



**PLANNING COMMISSION HEARING DATE: SEPTEMBER 5, 2019
AGENDA ITEM NO.: 3**

PROPOSED PROJECT

<i>Case Numbers</i>	<p>P18-0970 (General Plan Amendment) P18-0971 (Zoning Code Amendment) P18-0972 (Tentative Tract Map) P18-0973 (Planned Residential Development) P18-0974 (Design Review) P18-0975 (Variance)</p>
<i>Request</i>	<p>To consider the following entitlements to facilitate a planned residential development: 1) General Plan Amendment to change the General Plan land use designation from C – Commercial to MDR – Medium Density Residential; 2) Zoning Code Amendment to change the zone from CR – Commercial Retail Zone to R-1-7000 – Single-Family Residential Zone and a portion of the site to R-1-7000-S – Single-Family Residential and Building Stories (maximum 3 stories) Overlay Zones; 3) Tentative Tract Map (No. 37626) to subdivide 7.07 acres into 56 single-family residential lots, 15 lettered lots for open space purposes, and 17 lots for street purposes; 4) Planned Residential Development Permit for the establishment of detached single-family dwellings, private streets and common open space; 5) Design Review of project plans; and 6) Variance to allow a reduced perimeter landscape setback.</p>
<i>Applicant</i>	Oscar Graham of Passco Pacifica, LLC
<i>Project Location</i>	Southeast corner of Tyler Street and Jurupa Avenue.
<i>APN</i>	155-441-023
<i>Project area</i>	7.07 acres
<i>Ward</i>	7
<i>Neighborhood</i>	Arlanza
<i>General Plan Designation</i>	C – Commercial
<i>Zoning Designation</i>	CR – Commercial Retail Zone
<i>Staff Planner</i>	Candice Assadzadeh, Senior Planner 951-826-5667 cassadzadeh@riversideca.gov

RECOMMENDATIONS

Staff recommends that the City Planning Commission:

1. **DENY** Planning Cases P18-0970 (General Plan Amendment), P18-0971 (Zoning Code Amendment), P18-0972 (Tentative Tract Map), P18-0973 (Planned Residential Development), P18-0974 (Design Review), and P18-0975 (Variance), based on the findings outlined in the staff report. Pursuant to Section 15270(a) of the California Environmental Quality Act (CEQA) Guidelines, CEQA does not apply to a project which a public agency rejects or disapproves.

If the Planning Commission rejects staff's recommendation, staff recommends that the Planning Commission:

1. **MAKE ALL THE NECESSARY FINDINGS**, based upon facts in the record, identified in Sections 19.810.040 (Zoning Code Amendment – Required Findings), 19.780.050 (Planned Residential Development Permit – Density and Findings), and 19.720.040 (Variance – Required Findings) of the Zoning Code (Exhibit 1); and
2. **CONTINUE** the item to a date certain to allow staff to prepare conditions of approval based on the Planning Commission's findings.

SITE BACKGROUND

The proposed project site consists of one vacant parcel consisting of 7.07 gross acres, located at the southeast corner of Tyler Street and Jurupa Avenue. A waiver of access along Jurupa Avenue and Tyler Street precludes vehicular access, except for a total of three segments along the street frontages. Surrounding land uses include vacant land to the north, single-family residences to the south and east, and vacant land to the west (Exhibit 2).

As a matter of information, on July 1, 1975, the City Council approved a Zoning Code Amendment to rezone the subject site from R-1-65 – Single Family Residential Zone to C-2-D – Restricted Commercial and Design Review Combining Zone.

On December 5, 1985, the Planning Commission denied a Planned Residential Development (PRD-10-856) consisting of 72 dwelling units, based on the project's inconsistency with the General Plan land use designation, the project's incompatibility with the adjacent single-family residences, and the aesthetics of the project at the intersection of two future major arterials. On February 4, 1986, the City Council denied the appeal of the Planned Residential Development.

In 2007, a General Plan Amendment, Zoning Code Amendment, Planned Residential Development, Tentative Tract Map, and Design Review (Planning Cases P07-0381, P07-0382, P07-1372, P07-1374, and P07-1376) were submitted to facilitate the development of a 42 condominium unit planned residential development. On February 14, 2008, the project was deemed inconsistent by the Riverside County Airport Land Use Commission. The applicant decided not to proceed with this project and it was voided in 2010.

