stencil each storm drain inlet on your storage facility to remind customers that no dumping is allowed.

VIII. GENERAL CONDITIONS

- 1. All structures shall be structurally sound and well maintained at all times; any damage to the structures shall be promptly repaired.
- 2. All landscaping shall be maintained in a healthy, growing condition at all times, particularly along the first 300 linear feet along main driveway of the property, beginning at Grant Avenue, to obscure any barbed wire on the perimeter fence. Any damaged or dead plant material shall be promptly

replaced with a plant material similar in type and comparable in size to the plant(s) being removed. Any landscaping shall be maintained so as not to interfere or obstruct the public right-of-way for pedestrians and vehicles. The landscaping adjacent to the driveway's first 10 feet shall be maintained so it does not exceed three feet in height above the top of the nearest adjacent curb and gutter to allow for adequate sight distance, or unless otherwise approved by the City's Transportation Engineer.

3. Recreational vehicles shall be stored/parked in groups categorized by vehicle type to ensure that the differently-sized vehicles have ample room to maneuver into their parking spaces and to ensure orderly use of the RV storage facility.
4. Any graffiti on the property shall be promptly removed.
5. Construction activity shall not commence prior to 7:00 a.m. and shall cease by 7:00 p.m. Monday through Friday, and construction activity shall not commence prior to 8:00 a.m. and shall cease by 7:00 p.m. on Sunday and Saturday. No such construction is permitted on Federal holidays. As provided in the City of San Leandro's Noise Ordinance (ORDINANCE NO. 2003-005), "construction" shall mean any site preparation, assembly, erection, substantial repair, alteration, demolition or similar action, for or on any private property, public or private right-of-way, streets, structures, utilities, facilities, or other similar property. Construction activities carried on in violation of this Article may be enforced as provided in Section 4-11-1130, and may also be enforced by issuance of a stop work order and/or revocation of any or all permits issued for such construction activity.
6. Vehicle idling shall be actively discouraged and restricted to a maximum of two minutes. A sign up to 3 square feet in size shall be clearly posted at the entry to notify drivers of this requirement.
7. The property shall comply with all City noise ordinance standards. The operation of any equipment, machines or similar devices between the hours of 10:00 p.m. and 8:00 a.m. in a manner as to be plainly audible at a distance of fifty (50) feet from the building shall be prohibited.
8. As the subject property is located within Flood Zone "AO (Depth 1-Foot)," vehicles stored on the property shall be operable and ready for highway use. Vehicle maintenance and repair of stored vehicles on the subject property shall be prohibited. The storage of vehicle parts and equipment shall be prohibited.
9. The approvals granted by the City as a result of this application, as well as the Conditions of Approval, shall be recorded in the office of the County Recorder of Alameda County.

10. No application for amendment of the application or Conditions of Approval may be accepted or submitted for processing by the City unless (i) there is full compliance with all terms of the application and Conditions of Approval; or (ii) the Community Development Director waives compliance with the terms of the application and Conditions of Approval pending application for the amendment.
11. Pursuant to Zoning Code Section 5-2218, this approval shall lapse on **February 6, 2023** unless a) there is diligent progress evidencing a good faith intent to commence the intended use, or b) a written request for a one-year extension of the use permit is approved by the Zoning Enforcement Official.