

67. Since the Public Utilities Department signs the record map only when all of our conditions have been satisfied, Water Utility approved modifications can be made without further City Planning Commission review.

● **Park and Recreation**

68. The removal, relocation, replacement or protection of existing street trees to the specifications of the Park and Recreation, Public Works and Planning Departments.
69. The installation of new street trees in accordance with the specifications of the Park and Recreation Department. Street tree installation work may be deferred until issuance of building permit on each individual parcel. No Street Trees are required for private streets. All street trees shall be automatically irrigated and installed prior to occupancy.
- *70. Payment of all applicable park development fees (local and regional/reserve) as mitigation for impact to park development and open space needs as generated by the project (Note: Regional/Reserve Park fees not applicable to Open Space Lot acreages; However, all other lots including street lots are subject to Regional/Reserve Park fees).
71. All reverse frontage and public landscape plans shall be subject to review and approval of the Park and Recreation, Planning and Public Works Departments.
72. Installation of full reverse frontage and public landscape improvements, walls and hardscape for all public landscape areas as may be required by the Planning Department, in accordance with the specifications of the Park and Recreation, Planning and Public Works Departments.
73. Irrigation systems serving public landscape areas shall be metered, controlled and valved separately from any private landscape areas for both electrical and water services, as well as for irrigation valve control.
74. All public landscape areas and private open space areas and parkways shall be maintained through a Homeowner's Association.
75. Provide landscape and wall easements, subject to the approval of the Park and Recreation, Public Works and Legal Departments, for all reverse frontage and public landscape improvements that extend beyond the public right of way.
- *76. A multi-purpose recreational trail easement shall be granted to the City along an alignment within the Alessandro Arroyo as approved by the Planning, Park and Recreation and Public Works Departments, and the Recreational Trails

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Steering Committee. It is anticipated the trail alignment will remain within the 100 year flood plain.

- *77. A minimum 10' wide multi-purpose recreational trail designated for non-motorized use and separated from the residential lots by a minimum 6' block or wooden fence as determined by Planning Department, shall be constructed by the developer (or performance/labor material bonds executed for construction of trail) to the specifications of the Public Works, Planning and Park and Recreation Departments.
- *78. Trail signage shall be placed along the trail prior to recordation, or shall be incorporated into the performance/labor material bonds executed for construction of the trail.
- 79. A Covenant and Agreement for the maintenance of the landscaped parkways, reverse frontage and public landscape areas and medians, approved as to form by the City Attorney, must be executed by the developer. The agreement shall outline the responsibilities and liabilities being assumed by the Home Owners Association (HOA), upon acceptance of these landscape areas for private maintenance by the HOA.

GENERAL INFORMATION NOTES

- 1. Appeal Information
 - a. Actions by the City Planning Commission, including any environmental finding, may be appealed to the City Council within fifteen calendar days after the decision.
 - b. Appeal filing and processing information may be obtained from the Planning Department Public Information Section, 3rd Floor, City Hall.

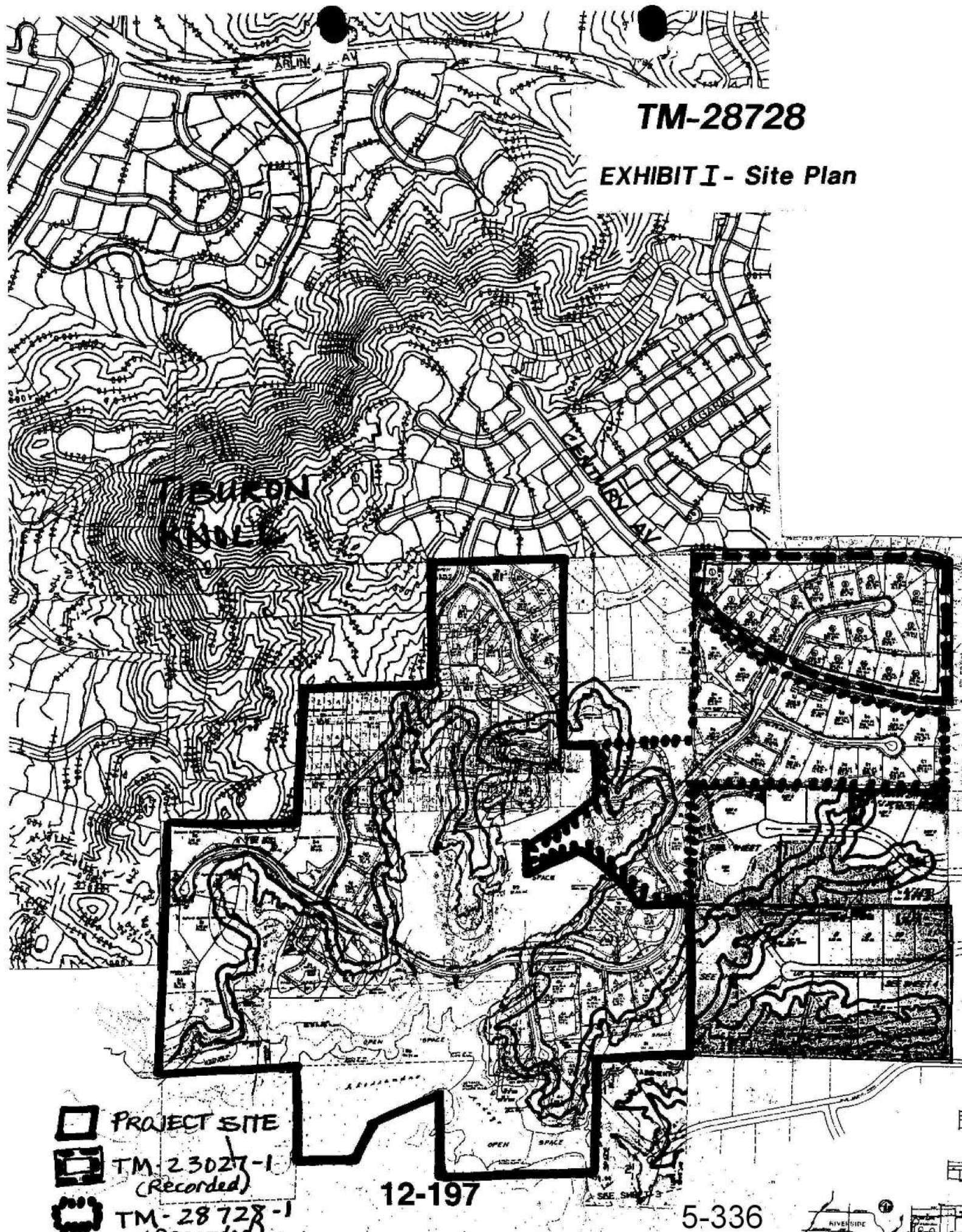
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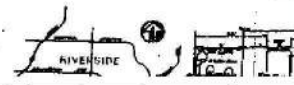
EXHIBIT I - Site Plan



-  PROJECT SITE
-  TM-23027-1
(Recorded)
-  TM-28728-1

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Tract Map and Planned Development

PLANNING COMMISSION HEARING DATE: JANUARY 17, 2002

TRACT MAP 28728: Request of Gabel, Cook and Becklund, on behalf of Dr. Hong, for a two-year time extension in which to record tentative Tract Map 28728, the proposed subdivision of approximately 151.8 vacant acres into approximately 43 residential and five open space lots, generally situated northerly of the Alessandro Arroyo, easterly of Hawarden Drive, southerly of Century Avenue and westerly of Alessandro Boulevard in the RC — Residential Conservation and O — Official Zones. The Planning Commission will also review the grading plan for compliance with the City's Grading Ordinance.

BACKGROUND/PROJECT DESCRIPTION

This proposal is a request for a time extension and grading review for tract map TM 28728, an RC-Residential Conservation zoned subdivision of approximately 152 acres into 66 single family residential lots and five open space lots in the area bounded by Trafalgar Avenue to the north, Century Avenue to the east, the Alessandro Arroyo to the south and Rolling Ridge Road to west.

TM 28728 partially implements planned residential case PD-001-912, which was approved in 1994. Since original approval of the project, Phase 1 of TM-23027 was recorded on March 22, 1996, creating twenty lots northerly of Century Avenue on approximately 14 acres. The remainder of TM 23027 subsequently expired. On January 22, 1998, the Planning Commission approved TM-28728, which is the same design as the expired portions of TM 23027.

TM 28728 is divided into four phases which have been or will be recorded separately as follows:

- Phase 1 Lots 1 - 35, 80 - 86, portion of 89 and 92. This phase recorded on July 16, 1998.
- Phase 2 Lots 63 - 76, 90 and a portion of 89.
- Phase 3 Lots 36 - 46, 77 -79, portion of 88, 91 and 93 (new open space lot proposed under this time extension).
- Phase 4 Lots 47 - 62, 87 and a portion of 88.

