

PLANNING COMMISSION
RECOMMENDED CONDITIONS

Case No.: P14-0472 (Planned Res. Dev. Permit) PLANNING COMMISSION HEARING DATE: May 21, 2015
P14-0473 (Tentative Tract Map)
P15-0322 (Design Review)
P15-0321 (Variance)

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

Case Specific

• **Planning**

1. Advisory: All conditions of Riverside County Airport Land Use Commission Development Review case ZAP1103MA14 shall apply. No development shall exceed 30 feet in height pursuant to RCALUP standards.
2. The Commission makes the necessary findings in the applicant's favor to grant the following variances. As justification, the applicant's written justifications as supplemented by staff are referenced:
 - a. To permit a Planned Residential Development (PRD) with a front yard setback of at least 18-feet 6-inches from the curb face to the dwelling where a 22 foot setback is required.
3. All applicable conditions of the Riverside County Flood Control and Water Conservation District shall apply to this project. For further information contact the District's Encroachment permit section at 951-955-1266.
4. Signs shall be permitted in accordance with Chapter 19.620 of the Zoning Code. Any new signs shall be subject to separate review and assessment, including any required variances. A separate sign application, including fees and additional sets of plans, will be necessary prior to sign permit issuance.

Prior to Map Recordation:

5. Where a Planned Residential Development contains land or improvement proposed to be held in common ownership, the applicant shall submit a declaration of covenants, conditions and restrictions (CC&R's) with the final map establishing a Home Owners Association subject to the City's Planning Division and City Attorney's Office approval. Such declaration shall set forth provisions for maintenance of all common open space areas, payment of taxes and all other privileges and responsibilities of the common ownership. The CC&R's shall include provisions prohibiting the homeowners' association (HOA) from quitclaiming, selling, or otherwise transferring the land held in common ownership to private property owners.
6. The applicant's prepared Covenants, Conditions, and Restrictions (CC&Rs) shall contain the following conditions and restrictions:
 - a. establishing a Homeowner's Association;

- b. the HOA shall be responsible for maintenance of all reverse frontages, natural open and common space areas, internal pedestrian roadways and the vehicular and pedestrian gates at the project entry street;
- c. the keeping of livestock is prohibited;
- d. Recreational Vehicle parking is prohibited;
- e. Further subdivision of any lots within this map is prohibited;
- f. Design Guidelines shall be incorporated into the CC&R's to ensure that the guidelines are distributed to each future homeowner prior to Design Review submittal so that requirements can be incorporated into each residence; and
- g. Revise the design guidelines to clarify that all lots shall be developed to the standards applicable to Planned Residential Developments, the R-1-8500 – Single Family Residential Zone, and Orangecrest Specific Plan as appropriate.

7. The provisions of approved CC&R's shall not be amended without the prior approval of the City Planner and City Attorney who at his or her discretion may refer the matter to the Planning Commission. Requests for amendments to CC&R's shall be submitted to the Planning Division.

Prior to Grading Permit Issuance

- 8. Tract Map 39534 shall be recorded.
- 9. A 40-scale precise grading plan shall be submitted to the Planning Division and include the following:
 - a. Hours of construction and grading activity are limited to between 7:00 a.m. and 7:00 p.m. weekdays and 8:00 a.m. and 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or Federal Holidays;
 - b. Compliance with City adopted interim erosion control measures;
 - c. Compliance with all recommendations of the required Project specific Water Quality Management Plan;
 - d. Compliance with any applicable recommendations of qualified soils engineer to minimize potential soil stability problems;
 - e. Include a note requiring the developer to contact Underground Service Alert at least 48 hours prior to any type of work within pipeline easement; and
 - f. The Project shall abide by the SCAQMD's Rule 403 concerning Best Management Practices for construction sites in order to reduce emissions during the construction phase. Measures may include:

- i. Development of a construction traffic management program that includes, but is not limited to, rerouting construction related traffic off congested streets, consolidating truck deliveries, and providing temporary dedicated turn lanes for movement of construction traffic to and from site;
- ii. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;
- iii. Wash off trucks and other equipment leaving the site;
- iv. Replace ground cover in disturbed areas immediately after construction;
- v. Keep disturbed/loose soil moist at all times;
- vi. Suspend all grading activities when wind speeds exceed 25 miles per hour; and
- vii. Enforce a 15 mile per hour speed limit on unpaved portions of the construction site.