PROPOSAL

The applicant requests approval of the following entitlements to facilitate a planned residential development: 1) General Plan Amendment to change the General Plan land use designation from C – Commercial to MDR – Medium Density Residential; 2) Zoning Code Amendment to change the zone from CR – Commercial Retail Zone to R-1-7000 – Single-Family Residential Zone and a portion of the site to R-1-7000-S – Single-Family Residential and Building Stories (maximum 3 stories) Overlay Zones; 3) A Tentative Tract Map (No. 37626) to subdivide 7.07 acres into 56 single-family residential lots, 15 lettered lots for open space purposes, and 17 lots for street purposes; 4) Planned Residential Development Permit for the establishment of detached single-family dwellings, private streets and common open space; 5) Design Review of project plans; and 6) Variance to allow a reduced perimeter landscape setback.

Individual lots range in size from 1,742 to 2,669 square feet with dwelling units ranging from 1,721 to 2,390 square feet. Three architectural styles (Craftsman, Farmhouse, and Spanish) are proposed with varying building designs and rooflines for each of the four floor plans. The proposed dwelling units are two stories with a maximum building height of 29 feet, except for the dwelling units located within the proposed Building Stories Overlay Zone, where a maximum building height of 37 feet is proposed. The dwelling units include up to four bedrooms, three bathrooms, kitchen, living/dining room, bonus room/loft, laundry room, and a two-car garage.

The proposed project includes 29,073 square feet of common open space located within two central recreation areas, and twelve pocket parks located along the perimeter of the project site. The northern open space area consists of 13,082 square feet and includes a multi-purpose lawn, barbeque picnic area, and an overhead shade structure. The southern open space area consists of 8,190 square feet and includes a multi-purpose lawn, barbeque picnic area, and a grove of olive trees. Each residential lot includes at least 200 square feet of private open space.

Vehicular access to the proposed project is provided from Jurupa Avenue, with an emergency vehicular access gate located along Tyler Street. The internal streets provide 35 on-street guest parking spaces and minimum clear width for emergency vehicles. In addition, one space is provided for the United States Postal Service (USPS) mail truck. The proposed project includes an internal pedestrian network of sidewalks and corner curb bulb-outs for safety.