ANALYSIS

• **Time Extension**

TM 28728 expired on July 22, 2000 and the applicant submitted a timely request for a time extension on July 19, 2000. However, an initial study is required to the review the grading per the requirements of the Grading Ordinance, which became effective after the original map approval. The initial study includes an updated biological study and findings for

EXHIBIT II
Staff Report (1/17/02)

grading exceptions under the Grading Ordinance, since portions of the proposed subdivision encroach into the limits of the Alessandro Arroyo. Scheduling of the time extension case has been delayed pending completion of a new biological study, which has requirements to be conducted at specific times of the year.

Due to the delay, the map now needs a two-year time extension extending the expiration date to July 22, 2002. Since there have been no significant changes in the area since the last review of the map, staff is recommending approval of the time extension subject to the conditions listed in this report. This map will be eligible for one additional one-year time extension.

As a matter of information, the applicant is advised that the planned residential development case, PD-001-912, and the rezoning case, RZ-006-912, implementing this project also will need retroactive time extensions.

• **Grading**

After TM 28728 was approved in January 1998, the City adopted a new Grading Ordinance in November 1998. The Grading Ordinance is applicable to any project where a grading permit plan was not approved prior to July 1, 1997. As such, the project, other than Phase 1, is subject to review in accordance with the Grading Ordinance. As part of this review, it has been determined that deviations to the Grading Ordinance are required. A detailed description of the requested grading deviations are discussed later in this report. As a matter of information, grading for this tract was originally approved in 1994 by the Environmental Protection Commission (EPC) under EP-016-912 and at that time careful consideration was given to protecting the natural terrain and the Alessandro Arroyo as required by the *Alessandro Heights Standards for Grading and Arroyo Preservation* document.

A number of minor changes to the map and grading are proposed mostly to meet the requirements of the Grading Ordinance as follows:

- Minor grading changes are proposed to lots 37 through 42. Lot 37 has been reduced from 1.34 acres to 1.09 acres in size, allocating the remaining acreage as an open space lot (Lot 93 mis-numbered on the plan as lot 92).
- Lots 38 through 40 have been redesigned from split level pads to single pads moved closer to the street, thereby reducing the amount of grading into the arroyo tributary that runs along the rear of these lots.
- The pad sizes for Lots 41 and 42 have slightly increased in size but are in compliance with the pad size limitations established under the City's Grading Ordinance.

All other aspects of the map, including street alignment, lot configuration, and open space are generally the same as the previously approved map.

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Arroyo Grading Deviations

The southerly boundary of the site is traversed by the main branch of the Alessandro Arroyo, a major arroyo which is a designated Natural Arroyo under the City's General Plan and Grading Ordinance. The map is designed to cluster lots around large, connected open space areas which are intended to include the prominent physical features of the site, such as rock outcroppings and the main branches of the Alessandro Arroyo. A number of tributaries to the Alessandro Arroyo also traverse the site. While portions of the tributaries will be retained as open space throughout the project, grading deviations are required for lots 37-41, 43-49, 57-68, 77 and 78 and portions of street lots C, E, F, H and I to allow the building pad and/or manufactured slopes to encroach into the fifty-foot development setback and/or the limits of the Alessandro Arroyo and its tributary streams (Exhibit 'F').

The limits of the Alessandro Arroyo and the required fifty-foot setback established under the Grading Ordinance were established based on an analysis of topographical maps and aerial photos. The limits of the arroyo are those areas with slopes over thirty percent. It is often necessary to actually inspect the site to determine more precisely the arroyo limits. Based on several field visits to the site, staff noted that lots 37-40 were encroaching fairly close to a tributary of the arroyo. Per the request of staff, the applicant revised the grading for these lots to avoid significant impacts to the tributary. The lots have been redesigned into single pads, and the pads have been daylighted to avoid slopes within proximity to the tributary. Additionally, the redesigned grading also allows for an open space corridor that lines up with the open space areas of the adjacent maps. To add to this open space area and to create a better connection the applicant created open space lot 93 by slightly reducing lot 37.

Additionally, lot 45 contains significant rock outcroppings in the rear portion of the pad which are noted for protection in the submitted map. To insure that these rock outcroppings are protected under the proposed grading, staff recommends that a detailed grading plan be submitted for this lot for staff approval to determine the precise location of the rock outcroppings.

The remaining lots 41-44, 46-49, 57-68 and 77-78 are located outside the main branch of the arroyo and lie on relatively flat surfaces or within portions of tributaries which are not topographically or visually significant.

Although the proposed street alignment has already been approved, grading deviations are now necessary to construct some of these streets. However, none of the proposed streets lie within the actual arroyo.

With the changes noted to the grading and map design and conditions, staff can support all of the requested grading deviations for encroachments into the Arroyo and its tributaries.

Pad Size

A deviation is necessary for a proposed pad size in excess of the limits set by the Grading Ordinance for lot 49. The Grading Ordinance sets pad size limitations based on the average

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natural slope (ANS) of the graded area. Lot 49 has an ANS 30.6% and exceeds the maximum permitted pad size of 18,000-square-feet by 2,300-square feet. In discussing this matter with the applicant the applicant has agreed to revise the grading so the pad does not exceed the permitted 18,000-square-feet.

Slope Height

The Grading Ordinance permits manufactured slopes no higher than twenty-feet. As proposed, lots 49, 63, 64, and portions of street lots C, E and H contain slopes higher than twenty-feet and require a grading deviation for slope height. There are four instances where slopes higher than twenty-feet are necessary for certain segments of the streets. The street configuration, as proposed, was based on a study of the natural terrain to limit the amount of grading needed and are therefore not recommended for change. Since these slopes will not affect the arroyo and are necessary to construct the streets as approved, staff can support these deviations.

The remaining deviations for the above referenced lots consist of slopes up to a maximum of 30-feet. Due to the approved configuration of these lots and streets, these slopes are necessary to limit grading and protect the natural terrain to the greatest extent possible and staff can support the requested deviations for slope height.

RECOMMENDATION

That the City Planning Commission:

- a. **APPROVE** a two-year time extension and the proposed grading plan, including grading deviations, for Tract Map-28728 subject to the recommended conditions of approval based on the following findings:
 - i. the development, as conditioned, is consistent with the Zoning Code and General Plan and with the intent of the Grading Ordinance;
 - b. staff can make the necessary findings to support deviations to the Grading Ordinance as detailed in Exhibit 'H'.
 - c. there have been no significant changes in the surrounding area.
2. Determine that:
 - a. this proposed case will not have a significant effect on the environment because of the mitigation measures described in this report and recommend that the City Council adopt a Mitigated Negative Declaration; and
 - b. there is evidence before the City that the proposed project could have the potential for adverse effects on wildlife resources and the applicant is

responsible for payment of Fish and Game fees at the time the Notice of Determination is filed with the County.

EXHIBITS

- A. Location/Zoning Map
- B. General Plan Map
- C. Aerial Photo
- D. Approved Tract Map-28728
- E. Updated Tract Map-28728
- F. Grading Exceptions Chart
- G. Applicant's Grading Deviation Justifications
- H. Staff Prepared Grading Deviation Justifications
- I. Planning Commission Staff Report Dated January 22, 1998 (*with attached exhibits*)

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**APPROVED CONDITIONS FROM JANUARY 22, 1998 WITH RECOMMENDED
MODIFICATIONS & GENERAL INFORMATION NOTES**

Case Number: TM-28728

Meeting Date: January 17, 2002

CONDITIONS

All mitigation measures are noted by an asterisk ().*

Case Specific

● **Planning**

Prior to Map Recordation

1. An open space easement shall be recorded for all areas within the boundaries of the 100 year flood plain and the setback therefrom ~~as well as~~ all areas designated as open space, and for each lot all areas not proposed for grading under this review subject to the approval of the Planning and Legal Departments. The easement should clearly specify that these areas are intended for open space purposes only and that no grading, construction or fencing is permitted. The open space areas within the open space easement are to be maintained by a Homeowner's Association or by an agreement with the Riverside Land Conservancy subject to the approval of the Planning and Legal Departments.
- *2. Lots 54 - 57 shall be redesigned to widen the street frontage of Lot 56 to allow the building pad area to be located at a lower elevation as conceptually shown on the staff's exhibit, subject to Planning Department review and approval.
- *3. Lots 53 and open space Lot 87 shall be combined as one open space lot.
4. The applicant shall prepare and record Covenants, Conditions, and Restrictions (CC&Rs) and other documents as necessary subject to approval of the Planning and Legal Departments:
 - *a. prohibiting any additional grading beyond the Arroyo Study standards;
 - *b. restricting the pad elevations on Lots 54 - 57 as follows: Lot 54 - 1,260; Lot 55 - 1,265; Lot 56 - 1,280; and Lot 57 - 1,290;
 - *c. establishing a Homeowner's Association;
 - d. the keeping of livestock is prohibited;
 - e. prohibiting further subdivision of any lots within this map.