Prior to Building Permit Issuance

- 10. Advisory: Payment of Multi-Species Habitat Conservation Plan (MSHCP) fees as applicable.
- 11. Advisory: Any applicable Riverside County Flood Control and Water Conservation District facilities must be constructed to District standards, and District plan check and inspection will be required. Separate plan check and inspection fees apply.
- 12. Advisory: The developer shall be subject to the payment of school fees and local traffic and transportation fees in accordance with City Ordinances, as applicable.
- 13. Landscaping, irrigation, exterior lighting, wall/fence and sign plans shall be submitted for Design Review staff approval. Design modifications may be required as deemed necessary. Separate applications and filing fees are required. Landscaping, irrigation and exterior lighting plans must be submitted prior to building permit issuance.
- 14. Submit three sets of plans depicting the preferred location for above ground utility transformer of capacity to accommodate the planned or speculative uses within the building(s) or subject site. These plans shall be reviewed and approved by the Planning Division and Public Utilities Department - Electric Division prior to the issuance of a building permit. The proposed location of the transformer shall be level, within 100 feet of the customer's service point, accessible to service trucks and in a location where the transformer can be adequately screened from public view, either by buildings or landscape screening. If landscape screening is the preferred screening method, no landscaping except ground cover shall be allowed within 10 feet of the transformer. The applicant is advised to consult with the City of Riverside Public Utilities, Electrical Engineering Division, at (951)826-5489 prior to preparing these plans.
- 15. Plans submitted for Plan check review should specify the location, design and color of all domestic water meters, backflow preventers, and all on- and off-site utility cabinets subject

to Planning Division and Public Utilities' review and approval. The visibility of such facilities shall be minimized and include use of the smallest preventer possible, be painted green, and consist of some form of screening including but not limited to berthing, landscaping, and/or installation of a screen wall.

16. An exterior lighting plan shall be submitted to Design Review staff for review and approval. A photometric study and manufacturer's cut sheets of all exterior lighting on the new buildings and within the common open space areas shall be submitted with the exterior lighting plan. All on-site lighting shall provide a minimum intensity of one foot-candle and a maximum intensity of ten foot-candles at ground level throughout the areas serving the public and used for parking, with a ratio of average light to minimum light of four to one (4:1). The light sources shall be shielded to minimize offsite glare, shall not direct light skyward and shall be directed away from adjacent properties and public right-of-ways. If lights are proposed to be mounted on buildings, down-lights shall be utilized. Light poles shall not exceed 14 feet in height, including the height of any concrete or other base material.
17. Staff Required Plot Plan Conditions: Revise the submitted plot plan such that the plan provided for building permit plan check incorporates the following changes:
 - a. The on-site security gate and turnaround configurations shall be designed subject to the approval of the Planning, Public Works, and Fire Departments;
 - b. Provision for handicap accessible parking as deemed necessary by Building and Safety Division;
 - c. Samples of proposed decorative paving at the project entry shall be submitted for review and approval of Design Review staff.
18. Staff Required Building Elevations Conditions: Revise the submitted building elevations such that the plans provided for building permit plan check incorporate the following changes:
 - a. The building elevations submitted for building permits shall clearly specify all building materials and colors to match the materials and colors as approved by the City Planning Commission as applicable;
 - b. Enhanced elevation plans shall be proposed to the satisfaction of Design Review staff for those elevations most visible from public or private streets;
 - c. At a minimum, the plans shall reflect that the rear facing patios shall be constructed by the developer on lots 1-3 and 36-38 to the satisfaction of Design Review staff; and
 - d. Catalog cuts or manufacturer's cut sheets for all proposed common area outdoor amenity furnishings shall be submitted for review and approval of Design Review staff.
19. Landscape and irrigation plans shall be submitted for Design Review staff approval. Design modifications may be required as deemed necessary. Separate applications and filing fees

are required. Landscaping and irrigation plans must be submitted prior to building permit issuance. Landscape and irrigation plans shall include the following:

- a. The plant palette shall include the use of drought tolerant plant species in accordance with the City's Water Efficient Ordinance;
- b. Landscaping of all common open space areas;
- c. Shrubs shall be a minimum of 5 gallon in size;
- d. Vine species shall be planted and trained to grow up street facing perimeter walls to the satisfaction of Design Review staff.

20. Plans showing typical front yard landscape and irrigation design, including implementation of water quality management facilities on each lot, shall be submitted for Design Review staff approval. A separate applications and filing fee is required. Landscaping and irrigation plans must be submitted prior to building permit issuance and landscaping must be installed prior to occupancy of each residence.