PROJECT ANALYSIS

AUTHORIZATION AND COMPLIANCE SUMMARY

	Consistent	Inconsistent
<p><i>General Plan 2025</i></p> <p>The project site is located within Airport Compatibility Zone C (Extended Approach / Departure Zone) of the Riverside Municipal Airport Influence Area, which restricts residential density to 0.2 dwelling units per acre (minimum 5 acre lot size). The Land Use Policy Map (Figure LU-10) of the General Plan was developed to avoid allowing intensive new uses within the airport-influenced areas, and designates the project site as C – Commercial.</p> <p>The City is aware that airport use intensification may be hampered if surrounding commercial and residential uses intensify and create incompatibility with airport operations. Due to the project site’s location within the Airport Compatibility Zone C (Extended Approach / Departure Zone) of the Riverside Municipal Airport Influence Area, the project is not consistent with the Objectives and Policies of the Land Use and Urban Design, the Circulation and Community Mobility, and the Public Safety Elements of the General Plan. Specifically:</p> <ul style="list-style-type: none"> • <i>Objective LU-22: Avoid land use/transportation decisions that would adversely impact the long-term viability of the March Air Reserve Base/March Inland Port, Riverside Municipal and Flabob Airports.</i> • <i>Policy LU-22.3: Work to limit the encroachment of uses that potentially pose a threat to continued airport operations, including intensification of residential and/or commercial facilities within identified airport safety zones and areas already impacted by current or projected airport noise.</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Consistent	Inconsistent
<ul style="list-style-type: none"> • <u>Policy CCM-11.1</u>: Protect flight paths from encroachment by inappropriate development using the Riverside County Airport Land Use Compatibility Plan and the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan to determine the consistency of proposed development. • <u>Policy CCM-11.2</u>: Limit building heights and land use intensities beneath airport approaches and departure paths to protect public safety consistent with the Riverside County Airport Land Use Compatibility Plan, the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, and all other applicable State and Federal regulations. • <u>Objective PS-4</u>: Protect the community from hazards related to air and ground transportation. <ul style="list-style-type: none"> • <u>Policy PS-4.3</u>: Encourage development in the vicinity of the Riverside Municipal Airport that would not cause land use conflicts, hazards to aviation or hazards to the public and that is in compliance with the Riverside County Airport Land Use Compatibility Plan for the airport. • <u>Policy PS-4.6</u>: Ensure that development within airport influence areas is consistent with the Airport Protection Overlay Zone development standards and the Riverside County Airport Land Use Compatibility Plan, which includes the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan. <p>For these reasons, Staff cannot support the proposed General Plan Amendment to change the General Plan land use designation from C – Commercial to MDR – Medium Density Residential, which will increase the intensity of the project by allowing for residential uses (Exhibit 3).</p>		
<p>Grading Code (Title 17)</p> <p>The conceptual grading plan collects and drains stormwater and runoff to an on-site treatment area as required by the Santa Ana Regional Water Quality Control Board.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Subdivision Code (Title 18)</p> <p>The proposed project meets the development standards outlined in Chapter 18.210 of the Subdivision Code including private street and guest parking standards. Lot dimensions within a Planned Residential Development (PRD) are flexible and established on a case-by-case basis. Staff have determined the proposed lot dimensions of each residential lot are appropriate for this PRD. However, Staff is concerned with allowing this PRD on the project site, at the proposed density, given the inconsistency with the General Plan and the allowable density within Zone C (Extended Approach / Departure Zone) of the Riverside Municipal Airport Influence Area.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Zoning Code (Title 19)</p> <p>The applicant requests approval of a Zoning Code Amendment to change the zone from CR – Commercial Retail Zone to R-1-7000 – Single-Family</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Consistent	Inconsistent
<p>Residential Zone and a portion of the site to R-1-7000-S – Single-Family Residential and Building Stories (maximum 3 stories) Overlay Zones (Exhibit 4).</p> <p>The R-1-7000 Zone allows up to 6.2 dwelling units per acre. This density may be increased with a PRD permit up to 8.0 dwelling units per acre if the PRD meets certain design standards. This PRD proposes a density of 7.92 dwelling units per acre, which is consistent with the maximum PRD density allowed in this zone.</p> <p>The proposed project meets the standards for a PRD and the R-1-7000 Zone, with the exception of a Variance requested to allow a reduced project perimeter landscape setback. The Zoning Code establishes PRD regulations to allow for flexibility and creativity in the design of single-family residential developments. The proposed project achieves the purpose of a PRD, as it used the development standards to develop a creative community consisting of a centralized common open space, clustered development along Jurupa Avenue and Tyler Street, while being sensitive to the adjacent single-family residential development.</p> <p>While the project is consistent with the proposed zone, rezoning the site from CR – Commercial Retail Zone to R-1-7000 – Single-Family Residential Zone and a portion of the site to R-1-7000-S – Single-Family Residential and Building Stories (maximum 3 stories) Overlay Zones, to allow a PRD at this location, would promote additional density on the project site, inconsistent with the Objectives and Policies of the Land Use and Urban Design, Circulation and Community Mobility, and the Public Safety Elements of the General Plan, as well as the Riverside County Airport Land Use Compatibility Plan, as detailed above.</p>		
<p><i>Compliance with Citywide Design & Sign Guidelines</i></p> <p>The Citywide Design and Sign Guidelines establishes design provisions for new single-family developments, requiring that they are designed to promote an attractive, functional, safe, and lasting neighborhood that is compatible in aesthetic to neighboring existing development, as well as the surrounding natural environment.</p> <p>The proposed project achieves the design provisions by providing a variety of floor plans in three distinct architectural styles (Craftsman, Farmhouse, and Spanish) with varied building shapes, heights, materials and colors. Enhanced architecture is provided on all façades of the dwelling units, with additional architectural details on the facades fronting on Jurupa Avenue and Tyler Street. Such enhancements include faux wood shutters, pot shelves, and decorative corbels.</p> <p>The development is designed to be functional in nature, with a single point of entrance from Jurupa Avenue, centralized common open space areas, and clustered dwelling units separated by motor courts.</p> <p>Landscaping, walls and fences are utilized throughout the project site to buffer and soften hard lines and provide an attractive and welcoming environment. The proposed project design demonstrates sensitivity and compatibility with the surrounding single-family residential development through building siting and orientation, mass and scale.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Consistent	Inconsistent
The project is well designed and proposes to provide a creative development. Staff has determined the proposed site, landscape, and building design is consistent with the Citywide Design & Sign Guidelines.		
<p><i>Riverside County Airport Land Use Compatibility Plan</i></p> <p>The proposed project is located within Airport Compatibility Zone C (Extended Approach / Departure Zone) of the Riverside Municipal Airport Influence Area, which restricts residential density to 0.2 dwelling units per acre (minimum 5 acre lot size) (Exhibit 5). Countywide Policy 3.3.1 (Infill) of the Riverside County Airport Land Use Compatibility Plan allows for greater densities than would otherwise be permitted in Compatibility Zone C, but caps densities at double the allowable density of the zone. As the maximum density of the zone is 0.2 dwelling units per acre, doubling the density increases the limit from 0.2 to 0.4 dwelling units per acre (minimum 2.5 acre lot size).</p> <p>On March 14, 2019, the project was deemed inconsistent by the Riverside County Airport Land Use Commission (Case Number ZAP1096RI19), as the project exceeds the Compatibility Zone C maximum density allowance of 0.2 dwelling units per acre (minimum 5 acre lot size) (Exhibits 9 and 10).</p> <p>As a matter of information, the existing surrounding tract communities were predominately established in the 1970s and 1980s, which predates the Riverside Municipal Airport Land Use Compatibility Plan. The approximate residential density of these tracts are 4.7 dwelling units per acre.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