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5. The City Planning Commission makes the necessary findings in the applicant's favor to grant the following variances. As justification, the applicant's written justifications are referenced:
- a. an overall average density greater than .5 units/acre;
 - b. parcels less than two acres in size on lots with an average natural slope (ANS) greater than 15% (lots 23-27, 29-32, 35-37, 39-49, 51-56, 58-64 and 66-91);
 - c. parcels less than five acres in size on lots with an ANS of 30% or greater (lots 33-34, 38, 50 & 65);
 - d. landlocked parcels located along private streets.

In addition to the applicant's findings, approval of these variances will not affect the overall density or functioning of the map. The design, which proposes some lots with less than the required area, will more effectively preserve the topography in a natural state and minimize grading. Although the lots will be technically landlocked, guaranteed access to a public street will be provided with maintenance being the responsibility of the affected property owners.

6. Reverse frontage walls shall be provided along Century Avenue for lots 21 - 26 and carried through on the side yards for lots 85 & 86 and along Cresthaven Drive for lots 69, 71 & 72. Plans for all reverse frontage shall be submitted for Design Review for the Planning, Public Works and Park and Recreation Departments approval. A Homeowner's Association shall be responsible for maintenance of this reverse frontage area.
7. The reverse frontage wall for lots 21 - 26 should be placed at the top of the slope.
8. The reverse frontage areas should be combined into separate lots and maintained through a Homeowner's Association.
9. The unused portion of right-of-way from the existing cul-de-sac bulb of Cresthaven Drive shall be vacated. A separate submittal and filing fee is required.
10. Lots 88 and 89 should be split at the phasing line to create two new, numbered open space lots.
11. The phasing line for Phase 2 should follow the lot line of Lot C, the extension of Cresthaven Drive. Grading for the southerly extension of Cresthaven Drive shall be permitted to encroach into the designated open space.

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12. Zoning Cases RZ-006-912 shall be adopted and PD-001-912 finalized prior to or concurrently with the adoption of this map. (Both cases have expired and will require retro-active time extensions.)
13. Easements shall be recorded as necessary to provide water to the adjoining lots to the north of Rolling Ridge Road and that the developer stub the waters lines to all effected, contiguous properties.

Prior to Grading Permit Issuance

14. The grading plan shall be revised, subject to Planning Department review and approval, to:
 - *a. clearly indicate all pad and lot drainage, subject to review and approval by the Planning and Public Works Departments. Cross lot drainage covenants, if necessary, shall be subject to Public Works and Legal Departments' review and approval.
 - *b. Indicate that all rip-rap will be natural rock (not blasted) and all visible drainage features will be color treated to blend in with the natural surroundings.
 - *c. Indicate an interim erosion control program to be certified by the project engineer subject to Public Works Department review and approval.
 - d. Reflect City adopted contour grading policies. Prior to issuance of a building permit, the applicant's engineer shall submit a letter certifying the contouring of such required slopes in accordance with City adopted standards.
 - e. Indicate that grading operations will be restricted to 7:00 a.m. to 7:00 p.m. weekdays, and 8:00 a.m. to 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or federal holidays.
 - f. Indicate the 100 year flood limits of the blue line stream to the satisfaction of the Public Works Department.
15. The Commission makes the necessary findings in the applicant's favor to grant the following grading deviations. As justification, the applicant's written justifications are referenced:
 - a. to allow the building pad and/or manufactured slopes for lots 37-41, 43-49, 57-68, 77 and 78 and portions of street lots C, E, F, H and I to encroach into the limits of the Alessandro Arroyo; and

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- b. to permit slopes in excess of twenty-feet for lots 49, 63, 64, and street lots C, E and H.
16. Prepare a detailed grading plan at 1"=40' scale for lot 45 showing protection of the existing rock outcroppings, subject to Planning Department approval.
 17. Final driveway grades and configurations will be subject to review and approval of the Fire Department.
 18. Tract Map 28728 shall be recorded.
 19. Landscaping and irrigation plans for all manufactured slopes in excess of five feet in vertical height shall be submitted to and approved by the Planning Department. The applicant's engineer or landscape architect shall submit a letter certifying to the installation of such required landscaping and irrigation facilities prior to the release of utilities.
 20. In the event that joint access driveways are proposed, covenants shall be prepared subject to the satisfaction of the Legal and Public Works Departments.
 21. The grading plan shall be revised to reflect all design changes recommended in this City Planning Commission report.
 22. Adjacent property owner's approval shall be obtained for all off-site grading. Also, slope maintenance agreements for all slopes crossing property lines shall be recorded subject to approval of the Planning, Legal and Public Works Departments.
 - *23. Prior to the issuance of grading permits for Phases 2-4, the applicant shall have a biological study prepared by a qualified biologist acceptable to the U.S. Fish and Wildlife Service to determine the presence or absence of the California Gnatcatcher. In the event portions of the site are occupied, the applicant shall obtain U.S. Fish and Wildlife Service prior to grading permit issuance.
 - *24. The applicant shall prepare a Coastal Sage Scrub and riparian enhancement plan subject to review and approval of the Planning Department prior to grading permit issuance for Phases 2-4.
 25. Manufactured slope ratios shall not exceed a maximum of 2:1.
 26. The applicant shall be responsible for erosion and dust control during both the grading and construction phases of the project.

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27. Grading activity shall be in substantial compliance with the grading plan on file with this application.
- *28. Advisory: The Regional Water Quality Control Board requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP).
- *29. Advisory: Any disturbance of the "blue line streams" will require permits and approval from the State Department of Fish and Game and U.S. Army Corps of Engineers.
- *30. The applicant shall comply with the long term Stephen's Kangaroo Rat (SKR) Habitat Conservation Plan (HCP) and the City's policies for implementing the HCP.

Prior to Building Permit Issuance

- *31. The 30-foot wide access road proposed for Lot 92 shall be graded, with slopes landscaped, a wall placed at the top of the slope and a gate installed at Century Avenue, on-site with adequate stacking space and vehicle turn-around area to Planning and Public Works specifications.
- *32. The applicant is advised that the project is in an area impacted by a CNEL noise level between 60 and 70 dBA. Dwelling units constructed within the noise impacts areas will have to be sound insulated to the specifications of the Building Division.
- ~~33. An avigation easement shall be required to the specifications of March Air Reserve Base (MARB) and the Legal Department.~~
- *34. Submit documentation of approval by the Riverside County Airport Land Use Commission (ALUC) shall be submitted to the Planning Department. All Conditions imposed by the ALUC shall be met to its satisfaction prior to map recordation. In the event the ALUC finds this map to be inconsistent with the Airport Land Use Plan, the case shall be considered by the City Council at a public hearing concurrently with the ALUC appeal.
- *35. The applicant shall convey an avigation easement to the March Air Reserve Base (MARB) and the March Inland Port (MIP) to the satisfaction of the Legal Department and MARB/MIP. The applicant shall obtain approval of the Riverside County Airport Land Use Commission and submit documentation to Planning Department staff.
- *36. Any lighting other than normally associated with a residential use, such as tennis court lighting, will be reviewed by the Planning Department in the Design Review process. Any tennis court lighting is required to be hooded

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and directed downward. In addition, the design shall avoid off-site light spillage.

37. For purposes of measuring the front yard building setback line the private street will be considered a public street. All homes placed on these lots will have a front yard setback of 30-feet from the private street property line and 25-feet from the side and rear property lines. All other applicable standards of the underlying RC — Residential Conservation Zone shall be met.

Standard Conditions

- **Planning**

38. ~~There is a thirty month time limit in which to satisfy the conditions and record this map. Three subsequent one-year time extensions may be granted by the City Planning Commission upon request by the applicant. Application for a one-year time extension must be made prior to the expiration date of the map. No time extension may be granted for applications received after the expiration date of the map. The new expiration date of the map will be July 22, 2002 and only one more time extension request is permitted.~~

- *39. In approving this case, it has been determined that the project has the potential for adverse effect on wildlife resources and the payment of fees pursuant to Section 711.4 of the Fish and Game Code is required.

- **Public Works**

40. Dedication of right-of-way for Cresthaven Drive to 30 feet from monument centerline to Public Works specifications.
41. Installation of curb and gutter at 18 feet from monument centerline, sidewalk and matching paving on Cresthaven Drive to Public Works specifications.
42. Full half-street improvements required on Cresthaven Drive for the portion not lying completely within the boundaries of the map, total R/W = 40 feet, curb and gutter at 18 feet from monument centerline to Public Works specifications. The unused portion of the right-of-way for the cul-de-sac on Cresthaven Drive shall be vacated prior to recordation of this map.
43. The proposed private streets are to be designed and fully improved per the standards governing private streets, Resolutions 12006 and 15531.
44. Storm Drain construction will be contingent on engineer's drainage study.