21. Staff Required Fence/Wall Plan Conditions: Fence/Wall plans shall be submitted for Design Review staff approval, and shall include the following:

- a. The location, height and design of all existing perimeter fences and walls;
- b. Manufacturer's cut sheets of any vehicular and pedestrian gates shall be submitted to Staff for review and approval;
- c. All masonry walls along perimeter interior property lines, in corner side yard areas and facing common open space areas shall be decorative in nature including a split face or plaster finish and a complementary decorative cap to the satisfaction of Design Review staff;
- d. The wall facing Grove Community Drive shall be plaster clad with decorative pilasters and a decorative cap to the satisfaction of Design Review staff;
- e. Wood fencing shall only be used on interior property lines not visible from the private street or common area to the satisfaction of Design Review staff;
- f. Return walls shall consist of decorative masonry tubular steel, to the satisfaction of Design Review staff;

During Grading and Construction

22. To reduce diesel emissions associated with construction, construction contractors shall provide temporary electricity to the site to eliminate the need for diesel-powered electric generators, or provide evidence that electrical hook ups at construction sites are not cost effective or feasible.

23. To reduce construction related particulate matter air quality impacts of projects the following measures shall be required:

- a. the generation of dust shall be controlled as required by the AQMD;
- b. grading activities shall cease during periods of high winds (greater than 25 mph);
- c. trucks hauling soil, dirt or other emissive materials shall have their loads covered with a tarp or other protective cover as determined by the City Engineer; and
- d. the contractor shall prepare and maintain a traffic control plan, prepared, stamped and signed by either a licensed Traffic Engineer or a Civil Engineer. The preparation of the plan shall be in accordance with Chapter 5 of the latest edition of the Caltrans Traffic Manual and the State Standard Specifications. The plan shall be submitted for approval, by the engineer, at the preconstruction meeting. Work shall not commence without an approved traffic control plan.

24. The Construction Contractor shall time the construction activities so as to not interfere with peak-hour traffic and minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flagperson shall be retained to maintain safety adjacent to existing roadways.

25. Should cultural, historical or archeological items be found during grading and construction activity, the construction and grading of this project and all activity shall be halted in the vicinity of the find and diverted until a qualified archeologist meeting the Secretary of the Interior standards can evaluate the nature and significance of the find. If human remains are uncovered, the applicant shall contact the County Coroner's Office.

26. The applicant shall be responsible for erosion and dust control during both the grading and construction phases of the project.

27. **Advisory:** State and Federal regulations require preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP). Compliance with this requirement is enforced by the Santa Ana Regional Water Quality Control Board.

28. An archaeological monitoring program shall be implemented in the event of an unanticipated discovery of cultural resources during earthmoving operations and shall consist of the following:

- a. All ground-disturbing activities that reach beyond the disturbed surface soils shall be monitored by a qualified archaeologist. Whenever cultural materials more than 50 years old are discovered, they shall be field recorded and evaluated. The monitor shall be prepared to quickly recover any artifacts as they are unearthed to avoid construction delays. If a substantial cultural deposit is encountered, however, the monitor shall have the power to temporarily halt or divert construction activities in that area to allow for controlled removal.
- b. Collected artifacts shall be cleaned, identified, catalogued, analyzed, and prepared for curation at an appropriate repository with permanent retrievable storage that would allow for additional research in the future.

- c. Site records or site record updates (as appropriate) that incorporate the artifacts encountered during monitoring shall be prepared and submitted to the Eastern Information Center as a permanent record of the discovery.
- 29. A report that documents the methods and results of the monitoring program, including an itemized inventory of recovered artifacts and a detailed artifact analysis, shall be prepared upon completion of the fieldwork. The report shall include an interpretation of the cultural activities represented by the archaeological remains and a discussion of the significance of all recovered cultural material.

Prior to Release of Utilities and/or Occupancy:

- 30. Install the landscape and irrigation per the approved plans and submit the completed "Certificate of Substantial Completion" (Appendix C of the water Efficient Landscaping and Irrigation Ordinance Summary and Design Manual) signed by the Designer/auditor responsible for the project. Call Kyle Smith, Associate Planner, at (951) 826-5220 to schedule the final inspection at least one week prior to needing the release of utilities.
- 31. CC&Rs shall be recorded
- 32. Revised Development Agreement shall be approved and recorded

• **Public Works**

- 33. 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.
- 34. Storm Drain construction will be contingent on engineer's drainage study.
- 35. Closure of unused driveway opening(s) Grove Community Drive to Public Works specifications.
- 36. Off-site improvement plans to be approved by Public Works prior to map recordation.
- 37. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to map recordation.
- 38. Full improvement of interior streets based on private residential street standards.
- 39. Installation of sewers and sewer laterals to serve this project to Public Works specifications. Onsite sewer mains shall be public facilities. A minimum 20 foot wide sewer easement is required for the length of the onsite sewer mains.
- 40. Abandonment of existing on-site sewer to Public Works specifications.