<i>Chapter 19.780.050 – Planned Residential Development for R-1-7000 Zone</i>					
Standard		Proposed	Consistent	Inconsistent	Modified
<i>Maximum Density with Bonus</i>	8.0 dwelling units per acre	7.92 dwelling units per acre	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Maximum Lot Coverage</i>	Established by the Approving Authority	60 percent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Individual Lot Setbacks</i>	Front Yard – 10 feet	3 – 13 feet	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Side Yard – 5 feet	3 feet	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Rear Yard – 10 feet	3 – 14.5 feet	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Project Perimeter Building Setbacks</i>	Interior Perimeter – 20 feet	28 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Project Perimeter Setbacks</i>	Tyler Street – 20 feet	3 feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Jurupa Avenue – 20 feet	3 feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Landscape Setback</i>	No fences or walls	No fences or walls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Chapter 19.780.050 – Planned Residential Development for R-1-7000 Zone</i>					
Standard		Proposed	Consistent	Inconsistent	Modified
<i>Minimum Parking</i>	2 garage spaces/ dwelling unit	2 garage spaces/ dwelling unit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Minimum Guest Parking Spaces</i>	1 guest space/3 units Total Required: 19 guest spaces	35 guest spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Open Space</i>	Common: 500 square feet/unit Total Required: 28,000 square feet	29,073 square feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Private: 200 square feet/unit	208 to 750 square feet/unit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Chapter 19.100 – Residential Zones R-1-7000 – Single-Family Residential Standards</i>				
Standard		Proposed	Consistent	Inconsistent
<i>Maximum Building Height</i>	35 feet	29 feet and 37 feet ¹	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Number of Stories</i>	2 stories	2 stories and 3 stories ¹	<input checked="" type="checkbox"/>	<input type="checkbox"/>

¹ The dwelling units located within the proposed Building Stories Overlay Zone, are proposed to have a maximum building height of 37 feet and 3 stories. Per Section 19.200.020 of the Zoning Code, the maximum overall building height limit in the Building Stories Overlay Zone shall be 20 feet for the first story permitted and ten feet for each additional story permitted.

FINDINGS SUMMARY

Findings are not required to be made for the General Plan Amendment, Tentative Tract Map, or Design Review applications. Nonetheless, the project was analyzed against the Objectives and Policies of the General Plan and was found to be inconsistent, as detailed above.

Based on the analysis in the staff report, staff is unable to make the necessary findings for the Zoning Code Amendment, Planned Residential Development Permit, and Variance, as follows:

1. Zoning Code Amendment

The proposed Zoning Code Map Amendment is not generally consistent with the goals, policies and objectives of the General Plan. The General Plan sets the vision for Riverside’s future, development, and growth. An important factor in obtaining the vision is the relationship to nearby airports, including Riverside Municipal Airport, as its environs are important components of the City’s economic development strategy. The General Plan requires that future development projects within the influence areas comply with the applicable airport compatibility plan and seek approval of the Airport Land Use Commission (ALUC). On March 14, 2019, the project was deemed inconsistent by the Riverside County Airport Land Use Commission (Case Number ZAP1096R119), as the project exceeds the Compatibility Zone C maximum density allowance of 0.2 dwelling units per acre (minimum 5 acre lot size). The proposal to develop this site with a PRD will exceed the Airport’s allowable density and could impact future airport expansion and usage to the point of incompatibility with airport operations.