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45. Off-site improvement plans to be approved by Public Works and a surety posted to guarantee the required off-site improvements prior to recordation of this map.
46. Size, number and location of driveways to Public Works specifications.
47. Minimum design speed for residential streets should not be less than 25 miles per hour with a 150 foot minimum sight distance.
48. Installation of sewers and sewer laterals to serve this project to Public Works specifications. However, septic tanks will be allowed for lots that cannot reasonably be served by a gravity sewer.
49. Onsite disposal system (septic tank) acceptability shall be obtained for each lot of this map not served by sewer, to the satisfaction of the County Department of Environmental Health, prior to this map recording.
50. Removal and/or relocation of irrigation facilities, as required.
51. All property subject to flooding from a 100-year storm shall be placed in the WC (or other appropriate Zone) prior to or concurrently with recordation of this map.
52. Ownership of property to be undivided prior to this map recording.
53. All security gates or facilities proposed now or in the future will be located on-site and adequate stacking space and vehicle turn-around area will have to be provided to Public Works specifications.

● **Fire Department**

54. Requirements for construction shall follow the Uniform Building Code with the State of California Amendments as adopted by the City of Riverside.
55. Construction plans shall be submitted and permitted prior to construction.
56. Any required fire hydrants shall be installed and operational prior to Fire Department release of permit.
57. Fire Department access is required to be maintained during all phases of construction.
- *58. Prior to map recordation the Fire Department recommends the following conditions be included in a recorded covenant to the satisfaction of the Legal and Fire Departments to ensure that future buyers are informed of these requirements:

- a. On- and off-site fire protection facilities shall be provided to the specifications of the Fire Department.
- b. The Building Division and Fire Department shall inspect and approve the property and structure for the intended use and all standards and regulations shall be met.
- c. Residential fire sprinklers shall be installed per City Ordinance #6019.
- d. A public water system shall be provided and maintained.
- e. Streets and fire apparatus access roads shall meet public street standards.

Appropriate provisions shall be made and approved by the City resolution or agreement to insure streets are maintained and repaired when necessary in the event a homeowners association fails to do so.

Cul-de-sacs, where islands are provided, shall be a minimum of 106-feet in diameter, curb-to-curb, with a maximum fifty-foot diameter island.

Entry gate(s) shall meet Fire Department requirements for access and be equipped with key box (Knox) devices.

- 59. All dead-ends, caused by recordation of individual phases of the map, in excess of 150-feet will be required to provide a temporary turnaround to the Fire Department's approval.

- **Public Utilities**

- 60. All utilities shall be satisfactorily relocated, protected and/or replaced to the specifications of the affected departments and agencies, and easements for such facilities retained as necessary.
- 61. The provision of utility easements, water, street lights and electrical underground and/or overhead facilities and fees in accordance with the rules and regulations of the appropriate purveyor.
- *62. Consideration for acceptance of a City maintained water system within private developments requires the following:
 - a. Easements will be provided as required by the Water Utility. This will include the entire width of private streets (minimum 50-foot wide) and a graded strip (minimum 30-foot wide) elsewhere as needed.

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- b. Easements shall be kept clear of structures, trees and all other deep rooted plants which could interfere with the operation, maintenance and/or replacement of City water facilities. This includes medians.
 - c. The City Water Utility shall review and approve all construction and landscaping plans within the easement areas.
 - d. Private streets shall be constructed to Public Works specifications, including standard 6-inch curb and gutter to provide adequate drainage for flushing and flow testing fire hydrants.
 - e. City water mains in private streets shall be ductile iron and shall be constructed beneath all transverse storm drain facilities.
 - f. Installation of a 12-inch water main across the Alessandro Arroyo is of prime importance to the expansion and operation of the City 1400 zone on both sides of the arroyo. Therefore, the installation of a 12-inch water main in a graded easement is required, from the project boundary near the Arroyo Dam, to the nearest private street, as approved by the Water Utility and the Planning Departments. Crossing the arroyo at the dam will also require the approval of the Riverside County Flood Control District.
 - g. Compliance with any other special requirements of the Water Utility.
63. Applicable Water Utility fees and charges, will be required prior to recordation.
64. Since the Public Utilities Department signs the record map only when all of our conditions have been satisfied, Water Utility approved modifications can be made without further City Planning Commission review.

● **Park and Recreation**

65. The removal, relocation, replacement or protection of existing street trees to the specifications of the Park and Recreation, Public Works and Planning Departments.
66. The installation of new street trees in accordance with the specifications of the Park and Recreation Department. Street tree installation work may be deferred until issuance of building permit on each individual parcel. No Street Trees are required for private streets. All street trees shall be automatically irrigated and installed prior to occupancy.
- *67. Payment of all applicable park development fees (local and regional/reserve) as mitigation for impact to park development and open space needs as

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generated by the project (Note: Regional/Reserve Park fees not applicable to Open Space Lot acreages; However, all other lots including street lots are subject to Regional/Reserve Park fees).

68. All reverse frontage and public landscape plans shall be subject to review and approval of the Park and Recreation, Planning and Public Works Departments.
69. Installation of full reverse frontage and public landscape improvements, walls and hardscape for all public landscape areas as may be required by the Planning Department, in accordance with the specifications of the Park and Recreation, Planning and Public Works Departments.
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- *73. A multi-purpose recreational trail easement shall be granted to the City along an alignment within the Alessandro Arroyo as approved by the Planning, Park and Recreation and Public Works Departments, and the Recreational Trails Steering Committee. It is anticipated the trail alignment will remain within the 100 year flood plain.
- *74. A minimum 10' wide multi-purpose recreational trail designated for non-motorized use and separated from the residential lots by a minimum 6' block or wooden fence as determined by Planning Department, shall be constructed by the developer (or performance/labor material bonds executed for construction of trail) to the specifications of the Public Works, Planning and Park and Recreation Departments.
- *75. Trail signage shall be placed along the trail prior to recordation, or shall be incorporated into the performance/labor material bonds executed for construction of the trail.
76. A Covenant and Agreement for the maintenance of the landscaped parkways, reverse frontage and public landscape areas and medians, approved as to form by the City Attorney, must be executed by the developer. The agreement shall outline the responsibilities and liabilities being assumed by the Home

12-212

5-351

Owners Association (HOA), upon acceptance of these landscape areas for private maintenance by the HOA.

GENERAL INFORMATION NOTES

1. Appeal Information

- a. Actions by the City Planning Commission, including any environmental finding, may be appealed to the City Council within fifteen calendar days after the decision.
- b. Appeal filing and processing information may be obtained from the Planning Department Public Information Section, 3rd Floor, City Hall.

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**CITY COUNCIL
FINAL APPROVED CONDITIONS**

TM-28728 / PD-001-912

City Council Meeting Date: May 14, 2002

**APPROVED CONDITIONS FROM JANUARY 22, 1998 WITH RECOMMENDED
MODIFICATIONS & GENERAL INFORMATION NOTES**

CONDITIONS

All mitigation measures are noted by an asterisk ().*

Case Specific

● **Planning**

Prior to Map Recordation

- *1. An open space easement shall be recorded for all areas within the boundaries of the 100 year flood plain and the setback therefrom, all areas designated as open space, and for each lot all areas not proposed for grading under this review subject to the approval of the Planning and Legal Departments. The easement should clearly specify that these areas are intended for open space purposes only and that no grading, construction or fencing is permitted. The open space areas within the open space easement are to be maintained by a non-profit conservation organization such as the Riverside Land Conservancy subject to the approval of the Planning and Legal Departments. The property shall be transferred either in fee title or an easement established to facilitate maintenance/stewardship by such an organization, or other mechanism and/or organization as approved by Planning and Legal Departments.
- *2. Lots 54 - 57 shall be redesigned to widen the street frontage of Lot 56 to allow the building pad area to be located at a lower elevation as conceptually shown on the staff's exhibit, subject to Planning Department review and approval.
- *3. Lots 53 and open space Lot 87 shall be combined as one open space lot.
4. Shorten private street lot "C" to cul-de-sac in front of open space lot 88 with long driveways provided for lots 50, 51 and 52, subject to Planning and Public Works Departments approval.

