

RECOMMENDED FINDINGS

Case Numbers: **P18-0970** (General Plan Amendment) Meeting Date: November 19, 2019
P18-0971 (Zoning Code Amendment)
P18-0972 (Tentative Tract Map)
P18-0973 (Planned Residential Development)
P18-0974 (Design Review)
P18-0975 (Variance)

Zoning Code Amendment Findings pursuant to Section 19.810.040 of the Riverside Municipal Code:

- A. As detailed in the staff report, the proposed Zoning Code text or map amendment is generally consistent with the goals, policies, and objectives of the General Plan;
- B. As detailed in the staff report, the proposed Zoning Code text or map amendment will not adversely affect surrounding properties; and
- C. As detailed in the staff report, the proposed Zoning Code text or map amendment promotes public health, safety, and general welfare and serves the goals and purposes of the Zoning Code.

Planned Residential Development Findings pursuant to Section 19.780.050 of the Riverside Municipal Code:

The proposed PRD consisting of 56 units on 7.07 gross acres will yield a density of 7.92 units per gross acre. In the R-1-7000 Zone, a PRD qualifies for a Benchmark Density of 7.3 dwelling units per gross acre if the project meets all the requirements of Section 19.780.050(A) of the Zoning Code (*Benchmark Density and Findings for Approval*).

The proposed project meets the criteria required to qualify for the Benchmark Density of 7.3 dwelling units per gross acre based on the following:

- A. The property is well served by public infrastructure;
- B. The project enjoys good access to public services, including Rutland Park, Norte Vista High School, and Terrace Elementary School;
- C. The site is located on streets capable of accommodating the anticipated traffic;
- D. The project complies with the purpose and standards of this chapter, demonstrates substantial compliance with the provisions of the Citywide Design and Sign Guidelines, and is in accordance with City Codes, which may include deviations by variances when required findings are made. Additional criteria used in evaluating the design of the project shall include, but shall not be limited to, the following:
 - 1. Varied placement of buildings demonstrating sensitivity to the natural topographic features of the site;
 - 2. Relatively level land is set aside for active recreational activities;
 - 3. Open space is distributed on the site and accessible to all units;
 - 4. An efficient circulation system consisting of both vehicular lanes and pedestrian walkways; and
 - 5. Sensitivity to surrounding community and attention to the edge conditions, creating areas of transition from surrounding existing development to the proposed development.

- E. The project proposes development in an environmentally and topographically sensitive manner in order to minimize the impacts of development on adjacent properties, and is designed in a manner that is compatible with the adjacent and existing development in the vicinity; and
- F. The project provides amenities in compliance with this chapter, and that the amenities are consistent with the size and scale of the project, the project density, and neighborhood characteristics.

A PRD project may qualify for a density bonus up to the maximum (8.0 dwelling units per gross acre), provided that it meets the standards identified above, and satisfies the following criteria beyond those:

- A. Applicants has provided evidence that the project can be certified in LEED; and
- B. Evidence shall be provided to document that the project meets five additional criteria:
 - 1. Designate all streets, sidewalks and trails that are built as part of the project or serving the project directly as available for general public use and not gated. Gated areas and enclaves are NOT considered available for public use.

The project will not be gated; therefore all streets and sidewalks will be available for general public use;
 - 2. Install light-colored high-albedo materials or vegetation for at least 50 percent of sidewalks, patios and driveways.

Sidewalks, patios, and driveways will incorporate the use of gray concrete or other materials with a solar reflectance index of at least 29;
 - 3. Design the lot such that at least 70 percent of the built environment, not including area under roof, is permeable and designed to capture water runoff for infiltration on-site. Area that can be counted toward the minimum includes the following:
 - i. Vegetative landscape and impermeable surfaces will be designed to direct all runoff toward an appropriate permanent infiltration feature;
 - 4. Design and install one of the following permanent erosion control measures:
 - i. For every 500 feet of disturbed lot area (including the area under the roof), one tree, four 5-gallon shrubs, or 50 square feet of native groundcover shall be planted; and
 - 5. Design and install one or more of the following runoff control measures:
 - i. The site will be designed by a licensed or certified landscape design or engineering professional such that it is demonstrated that all water runoff for the home is managed through an on-site design element.

Variance Findings pursuant to Section 19.720.040 of the Riverside Municipal Code:

Variance Request: To allow a reduced landscape perimeter setback of 3 feet, where the Zoning Code requires a minimum 20 foot setback.

- A. The strict application of the provisions of the Zoning Code would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Code.

The proposal **complies** with this finding. Strict application of the Planned Residential Development Permit standards for the R-1-7000 Zone would require a 20 foot landscaped setback, free of any structures including walls and fences, adjacent to public streets. The

intent of the required setback is to ensure a uniform, well-designed project appearance from the public realm, and to balance the flexible development standards allowed by a PRD with compatibility with surrounding development. Compliance the Zoning Code would result in wide, reverse-frontage landscaped areas on Tyler Street and Jurupa Avenue that are substantially larger than those of the surrounding development. Compliance would further require the proposed project to reduce usable private and common open space areas in exchange for creating unusable, passive landscaped areas on the perimeter; or to reduce internal private street widths, resulting in the elimination of required guest parking. Either of these actions would result in a practical difficulty and an unnecessary hardship contrary to the intent and purpose of the Zoning Code, and more specifically the purpose of the Planned Residential Development Permit ordinance.

- B. There are special 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 vicinity and under the identical zoning classification.

The proposal **complies** with this finding. The proposed project shows careful consideration to site design by situating the residential lots around the central common open space areas. This design results in a reverse frontage condition along Tyler Street and Jurupa Avenue similar to the existing condition created by residential development north of the site (across Jurupa Avenue). Although in the case of the existing residences, a landscape setback is not required. This PRD will provide a 3-foot landscape setback, which will allow for a variety of plant materials to be planted to adequately soften the proposed perimeter picket fence. Compliance with the required landscaped setback provision would require the reduction of the common and private open space areas, including private backyards, and recreation amenities; thus, constituting an exceptional circumstance that does not apply to other property in the same zone or neighborhood.

- C. The granting of such variance 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 proposed 3-foot wide landscape setback will provide an adequate area for the planting of shrubs and groundcovers along the street frontages. In addition, the reduced 3-foot landscape setback is generally consistent with the fence and wall setback in the existing residences along Tyler Street and Jurupa Avenue. Compliance with the required landscaped setback provision would create a landscaped setback area that would be inconsistent with the surrounding development pattern. A public notice was sent to property owners within 300 feet of the site and no comments were received by Staff. Therefore, the granting of the Variance request will not be materially detrimental to the public welfare and surrounding property improvements.

- D. The granting of the variance will not be contrary to the objectives of any part of the General Plan.

The proposal **complies** with this finding. Granting the request to allow a reduced project perimeter landscape setback along public streets is consistent with the objectives and policies of the General Plan 2025. Specifically, the proposal will provide a diversity of single-family residential housing and product types within an existing single-family neighborhood consistent with General Plan 2025 Objective H-1, Objective H-2, Policy LU-8.1, and Policy LU-34.6.