While this project would be consistent with the surrounding tract communities, predominately established in the 1970s and 1980s, the communities predate the Riverside Municipal Airport Land Use Compatibility Plan (RCALUCP), and therefore are not subject to the allowable density. However, the proposed density needs to meet the requirements of RCALUCP.

The proposed Zoning Code Map Amendment does not promote public health, safety, and general welfare and does not serve the goals and purposes of the Zoning Code. Due to the project site's location within the Airport Compatibility Zone C (Extended Approach / Departure Zone) of the Riverside Municipal Airport Influence Area, the project is not consistent with the Objectives and Policies of the Land Use and Urban Design, Circulation and Community Mobility, and the Public Safety Elements of the General Plan. For these reasons, Staff cannot support the proposed Zoning Code Amendment for the project site.

2. *Planned Residential Development Permit (PRD)*

The project is well designed and proposes to provide a creative development, consistent with the purpose of the Planned Residential Development Permit. However, pursuant to Section 19.780.050.C (Planned Residential Permit – Density and Findings) of the Zoning Code, no PRD shall be granted approval if the project's base zone and General Plan land use designation are inconsistent, pursuant to General Plan Table LU-5. While the existing General Plan land use of C – Commercial is consistent with the existing base zone of CR – Commercial Retail Zone, the CR Zone prohibits Planned Residential Developments in commercial zones. As stated above, due to the proposed density of the project at this location, Staff does not support the General Plan Amendment and cannot make the required findings for the Zoning Code Amendment, therefore does not support the PRD.

3. *Variance*

The requested Variance is associated with the PRD development standards, specifically the project perimeter landscape setback. While Staff would generally be supportive of a reduced perimeter landscape setback at this location, as it is consistent with the reverse frontage conditions along Jurupa Avenue and Tyler Street, staff does not support the PRD at this location, and therefore does not support the associated Variance.

Staff does not recommend approval of the General Plan Amendment, Zoning Code Amendment, Tentative Tract Map, Planned Residential Development, Design Review, and Variance to facilitate the proposed Planned Residential Development. While well-designed, staff cannot support the density proposed and is unable to make the necessary findings for the entitlements based on the inconsistency determination made by the Riverside County Airport Land Use Commission.

ENVIRONMENTAL REVIEW

Pursuant to Section 15270(a) of the California Environmental Quality Act (CEQA) Guidelines, CEQA does not apply to a project which a public agency rejects or disapproves. However, in this instance, the project was analyzed for compliance with the CEQA Guidelines and a Mitigated Negative Declaration (MND) and a Mitigation and Monitoring Reporting Program (MMRP) were prepared (Exhibit 11). Given the analysis in the staff report, Staff does not recommend approval of the project nor the adoption of the MND and MMRP.

PUBLIC NOTICE AND COMMENTS

Public hearing notices were mailed to property owners within 300 feet of the project site. Pursuant to CEQA, a 20-day review and comment period for the MND was provided from August 9 to August 28, 2019. Additionally, notice was published in the Press Enterprise. During this period, Staff received no comments regarding the proposed project.

TIME LIMITS ON REAPPLICATION AND APPEAL INFORMATION

No new application for the same or similar request may be applied for or accepted by the City within one year of the date of the action to deny the project, unless the Community & Economic Development Director or his/her designee, as appropriate, determines that a new application is warranted due to a substantial change in land use on properties in the vicinity, improved infrastructure in the vicinity, altered traffic patterns, or any such similar change resulting in a changed physical environment.

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

EXHIBITS LIST

1. Required Findings
2. Location Map
3. Existing and Proposed General Plan Maps
4. Existing and Proposed Zoning Maps
5. Riverside County Airport Land Use Compatibility Plan
6. Project Plans (Site Plan, Landscape Plans, Wall and Fence Plan, Lighting Plan, Open Space Plan, Floor Plans, Building Elevations, Roof Plans, Preliminary Grading Plan, Tentative Tract Map, Utilities Plan)
7. Applicant Prepared Superior Design Criteria and LEED Checklist
8. Applicant Prepared Variance Justifications
9. Airport Land Use Commission (ALUC) Staff Report, Case Number ZAP1096RI19
10. Airport Land Use Commission (ALUC) Denial Letter, Case Number ZAP1096RI19
11. CEQA Document (Initial Study/Mitigated Negative Declaration)
12. Existing Site Photos