P03-1451-1548, P04-0260
EXHIBIT 'I'

5. Provide gates at the entrance/exits to the project. The gates should meet all Fire, Police, Public Works and Planning Departments' requirements for design, turnarounds and locks.
6. Provide a trail across the subject property, between the Alessandro Arroyo and the northerly boundary of the subject property for eventual connection to Tiburon Knoll, subject to approval of the Planning Department.
7. The applicant shall prepare and record Covenants, Conditions, and Restrictions (CC&Rs) and other documents as necessary subject to approval of the Planning and Legal Departments:
 - *a. prohibiting any additional grading beyond the Arroyo Study standards;
 - *b. restricting the pad elevations on Lots 54 - 57 as follows: Lot 54 - 1,260; Lot 55 - 1,265; Lot 56 - 1,280; and Lot 57 - 1,290;
 - *c. establishing a Homeowner's Association;
 - d. the keeping of livestock is prohibited;
 - e. prohibiting further subdivision of any lots within this map.
8. The City Planning Commission makes the necessary findings in the applicant's favor to grant the following variances. As justification, the applicant's written justifications are referenced in Exhibits 6, 7, & 8 (pages 4 & 5) of the original January 22, 1998 staff report:
 - a. an overall average density greater than .5 units/acre;
 - b. parcels less than two acres in size on lots with an average natural slope (ANS) greater than 15% (lots 23-27, 29-32, 35-37, 39-49, 51-56, 58-64 and 66-91);
 - c. parcels less than five acres in size on lots with an ANS of 30% or greater (lots 33-34, 38, 50 & 65);
 - d. landlocked parcels located along private streets.

In addition to the applicant's findings, approval of these variances will not affect the overall density or functioning of the map. The design, which proposes some lots with less than the required area, will more effectively

preserve the topography in a natural state and minimize grading. Although the lots will be technically landlocked, guaranteed access to a public street will be provided with maintenance being the responsibility of the affected property owners.

9. Reverse frontage walls shall be provided along Century Avenue for lots 21 - 26 and carried through on the side yards for lots 85 & 86 and along Cresthaven Drive for lots 69, 71 & 72. Plans for all reverse frontage shall be submitted for Design Review for the Planning, Public Works and Park and Recreation Departments approval. A Homeowner's Association shall be responsible for maintenance of this reverse frontage area.
10. The reverse frontage wall for lots 21 - 26 should be placed at the top of the slope.
11. The reverse frontage areas should be combined into separate lots and maintained through a Homeowner's Association.
12. The unused portion of right-of-way from the existing cul-de-sac bulb of Cresthaven Drive shall be vacated. A separate submittal and filing fee is required.
13. Lots 88 and 89 should be split at the phasing line to create two new, numbered open space lots.
14. The phasing line for Phase 2 should follow the lot line of Lot C, the extension of Cresthaven Drive. Grading for the southerly extension of Cresthaven Drive shall be permitted to encroach into the designated open space.
15. Zoning Cases RZ-006-912 shall be adopted and PD-001-912 finalized prior to or concurrently with the adoption of this map. (Both cases have expired and will require retroactive time extensions.)
16. Easements shall be recorded as necessary to provide water to the adjoining lots to the north of Rolling Ridge Road and that the developer stub the waters lines to all effected, contiguous properties.

Prior to Grading Permit Issuance

17. The grading plan shall be revised, subject to Planning Department review and approval, to:

- *a. clearly indicate all pad and lot drainage, subject to review and approval by the Planning and Public Works Departments. Cross lot drainage covenants, if necessary, shall be subject to Public Works and Legal Departments' review and approval.
 - *b. Indicate that all rip-rap will be natural rock (not blasted) and all visible drainage features will be color treated to blend in with the natural surroundings.
 - *c. Indicate an interim erosion control program to be certified by the project engineer subject to Public Works Department review and approval.
 - d. Reflect City adopted contour grading policies. Prior to issuance of a building permit, the applicant's engineer shall submit a letter certifying the contouring of such required slopes in accordance with City adopted standards.
 - e. Indicate that grading operations will be restricted to 7:00 a.m. to 7:00 p.m. weekdays, and 8:00 a.m. to 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or federal holidays.
 - f. Indicate the 100 year flood limits of the blue line stream to the satisfaction of the Public Works Department.
18. The Commission makes the necessary findings in the applicant's favor to grant the following grading deviations. As justification, the applicant's written justifications and staff's supplemented justifications are referenced in Exhibit G and staff's written justifications are referenced in Exhibit H, both of the January 17, 2002 staff report.
- a. to allow the building pad and/or manufactured slopes for lots 37-41, 43-49, 57-68, 77 and 78 and portions of street lots C, E, F, H and I to encroach into the limits of the Alessandro Arroyo; and
 - b. to permit slopes in excess of twenty-feet in vertical height for lots 49, 63, 64, and street lots C, E and H.
19. Prepare a detailed grading plan at 1"=40' scale for lot 45 showing protection of the existing rock outcroppings, subject to Planning Department approval.
20. Final driveway grades and configurations will be subject to review and approval of the Fire Department.

21. Tract Map 28728 shall be recorded.
22. Landscaping and irrigation plans for all manufactured slopes in excess of five feet in vertical height shall be submitted to and approved by the Planning Department. The applicant's engineer or landscape architect shall submit a letter certifying to the installation of such required landscaping and irrigation facilities prior to the release of utilities.
23. In the event that joint access driveways are proposed, covenants shall be prepared subject to the satisfaction of the Legal and Public Works Departments.
24. The grading plan shall be revised to reflect all design changes recommended in this City Planning Commission report.
25. Adjacent property owner's approval shall be obtained for all off-site grading. Also, slope maintenance agreements for all slopes crossing property lines shall be recorded subject to approval of the Planning, Legal and Public Works Departments.
- *26. Prior to the issuance of grading permits for Phases 2-4, the applicant shall have a biological study prepared by a qualified biologist acceptable to the U.S. Fish and Wildlife Service to determine the presence or absence of the California Gnatcatcher. In the event portions of the site are occupied, the applicant shall obtain U.S. Fish and Wildlife Service prior to grading permit issuance.
- *27. The applicant shall prepare a Coastal Sage Scrub and riparian enhancement plan subject to review and approval of the Planning Department prior to grading permit issuance for Phases 2-4.
28. Manufactured slope ratios shall not exceed a maximum of 2:1.
29. The applicant shall be responsible for erosion and dust control during both the grading and construction phases of the project.
30. Grading activity shall be in substantial compliance with the grading plan on file with this application.
- *31. Advisory: The Regional Water Quality Control Board requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

- *32. Advisory: Any disturbance of the "blue line streams" will require permits and approval from the State Department of Fish and Game and U.S. Army Corps of Engineers.
- *33. The applicant shall comply with the long term Stephen's Kangaroo Rat (SKR) Habitat Conservation Plan (HCP) and the City's policies for implementing the HCP.

Prior to Building Permit Issuance

- *34. The 30-foot wide access road proposed for Lot 92 shall be graded, with slopes landscaped, a wall placed at the top of the slope and a gate installed at Century Avenue, on-site with adequate stacking space and vehicle turn-around area to Planning and Public Works specifications.
- *35. The applicant is advised that the project is in an area impacted by a CNEL noise level between 60 and 70 dBA. Dwelling units constructed within the noise impacts areas will have to be sound insulated to the specifications of the Building Division.
- *36. Documentation of approval by the Riverside County Airport Land Use Commission (ALUC) shall be submitted to the Planning Department. All Conditions imposed by the ALUC shall be met to its satisfaction prior to map recordation. In the event the ALUC finds this map to be inconsistent with the Airport Land Use Plan, the case shall be considered by the City Council at a public hearing concurrently with the ALUC appeal.
- *37. The applicant shall convey an avigation easement to the March Air Reserve Base (MARB) and the March Inland Port (MIP) to the satisfaction of the Legal Department and MARB/MIP. The applicant shall obtain approval of the Riverside County Airport Land Use Commission and submit documentation to Planning Department staff.
- *38. Any lighting other than normally associated with a residential use, such as tennis court lighting, will be reviewed by the Planning Department in the Design Review process. Any tennis court lighting is required to be hooded and directed downward. In addition, the design shall avoid off-site light spillage.
- 39. For purposes of measuring the front yard building setback line the private street will be considered a public street. All homes placed on these lots will have a front yard setback of 30-feet from the private street property line and

25-feet from the side and rear property lines. All other applicable standards of the underlying RC — Residential Conservation Zone shall be met.

Standard Conditions

● **Planning**

40. The new expiration date of the map will be July 22, 2002 and only one more time extension request is permitted.
- *41. In approving this case, it has been determined that the project has the potential for adverse effect on wildlife resources and the payment of fees pursuant to Section 711.4 of the Fish and Game Code is required.

● **Public Works**

42. Dedication of right-of-way for Cresthaven Drive to 30 feet from monument centerline to Public Works specifications.
43. Installation of curb and gutter at 18 feet from monument centerline, sidewalk and matching paving on Cresthaven Drive to Public Works specifications.
44. Full half-street improvements required on Cresthaven Drive for the portion not lying completely within the boundaries of the map, total R/W = 40 feet, curb and gutter at 18 feet from monument centerline to Public Works specifications. The unused portion of the right-of-way for the cul-de-sac on Cresthaven Drive shall be vacated prior to recordation of this map.
45. The proposed private streets are to be designed and fully improved per the standards governing private streets, Resolutions 12006 and 15531.
46. Storm Drain construction will be contingent on engineer's drainage study.
47. Off-site improvement plans to be approved by Public Works and a surety posted to guarantee the required off-site improvements prior to recordation of this map.
48. Size, number and location of driveways to Public Works specifications.
49. Minimum design speed for residential streets should not be less than 25 miles per hour with a 150 foot minimum sight distance.