41. 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.
42. Prior to final inspection for the development project, the applicant shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of payment. If the project improvements include qualifying right-of-way dedications and/or street improvements to a TUMF regional arterial roadway as identified on the Regional System of Highways and Arterials, the developer may have the option to enter into a Credit/ Reimbursement Agreement with the City and Western Riverside Council of Governments (WRCOG) to recover costs for such work based on unit costs as determined by WRCOG.

The terms of the agreement shall be in accordance with the RMC Chapter 16.68 and the TUMF Administrative Plan requirements. Credit/reimbursement agreements must be fully executed prior to receiving any credit/reimbursement. An appraisal is required for credit/reimbursement of right of way dedications and credit/reimbursement of qualifying improvements requires the public bidding and payment of prevailing wages in accordance with State Law. For further assistance, please contact the Public Works Department.

43. Prior to issuance of a building or grading permit, the applicant shall submit to the City for review and approval, a project-specific WQMP that:
 - a. Addresses Site Design BMP's such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas and conserving natural areas;
 - b. Incorporates the applicable Source Control BMP's as described in the Santa Ana River Region WQMP and provides a detailed description of their implementation;
 - c. Incorporates Treatment Control BMP's as described in the Santa Ana River Region WQMP and provides information regarding design considerations;
 - d. Describes the long-term operation and maintenance requirements for BMP's requiring long-term maintenance; and
 - e. Describes the mechanism for funding the long-term operation and maintenance of the BMP's requiring long-term maintenance.
44. Prior to issuance of any building or grading permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument acceptable to the City Attorney to inform future property owners of the requirement to implement the approved project-specific WQMP. Other alternative instruments for requiring implementation of the approved project-specific WQMP include: requiring the implementation of the project-specific WQMP in the Home Owners Association or Property Owners Association Conditions, Covenants and Restrictions (C,C&R's); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the project-specific WQMP; or equivalent may also be considered. Alternative instruments must be approved by the City prior to the issuance of any building or grading permits.

45. If the project will cause land disturbance of one acre or more, it must comply with the statewide General Permit for Storm Water Discharges Associated with Construction Activity. The project applicant shall cause the approved final project-specific WQMP to be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.
46. Prior to building or grading permit closeout or the issuance of a certificate of occupancy or certificate of use, the applicant shall:
 - a. Demonstrate that all structural BMP's described in the project-specific WQMP have been constructed and installed in conformance with approved plans and specifications;
 - b. Demonstrate that applicant is prepared to implement all non-structural BMP's described in the approved project-specific WQMP; and
 - c. Demonstrate that an adequate number of copies of the approved project-specific WQMP are available for the future owners/ occupants.

- **Fire Department**

CONTACT MARGARET ALBANESE AT 951-826-5825 FOR QUESTIONS REGARDING FIRE CONDITIONS OR CORRECTIONS.

THE FOLLOWING TO BE MET PRIOR TO CONSTRUCTION PERMIT ISSUANCE:

47. A residential fire sprinkler system meeting National Fire Protection Association 13D is required. Plans shall be submitted to and approved by the Fire Department prior to installation. 2010 California Residential Code, Section R313. Riverside Municipal Code, Section 16.32.076.
48. A new public fire hydrant will be required for this project, located at the intersection of Arlington and the new cul-de-sac street. If the cul-de-sac is 400 feet or greater an additional public fire hydrant will be required at the end of the new street.
49. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
50. Construction plans shall be submitted and permitted prior to construction.
51. Any required fire hydrants shall be installed and operational prior to Fire Department release of permit.
52. Fire Department access is required to be maintained during all phases of construction.

- **Public Utilities – Electric**

CONTACT SUMMER DELGADO AT 951-826-2129 FOR QUESTIONS REGARDING PUBLIC UTILITIES (ELECTRIC) CONDITIONS/CORRECTIONS LISTED BELOW.

53. 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.
54. 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.