Prepared by: Candice Assadzadeh, Senior Planner

Reviewed by: Patricia Brenes, Principal Planner

Approved by: Mary Kopaskie-Brown, City Planner



EXHIBIT 1 – REQUIRED FINDINGS

Pursuant to Sections 19.810.040 (Zoning Code Amendment – Required Findings), 19.780.050 (Planned Residential Development Permit – Density and Findings), and 19.720.040 (Variance – Required Findings) of the Zoning Code, the following required findings must be made in order to approve a Zoning Code Amendment, Planned Residential Development Permit, and Variance:

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

- A. That the proposed Zoning Code text or map amendment is generally consistent with the goals, policies, and objectives of the General Plan;
- B. That the proposed Zoning Code text or map amendment will not adversely affect surrounding properties; and
- C. That 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:

- A. The property is well served by public infrastructure;
- B. The project enjoys good access to public services, including schools, shopping and public and semipublic facilities;
- C. The site is located on streets capable of accommodating the anticipated traffic. A traffic study may be required to assess consistency with Policy CCM - 2.3 of the General Plan to maintain LOS "D" or better on arterial streets or greater, except where LOS "E" has been designated as an acceptable standard;
- 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 pursuits;
 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;
 5. Sensitivity to surrounding community and attention to the edge conditions, creating areas of transition from surrounding existing development to the proposed development;

Where front porches are consistent with the style of the development, a minimum of two-thirds (2/3) of the total units shall provide front porches.
 6. 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

7. 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, provided that it meets the standards identified above, and satisfies the following criteria beyond those:

A. Evidence that the project can be certified in LEED, California Green Builder or an equivalent standard; and

B. Evidence shall be provided to document that the project includes a minimum of five of the following:

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.

2. Design the building orientation for solar design, including the following provisions:

- i. The glazing area on the north- and south-facing walls of the building is at least 50 percent greater than the sum of the glazing area on the east- and west-facing walls.

- ii. The east-west axis of the building is within 15 degrees of due east-west.

The roof has a minimum of 450 square feet of south-facing area that is oriented appropriately for solar applications.

- iii. At least 90 percent of the glazing on the south-facing wall is completely shaded (using shading, overhangs, etc.) at noon on June 21 and unshaded at noon on December 21.

3. Locate the project within quarter mile of 11 basic community resources (Table 19.780.050.A), within a one-half mile of 14 basic community resources (Table 19.780.050.A) and within a one-half mile of transit services that offer 30 or more transit rides per weekday (combined, bus and rail).

4. Locate trees or other plantings to provide shading for at least 50 percent of sidewalks, patios and driveways. Shading should be calculated for noon on June 21, when the sun is directly overhead, based on five year's growth.

5. Install light-colored high-albedo materials or vegetation for at least 50 percent of sidewalks, patios and driveways.

6. 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 (e.g., grasses, trees, shrubs, etc.).

- ii. Permeable paving, installed by an experienced professional. Permeable paving must include porous above-ground materials (e.g., open pavers, engineered products) and a six-inch porous sub-base, and the base layer must be designed to ensure proper drainage away from the home.

- iii. Impermeable surfaces that are designed to direct all runoff toward an appropriate permanent infiltration feature (e.g., vegetated swale, on-site rain garden, or rainwater cistern).

7. Design and install one of the following permanent erosion control measures:
 - i. If portions of the lot are located on a steep slope, reduce long-term runoff effects through use of terracing and retaining walls.
 - ii. 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.
8. Design and install one or more of the following runoff control measures:
 - i. Install permanent stormwater controls in the form of vegetated swales, on-site rain garden, dry well, or rain-water cistern, or equivalent designed to manage runoff from the homes.
 - ii. Install a vegetated roof to cover 50 percent or more of the roof area.
 - iii. Have the site 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.
9. Design and install a rainwater harvesting and storage system (including surface runoff and/or roof runoff) for landscape irrigation use. The storage system must be sized to hold all the water from a one-inch rainfall event (equivalent to 0.62 gallons per square foot of roof area used for capture), taking into consideration the size of the harvest system (i.e., 50 percent of total roof area).
10. Design the plumbing with irrigation system water supplied with municipal recycled water.
11. Construct the project to exceed Title 24 requirements by 20 percent or more.

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

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