50. Installation of sewers and sewer laterals to serve this project to Public Works specifications. However, septic tanks will be allowed for lots that cannot reasonably be served by a gravity sewer.
51. Onsite disposal system (septic tank) acceptability shall be obtained for each lot of this map not served by sewer, to the satisfaction of the County Department of Environmental Health, prior to this map recording.
52. Removal and/or relocation of irrigation facilities, as required.
53. All property subject to flooding from a 100-year storm shall be placed in the WC (or other appropriate Zone) prior to or concurrently with recordation of this map.
54. Ownership of property to be undivided prior to this map recording.
55. All security gates or facilities proposed now or in the future will be located on-site and adequate stacking space and vehicle turn-around area will have to be provided to Public Works specifications.

● **Fire Department**

56. Requirements for construction shall follow the Uniform Building Code with the State of California Amendments as adopted by the City of Riverside.
57. Construction plans shall be submitted and permitted prior to construction.
58. Any required fire hydrants shall be installed and operational prior to Fire Department release of permit.
59. Fire Department access is required to be maintained during all phases of construction.
- *60. Prior to map recordation the Fire Department recommends the following conditions be included in a recorded covenant to the satisfaction of the Legal and Fire Departments to ensure that future buyers are informed of these requirements:
 - a. On- and off-site fire protection facilities shall be provided to the specifications of the Fire Department.

- b. The Building Division and Fire Department shall inspect and approve the property and structure for the intended use and all standards and regulations shall be met.
- c. Residential fire sprinklers shall be installed per City Ordinance #6019.
- d. A public water system shall be provided and maintained.
- e. Streets and fire apparatus access roads shall meet public street standards.

Appropriate provisions shall be made and approved by the City resolution or agreement to insure streets are maintained and repaired when necessary in the event a homeowners association fails to do so.

Cul-de-sacs, where islands are provided, shall be a minimum of 106-feet in diameter, curb-to-curb, with a maximum fifty-foot diameter island.

Entry gate(s) shall meet Fire Department requirements for access and be equipped with key box (Knox) devices.

- 61. All dead-ends, caused by recordation of individual phases of the map, in excess of 150-feet will be required to provide a temporary turnaround to the Fire Department's approval.

- **Public Utilities**

- 62. All utilities shall be satisfactorily relocated, protected and/or replaced to the specifications of the affected departments and agencies, and easements for such facilities retained as necessary.
- 63. The provision of utility easements, water, street lights and electrical underground and/or overhead facilities and fees in accordance with the rules and regulations of the appropriate purveyor.
- *64. Consideration for acceptance of a City maintained water system within private developments requires the following:
 - a. Easements will be provided as required by the Water Utility. This will include the entire width of private streets (minimum 50-foot wide) and a graded strip (minimum 30-foot wide) elsewhere as needed.

- b. Easements shall be kept clear of structures, trees and all other deep rooted plants which could interfere with the operation, maintenance and/or replacement of City water facilities. This includes medians.
 - c. The City Water Utility shall review and approve all construction and landscaping plans within the easement areas.
 - d. Private streets shall be constructed to Public Works specifications, including standard 6-inch curb and gutter to provide adequate drainage for flushing and flow testing fire hydrants.
 - e. City water mains in private streets shall be ductile iron and shall be constructed beneath all transverse storm drain facilities.
 - f. Installation of a 12-inch water main across the Alessandro Arroyo is of prime importance to the expansion and operation of the City 1400 zone on both sides of the arroyo. Therefore, the installation of a 12-inch water main in a graded easement is required, from the project boundary near the Arroyo Dam, to the nearest private street, as approved by the Water Utility and the Planning Departments. Crossing the arroyo at the dam will also require the approval of the Riverside County Flood Control District.
 - g. Compliance with any other special requirements of the Water Utility.
65. Applicable Water Utility fees and charges, will be required prior to recordation.
66. Since the Public Utilities Department signs the record map only when all of our conditions have been satisfied, Water Utility approved modifications can be made without further City Planning Commission review.

● **Park and Recreation**

67. The removal, relocation, replacement or protection of existing street trees to the specifications of the Park and Recreation, Public Works and Planning Departments.
68. The installation of new street trees in accordance with the specifications of the Park and Recreation Department. Street tree installation work may be deferred until issuance of building permit on each individual parcel. No Street Trees are required for private streets. All street trees shall be automatically irrigated and installed prior to occupancy.

- *69. Payment of all applicable park development fees (local and regional/reserve) as mitigation for impact to park development and open space needs as generated by the project (Note: Regional/Reserve Park fees not applicable to Open Space Lot acreages; However, all other lots including street lots are subject to Regional/Reserve Park fees).
70. All reverse frontage and public landscape plans shall be subject to review and approval of the Park and Recreation, Planning and Public Works Departments.
71. Installation of full reverse frontage and public landscape improvements, walls and hardscape for all public landscape areas as may be required by the Planning Department, in accordance with the specifications of the Park and Recreation, Planning and Public Works Departments.
72. Irrigation systems serving public landscape areas shall be metered, controlled and valved separately from any private landscape areas for both electrical and water services, as well as for irrigation valve control.
73. All public landscape areas and private open space areas and parkways shall be maintained through a Homeowner's Association.
74. Provide landscape and wall easements, subject to the approval of the Park and Recreation, Public Works and Legal Departments, for all reverse frontage and public landscape improvements that extend beyond the public right of way.
- *75. A multi-purpose recreational trail easement shall be granted to the City along an alignment within the Alessandro Arroyo as approved by the Planning, Park and Recreation and Public Works Departments, and the Recreational Trails Steering Committee. It is anticipated the trail alignment will remain within the 100 year flood plain.
- *76. A minimum 10' wide multi-purpose recreational trail designated for non-motorized use and separated from the residential lots by a minimum 6' block or wooden fence as determined by Planning Department, shall be constructed by the developer (or performance/labor material bonds executed for construction of trail) to the specifications of the Public Works, Planning and Park and Recreation Departments.
- *77. Trail signage shall be placed along the trail prior to recordation, or shall be incorporated into the performance/labor material bonds executed for construction of the trail.

78. A Covenant and Agreement for the maintenance of the landscaped parkways, reverse frontage and public landscape areas and medians, approved as to form by the City Attorney, must be executed by the developer. The agreement shall outline the responsibilities and liabilities being assumed by the Home Owners Association (HOA), upon acceptance of these landscape areas for private maintenance by the HOA.



CITY OF RIVERSIDE CITY COUNCIL

COUNCILMEMBERS

September 28, 2004

WARDS

	BETRO	MOORE	GAGE	SCHIAVONE	ADKISON	HART	ADAMS
WARDS	1	2	3	4	5	6	7
<p><u>PUBLIC HEARINGS/PLANNING REFERRALS AND APPEALS</u></p> <p>CASE P03-1451 - APPEAL - TRACT MAP 31930 - CRESTHAVEN NLY. OF ALESSANDRO ARROYO Hearing was called to consider the appeal by Jim Guthrie, Friends of Riverside's Hills, and Robert and Susan Burton of the decision of the Planning Commission in approving Tract Map 31930 to subdivide approximately 86.31 vacant acres into 29 residential and five open space lots located southerly of the terminus of Cresthaven Drive and northerly of Alessandro Arroyo in Zones RC and O. Eight people spoke regarding the matter. Two letters were presented and considered. Following discussion, the public hearing was officially closed. The City Council (1) upheld the decision of the Planning Commission in approving Case P03-1451 subject to conditions; (2) adopted the staff report and environmental assessment as finding; (3) determined that the project would not have a significant effect on the environment because of the mitigation measures described in the staff report and adopted a Mitigated Negative Declaration; (4) found there is no evidence that the proposed project will have any adverse effect on wildlife resources and the impacts of the project are found to be de minimis pursuant to Section 711.4 of the Fish and Game Code; and (5) requested the City Attorney's Office prepare a resolution setting forth the findings in support of the Mitigated Negative Declaration and adopting a Mitigation Monitoring Program.</p>				X			X
<p>CASE P03-1548 - APPEAL DENIED - PLANNED RESIDENTIAL DEVELOPMENT - CRESTHAVEN NLY. OF ALESSANDRO ARROYO Hearing was called to consider the appeal by Jim Guthrie of the decision of the Planning Commission in denying a revised planned residential development (PD-001-912) consisting of 29 single-family residences with private and common open space on approximately 86.31 vacant acres located southerly of the terminus of Cresthaven Drive and northerly of Alessandro Arroyo in Zones RC and O. Eight people spoke regarding the matter. Two letters were presented and considered. Following discussion, the public hearing was officially closed. The City Council upheld the decision of the Planning Commission in denying Case P03-1548.</p>		X	X	X	X		X
<p>CASE P04-0260 - APPEAL - REZONING - CRESTHAVEN NLY. OF ALESSANDRO ARROYO - ORDINANCE INTRODUCED Hearing was called to consider the appeal by Susan and Robert Burton of the decision of the Planning Commission in approving the rezoning of approximately seven acres from Zone O to Zone RC located along the southerly portion of a 29-unit planned residential development situated</p>				X			