- **Western Municipal Water District**

Project is located in area served by the Western Municipal Water District. The following are conditions of approval for this provided by Western Municipal Water District. Contact Western's Development Services Department at (951) 571-7100 for further information:

55. Compliance with water efficient landscape requirements per the City of Riverside's Ordinance.
56. Western, as a member agency of Metropolitan Water District of Southern California (MWD), will enforce MWD's Plan for Water Use Guideline requirements for water conservation.
57. Developer's landscape architect is required to consult with Western's conservation team to review Western's landscape and irrigation requirements. Contact Western's Engineering Department for the review fee charge.
58. Developer to submit a 24" x 36" preliminary onsite and/or onsite plan of water layout to Western before formal submittal of Water Improvement Plans.
59. Preliminary water plans shall show the following items:
 - a. Delineate all proposed water facilities within project boundaries. Include pipeline diameters and type of material.
 - b. Delineate all existing utility facilities (i.e.; pipe diameter, pipe material, water meters, air/vac, blow-off, fire hydrants, valves, electrical vaults, etc.) within project boundaries
 - c. Delineate all easements within project boundaries
 - d. Delineate all proposed and existing lots, streets, and storm drains.
60. Developer to submit a detailed engineer's construction cost estimate to Western for review and approval. Once approved, developer shall make a deposit for plan checking services for Water Improvement Plans.
61. Water Improvement Plans shall be designed per Western's Standard Specifications. Please review Western's Commercial Plan Check Package for submittal formats and requirements.
62. Developer to submit grading plans for Western's review and approval before grading permit is issued. All onsite and/or offsite utilities to be relocated are at Developer's expense.

63. Developer to pay all costs associated with preliminary review by Western at the time of review
64. Water Improvements Plans shall not be accepted for plan checking until all items mention above are reviewed and approved by Western.

- **Parks, Recreation and Community Services**

65. PRIOR TO BUILDING PERMIT ISSUANCE: Payment of all applicable park development fees (local, regional/reserve, trail and aquatic) as mitigation for the impacts of the project on the park development and open space needs of the City. For questions or concerns regarding this condition, contact Park Planning & Design, 951/826-2000.
66. PRIOR TO ISSUANCE OF GRADING PERMIT: Grading for trail easement/rights of way areas, shall be subject to the review and approval of the Park, Recreation, & Community Services Department. Grade trails 2%-4% with maximum 2% cross slope. No trail slope shall exceed 7%. For questions or concerns regarding this condition, contact Trails Coordinator, 951/826-2000.
67. PRIOR TO MAP RECORDATION: Appropriate mechanisms acceptable to the Planning, Parks, and Legal Departments shall be in place to ensure maintenance of areas proposed for permanent open space & trails, by either a non-profit, homeowners association or other means acceptable to the City. For questions or concerns regarding this condition, contact Trails Coordinator, 951/826-2000.
68. PRIOR TO MAP RECORDATION: Dedicate Multi-purpose Recreational Trail Easements/rights-of-way, designated for non-motorized use, along alignments as acceptable to the Park and Recreation Department and as necessary for implementation of the City's Multi-purpose Recreational Trails System. For questions or concerns regarding this condition, contact Trails Coordinator, 951/826-2000
69. PRIOR TO MAP RECORDATION: Per the City General Plan, a multi-purpose recreational trail segment is designated within and/or adjacent to this project. Therefore, installation (or posting of appropriate sureties with the Park and Recreation Department to guarantee the installation) of full multi-purpose recreational trail improvements for the trail segments both within and/or adjacent to the project is required. Trail installation work shall be subject to the Park and Recreation Department's public landscape permit and inspection process. Required trail segments include the following: along entire tract fronting on Grove Community Drive. For questions or concerns regarding this condition, contact Trails Coordinator, 951/826-2000.

- **Street Trees**

70. Any and all tree planting/removals within the city's right-of-way (along public streets) must be pre-approved specifically by street trees.

Standard Conditions

- **Planning**

71. There is a thirty-six-month time limit in which to satisfy the conditions and record the map. Six 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.
72. Within 30 days of the approval of the project 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.
73. The applicant shall continually comply with all applicable rules and regulations in effect at the time permit is approved and exercised and which may become effective and applicable thereafter.
74. This project shall fully and continually comply with all applicable conditions of approval, State, Federal and local laws in effect at the time the permit is approved and exercised and which may become effective and applicable thereafter, and in accordance with the terms contained within the staff report and all testimony regarding this case. Failure to do so will be grounds for Code Enforcement action, revocation or further legal action.

GENERAL INFORMATION NOTES

Appeal Information

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