Motion
Second
Ayes
Noes

Motion
Second
Ayes
Noes



CITY OF RIVERSIDE CITY COUNCIL

COUNCILMEMBERS

September 28, 2004

WARDS

	BETRO	MOORE	GAGE	SCHIAVONE	ADKISON	HART	ADAMS
WARDS	1	2	3	4	5	6	7
<p>southerly at the terminus of the Cresthaven Drive and northerly of the Alessandro Arroyo. Eight people spoke regarding the matter. Two letters were presented and considered. Following discussion, the public hearing was officially closed. The City Council (1) upheld the decision of the Planning Commission in approving Case P04-0260 subject to conditions; (2) adopted the staff report and environmental assessment as findings; (3) found that the proposed project would not have a significant effect on the environment based on the analysis and mitigation measures described in the environmental initial study and adopted a Mitigated Negative Declaration; (4) found there is no evidence that the proposed project will have any potential for adverse effect on wildlife resources and the impacts of the project are found to be de minimis pursuant to Section 711.4 of the Fish and Game Code; (5) requested the City Attorney's Office prepare a resolution setting forth the findings in support of the Mitigated Negative Declaration and adopt a Mitigation Monitoring Project; and (6) requested the City Attorney's Office prepare the appropriate rezoning ordinance.</p> <p>RECESS The City Council recessed at 4:15 p.m. and reconvened at 6:15 p.m. with Mayor Pro Tempore Gage presiding in the absence of Mayor Loveridge and all members present except Councilmembers Adkison and Hart.</p> <p>CLOSED SESSION ANNOUNCEMENT City Attorney Priamos announced there were no reportable actions taken on the closed sessions held earlier in the day.</p> <p>Councilmember Adkison arrived during the following item.</p> <p>REPORT FROM HUMAN RESOURCES BOARD Chair Prudence LaBeach Pollard reported on the activities of the Human Resources Board. Following discussion, the City Council thanked Ms. Pollard for her report.</p> <p>The Pledge of Allegiance was given to the Flag.</p> <p>PRESENTATIONS Councilmember Schiavone presented the Celebrating Riverside award to Tammy Blackmore and Debbie Rawley for their contributions and leadership roles in improving their neighborhood.</p> <p>Mayor Pro Tempore Gage presented a Proclamation to D. Joy Gould celebrating the 14th Annual AIDS Walk.</p>				X			
<p>Motion</p> <p>Second</p> <p>Ayes</p> <p>Noes</p>	X	X	X	X	X		X
					A		
					X		

**CITY COUNCIL
FINAL APPROVED CONDITIONS**

P04-0260 (Rezoning)

City Council Meeting Date: September 28, 2004

All mitigation measures are noted by an asterisk ().*

Standard Conditions

● **Planning**

1. Prior to finalization of the rezoning case, the applicant shall obtain final authorization from the Riverside County Flood Control District or the applicant shall have acquired such property.
2. There shall be a two-year time limit in which to satisfy the approved conditions and finalize this action. Subsequent one-year time extensions may be granted by the City Council upon request by the applicant. Any extension of time beyond five years may only be granted after an advertised public hearing by the City Council.
3. When all of the conditions of approval have been completed, the applicant shall apply for a request for processing through the Public Works Department to initiate finalization of this rezoning. A fee may be required.
4. All necessary parcel description describing the exact area to be rezoned shall be prepared, signed and sealed by a licensed Land Surveyor or Civil Engineer authorized to practice Land Surveying in the State of California for the area of the property to be rezoned. **Descriptions are required to be on 8½ inch by 11 inch paper with the title "Attachment A" at the top.**

**CITYCOUNCIL
FINAL APPROVED CONDITIONS**

P03-1451 (TM 31930)

City Council Meeting Date: September 28, 2004

All mitigation measures are noted by an asterisk ().*

Case Specific

● **Planning**

1. The City Planning Commission makes the necessary findings in the applicant's favor to grant the following variances. As justification, the applicant's written justifications are referenced:
 - a. parcels less than two acres in size on lots with an average natural slope (ANS) greater than 15% (37-39, 43-48, 50, 51, 53-55, 57-62 and 77-79);
 - b. a parcel less than five acres in size on lot 49 with an ANS of 30% or greater
 - c. landlocked parcels located along private streets.

2. The Commission makes the necessary findings in the applicant's favor to grant the following grading exceptions. As justification, the applicant's written justifications are referenced:
 - a. to permit lots **37-41, 43 51, 57-62, 77, 78**, Grass Valley Way, Cresthaven Drive, Century Hills Drive, a Flood Control access road, a water quality basin, and a sewer line to encroach within the limits and 50-foot development setback of the Alessandro Arroyo as defined in the Grading Ordinance; and
 - b. to permit slopes in excess of twenty-feet for portions of Cresthaven and Century Hills Drives.

Prior to Map Recordation

3. Within 30 days of the approval of the tentative map by the City the developer/subdivider 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 subdivision, 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/subdivider of any such claim, action or proceeding and the City will cooperate in the defense of the proceeding.

4. The applicant shall obtain final authorization from the Riverside County Flood Control District or the applicant shall have acquired such property.
5. An open space easement shall be recorded for all areas within the boundaries of the 100 year flood plain and all non-graded areas and for each lot all areas not proposed for grading under this review subject to the approval of the Planning Department and City Attorney's Office. The easement should clearly specify that these areas are intended for open space purposes only and that no grading, construction or fencing is permitted. The open space areas within the open space easement are to be maintained by a non-profit conservation organization such as the Riverside Land Conservancy subject to the approval of the Planning Department and City Attorney's Office. The property shall be transferred either in fee title or an easement established to facilitate maintenance/stewardship by such an organization.
- *6. Lots 53 and open space Lot 87 shall be combined as one open space lot.
- *7. The applicant shall prepare and record Covenants, Conditions, and Restrictions (CC&Rs) and other documents as necessary subject to approval of the Planning Department and City Attorney's Office. The CC&Rs shall contain the following conditions and restrictions:
 - *a. prohibiting any additional grading beyond the Arroyo setback and 50-foot development setback;
 - *b. establishing a Homeowner's Association;
 - *c. the keeping of livestock is prohibited;
 - *d. prohibiting further subdivision of any lots within this map.
- *8. The unused portion of right-of-way from the existing cul-de-sac bulb of Cresthaven Drive shall be vacated. A separate submittal and filing fee is required.
- *9. Lots 88 and 89 should be split at the phasing line to create two new, numbered open space lots.
- *10. Planning Cases P04-0260 and P03-1548 shall be finalized.

11. A 10 ft wide private waterline easement along the northerly line of Lot 55 shall be recorded as necessary to provide for connection to the project water system of two off-site parcels lying westerly of Lots 54, 55 and 56. Two water service connections will be installed between the proposed water main in Crest Haven Drive and the westerly line of Crest Haven Drive. No water meters on the two service lines shall be installed. The property owners of these two off-site parcels shall be responsible to pay all City water connection, facility, zone elevations and miscellaneous fees required to provide water to their parcels. Said property owners shall install the required services across Lot 55 in said easement as necessary to provide water to their parcels.

Prior to Grading Permit Issuance

- *11. The proposed project affects waters of the United States and waters of the State, which fall under the jurisdiction of the United States Army Corps of Engineers (USACE) and the California Department of Fish and Game (CDFG), respectively. As such, the following agencies have jurisdiction over this project, as necessary: the California Department of Fish and Game; the Army Corps of Engineers; the U.S. Fish and Wildlife Service; and the California Regional Water Control Board. These agencies' approval will be required prior to grading permit issuance and the applicant is responsible for compliance with all requirements and conditions of these agencies.
- *12. Permanent loss of RSS will be mitigated at a greater than 3:1 ratio through the onsite preservation of 20.6 acres of RSS (9.6 acres moderate quality, 11 acres low quality) adjacent to the Alessandro Arroyo.
- *13. The permanent loss of jurisdictional waters will be offset by the expansion of the unnamed drainage feature at a 1:1 ratio. The mitigation site will be located immediate downstream of the road crossing and adjacent to the proposed upland water quality bio-swale. It is anticipated that the bio-swale will provide sufficient hydrology to support riparian vegetation.
- *14. A water quality bio-swale will be installed immediate downstream of the road crossing. The bio-swale will be installed in an upland location to provide pretreatment of urban runoff prior to discharge into the drainage feature. The HOA will provide long term maintenance, consisting of installation of native grasses, and sediment removal as needed.
- *15. A three year maintenance and monitoring plan is proposed to ensure the successful establishment of the native cover within the mitigation area. Riparian vegetation will be installed within the mitigation site consisting of native grasses.

- *16. The project site is located within the Riverside County SKR Habitat Conservation Plan Fee Assessment Area, and therefore subject to current fee requirements as administered by the City of Riverside.
- *17. The grading plan shall be revised, subject to Planning Department review and approval, to:
 - *a. clearly indicate all pad and lot drainage, subject to review and approval by the Planning and Public Works Departments. Cross lot drainage covenants, if necessary, shall be subject to Public Works and City Attorney's office Departments' review and approval.
 - *b. Indicate that all rip-rap will be natural rock (not blasted) and all visible drainage features will be color treated to blend in with the natural surroundings.
 - *c. Indicate an interim erosion control program to be certified by the project engineer subject to Public Works Department review and approval.
 - *d. Reflect City adopted contour grading policies. Prior to issuance of a building permit, the applicant's engineer shall submit a letter certifying the contouring of such required slopes in accordance with City adopted standards.
 - *e. Indicate that grading operations will be restricted to 7:00 a.m. to 7:00 p.m. weekdays, and 8:00 a.m. to 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or federal holidays.
 - *f. Indicate the 100 year flood limits of the blue line stream to the satisfaction of the Public Works Department.
- *18. Prepare a detailed grading plan at 1"=40' scale for lot 45 showing protection of the existing rock outcroppings, subject to Planning Department approval.
- *19. Final driveway grades and configurations will be subject to review and approval of the Fire Department.
- 20. Tract Map 31930 shall be recorded.
- *21. Provide a trail across the subject property, between the Alessandro Arroyo and the northerly boundary of the subject property for eventual connection to Tiburon Knoll, subject to approval of the Planning Department.
- *22. Landscaping and irrigation plans for all manufactures slopes in excess of five feet in vertical height shall be submitted to and approved by the Planning Department. The

applicant's engineer or landscape architect shall submit a letter certifying to the installation of such required landscaping and irrigation facilities prior to the release of utilities.

- *23. In the event that joint access driveways are proposed, covenants shall be prepared subject to the satisfaction of the City's Attorney Office and Public Works Departments.
- *24. The grading plan shall be revised to reflect all design changes recommended in this City Planning Commission report.
- *25. Adjacent property owner's approval shall be obtained for all off-site grading. Also, slope maintenance agreements for all slopes crossing property lines shall be recorded subject to approval of the Planning and Public Works Departments and City Attorney's Office
- *26. The applicant shall prepare a Coastal Sage Scrub and riparian enhancement plan subject to review and approval of the Planning Department prior to grading permit.
- *27. Manufactured slope ratios shall not exceed a maximum of 2:1.
- *28. The applicant shall be responsible for erosion and dust control during both the grading and construction phases of the project.
- *29. Grading activity shall be in substantial compliance with the grading plan on file with this application.
- *30. Advisory: The Regional Water Quality Control Board requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP).
- *31. Compliance with SCAQMD Rules 402 and 403 shall be followed in order to minimize air pollutant construction emissions. Additionally, the applicant will implement the following:
 - a) Regular watering, at least 3-times a day, of the construction site, including all unpaved parking or staging areas or unpaved road surfaces, shall be utilized in order to reduce the fugitive dust generated during grading and construction operations;
 - b) Replace groundcover in disturbed areas as quickly as possible; and
 - c) Appoint a construction relations officer to act as a community liaison concerning on-site construction activity, including resolution of issues related to PM 10 generation.

- *32. Advisory: Any disturbance of the “blue line streams” will require permits and approval from the State Department of Fish and Game and U.S. Army Corps of Engineers.
- *33. The applicant shall comply with the long term Stephen’s Kangaroo Rat (SKR) Habitat Conservation Plan (HCP) and the City’s policies for implementing the HCP.

Prior to Building Permit Issuance

- *34. The applicant is advised that the project is in an area impacted by a CNEL noise level between 60 and 70 dBA. Dwelling units constructed within the noise impacts areas will have to be sound insulated to the specifications of the Building Division.
- *35. Submit documentation of approval by the Riverside County Airport Land Use Commission (ALUC) shall be submitted to the Planning Department. All Conditions imposed by the ALUC shall be met to its satisfaction prior to map recordation. In the event the ALUC finds this map to be inconsistent with the Airport Land Use Plan, the case shall be considered by the City Council at a public hearing concurrently with the ALUC appeal.
- *36. The applicant shall convey an avigation easement to the March Air Reserve Base (MARB) and the March Inland Port (MIP) to the satisfaction of the City Attorney’s Office and MARB/MIP. The applicant shall obtain approval of the Riverside County Airport Land Use Commission and submit documentation to Planning Department staff.
- *37. Any lighting other than normally associated with a residential use, such as tennis court lighting, will be reviewed by the Planning Department in the Design Review process. Any tennis court lighting is required to be hooded and directed downward. In addition, the design shall avoid off-site light spillage.
- 38. For purposes of measuring the front yard building setback line the private street will be considered a public street. All homes placed on these lots will have a front yard setback of 30-feet from the private street property line and 25-feet from the side and rear property lines. All other applicable standards of the underlying RC — Residential Conservation Zone shall be met.
- 39. If any of the mitigation measures contained herein conflict with the measures required by any of the resource agencies with jurisdiction over this project, the applicant shall comply with mitigation measures imposed by the resource agency.

Standard Conditions

● **Planning**

- *40. There is a thirty month time limit in which to satisfy the conditions and record this map. Five subsequent one-year time extensions may be granted by the City Planning Commission upon request by the applicant. Application for a one-year time extension must be made prior to the expiration date of the map. No time extension may be granted for applications received after the expiration date of the map.
- *41. In approving this case, it has been determined that the project has the potential for adverse effect on wildlife resources and the payment of fees pursuant to Section 711.4 of the Fish and Game Code is required.

● **Public Works**

- 42. A "FINAL MAP" shall be processed with the Public Works Department and recorded with the County Recorder. The "FINAL MAP" shall be prepared by a Land Surveyor or Civil Engineer authorized to practice Land Surveying I the State of California and shall comply with the State Subdivision Map Act and Title 18 of the Riverside Municipal Code. All applicable checking and recording fees are the responsibility of the applicant.
- 43. Full improvement of interior streets based on private residential street standards.
- 44. Storm Drain construction will be contingent on engineer's drainage study as accepted by the Public Works Department.
- 45. Off-site improvement plans to be approved by Public Works prior to recordation of this map.
- 46. The proposed private streets are to be designed and fully improved per the standards governing private streets, Resolutions 12006 and 15531.
- 47. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to recordation of this map.
- 48. Off-site improvement plans to be approved by Public Works and a surety posted to guarantee the required off-site improvements prior to recordation of this map.
- 49. Size, number and location of driveways to Public Works specifications.

- 50. All security gates or facilities proposed now or in the future will be located on-site and adequate stacking space and vehicle turn-around area will have to be provided to Public Works specifications. Security gates shall be keypad activated to provide access to the project for trash collection service.
- *51. Minimum design speed for residential streets should not be less than 25 miles per hour with a 150 foot minimum sight distance.
- *52. Installation of sewers and sewer laterals to serve this project to Public Works specifications. However, septic tanks will be allowed for lots that cannot reasonably be served by a gravity sewer.
- *53. Onsite disposal system (septic tank) acceptability shall be obtained for each lot of this map not served by sewer, to the satisfaction of the County Department of Environmental Health, prior to this map recording.
- *54. Removal and/or relocation of irrigation facilities, as required.
- *55. All property subject to flooding from a 100-year storm shall be placed in the WC (or other appropriate Zone) prior to or concurrently with recordation of this map.
- *56. Ownership of property to be undivided prior to this map recording.
- *57. Trash collection service will not be provided on the common drive serving Lots 50-53. An area shall be provided along Century Hills Drive to accommodate the placement of containers for automated collection. This requirement shall be incorporated in the CC&R's for this project.

● **Fire Department**

- *58. Requirements for construction shall follow the Uniform Building Code with the State of California Amendments as adopted by the City of Riverside.
- *59. Construction plans shall be submitted and permitted prior to construction.
- *60. Any required fire hydrants shall be installed and operational prior to Fire Department release of permit.
- *61. Fire Department access is required to be maintained during all phases of construction.
- *62. Prior to map recordation the Fire Department recommends the following conditions be included in a recorded covenant to the satisfaction of the City Attorney's Office and Fire Departments to ensure that future buyers are informed of these requirements: