




**PLANNING COMMISSION HEARING DATE: MARCH 2, 2023
AGENDA ITEM NO.:4**

PROPOSED PROJECT

Case Number	PR-2020-000609 (Tentative Tract Map, Design Review, and Variance)	
Request	To consider the following entitlements to facilitate the construction of a six-unit multi-family development: 1) A one-lot Tract Map for condominium purposes (TTM 37865); 2) Design Review of project plans; and 3) Variance to allow a reduced side yard setback.	
Applicant	Johnny Vu and Lyon Q Doan	
Project Location	9321Duncan Avenue, situated on the north side of Duncan Avenue between Nellie Street and Turnbull Road, in the R-3-1500 – Multi- Family Residential Zone	
APN	191-200-028	
Project Area	0.48-acres	
Ward	5	
Neighborhood	Arlington	
General Plan Designation	HDR – High Density Residential	
Zoning Designation	R-3-1500 – Multi Family Residential	
Staff Planner	Alyssa Berlino, Associate Planner 951-826-5628 aberlino@riversideca.gov	

RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. **DETERMINE** that the project is consistent with the Final EIR for the 2014-2021 Housing Element Update/Housing Implementation Plan certified in December 2017 (SCH No. 2017041039) subject to compliance with the approved Mitigation Monitoring and Reporting Program; and
2. **APPROVE** Planning Case PR-2020-000609 (Tentative Tract Map, Design Review, and Variance) based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions (Exhibits 1 and 2).

SITE BACKGROUND

The 0.48-acre project site consists of a single undeveloped parcel. Surrounding land uses include commercial retail to the north and single family residential to the south, east, and west (Exhibit 3 and 4). On December 12, 2017, the City Council adopted the 2014-2021 5th Cycle Housing Element Implementation Program that rezoned approximately 200 properties across the City to allow for multi-family and mixed-use residential development, to comply with the State Housing Element Law. The subject parcel was part of this citywide rezoning effort, amending the General Plan Land Use designation to HDR – High Density Residential and the Zoning designation to R-3-1500 – Multi-Family Residential.

PROPOSAL

The Applicant is requesting approval of a Tentative Tract Map, Design Review, and Variance to facilitate the construction of a multi-family residential development.

The project consists of six two-story condominium units in two buildings. All units will be for sale and include three bedrooms and range in size from 1,751 to 1,759 square feet. Each unit contains private open space consisting of a porch and a balcony.

Common usable open space totals 3,031 square feet and consists of partially paved and open grass and gathering areas with enhanced landscaping.

Vehicle access to the site is provided by a 24-foot wide, 2-way driveway along Duncan Avenue.

A combination of four-foot-high retaining and six-foot-high freestanding decorative masonry walls will be located on the west, north, and east property lines. The south property line (adjacent to Duncan Avenue) will include a four-foot-high decorative metal fence with masonry pilasters. No vehicle gates are proposed as part of the project.

The applicant intends to construct the project to condominium standards and sell each unit with the approval of a one-lot Tract Map for condominium purposes.

The applicant is requesting a Variance to allow a 3.5-foot-wide side yard setback where the Zoning Code requires a 7.5-foot-wide side yard setback.

PROJECT ANALYSIS

Authorization and Compliance Summary

	Consistent	Inconsistent
<p>General Plan 2025</p> <p>The project is consistent with the General Plan Land Use designation of HDR – High Density Residential (Exhibit 5). The project provides a well-designed infill multi-family development that contributes to the diverse housing options in the City. The proposed project is consistent with the Objectives and Policies of the General Plan 2025, specifically:</p> <p>Policy LU-35: Maintain Arlington's sense of community through careful and coordinated planning that builds upon the neighborhood's key assets and reinforces its historic development patterns.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Zoning Code Land Use Consistency (Title 19)</p> <p>The site has a Zoning designation of R-3-1500 Multi-Family Residential (Exhibit 6), which is consistent with the General Plan 2025 Land Use designation. The Zoning Code allows for consideration of Variances to deviate from the development standards. The applicant is requesting a Variance to allow a 3.5-foot-wide side yard setback where the Zoning Code requires a 7.5-foot-wide side yard setback. If the Variance is granted, the proposed project would meet the development standards set forth in the Zoning Code for an R-3-1500 – Multi-Family Residential Zone.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>5th Cycle Housing Element</p> <p>The project site was identified as a Housing Element opportunity site (Site W5G4S10) in the 5th Cycle Housing Element Update, to accommodate the City's Regional Housing Needs Assessment (RHNA) allocation (Exhibit 7). The proposed project is consistent with the following Objective and furthers the intent of the Housing Element 5th Cycle:</p> <p><u>Objective H-2:</u> To provide adequate diversity in housing types and affordability levels to accommodate housing needs of Riverside residents, encourage economic development and sustainability, and promote an inclusive community.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Subdivision Code (Title 18)</p> <p>The proposed Tract Map for condominium purposes complies with the development standards of the Subdivision Code (Title 18).</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Compliance with Citywide Design & Sign Guidelines</p> <p>The proposed project meets the objectives of the Citywide Design Guidelines for multi-family development related to building siting and orientation, massing, articulation and architectural treatment,</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<p>parking layout, and landscaping.</p> <p>The proposed project has been designed in a contemporary architectural style incorporating stucco, stone veneer, and window shutters.</p> <p>The design provides common open space areas that can be used as gathering and active play areas.</p> <p>The conceptual landscape plan provides an attractive and welcoming environment, with the inclusion of shade trees, shrubs, and high-quality landscaping throughout the site for a cohesive appearance.</p>		
<p>Riverside County Airport Land Use Compatibility Plan</p> <p>The proposed project is in Zone E (Other Airport Environs) of the Riverside Municipal Airport Land Use Compatibility Plan. This zone is identified as having a low safety risk level and a low noise impact level and contains no restrictions on development. The proposed project was analyzed for consistency with Zone E and staff concluded that the proposed project is consistent.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Chapter 19.100 – Development Standards for R-3-1500 Multiple-Family Residential Zone				
Standard		Proposed	Consistent	Inconsistent
Density	29 du/ac	12.5 du/ac	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Building Height	30 feet	24 feet 2 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Building Setbacks	Front Yard – 15 feet (Duncan Avenue)	21 feet 6 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Side Yard – 7 feet 6 inches	3 feet 6 inches (West	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		25 feet (East)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rear Yard – 15 feet	74 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Common Open Space	200 sq. ft./ unit – 1,200 sq. ft. (6 units x 200 square feet)	3,031 square feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Private Open Space	50 square feet/unit	67 square feet/unit	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Minimum side dimension of 5 feet	7 feet 5 inches	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Chapter 19.580 – Parking and Loading Development Standards					
	Standard	Required	Proposed	Consistent	Inconsistent
Minimum Parking	2 spaces per unit	12 spaces	12 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Covered Parking	75 percent of the required spaces shall be in a garage or carport (12 spaces x 0.75 = 9 spaces)		12 spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parking Space Dimension	9 feet x 18 feet		9 feet x 18 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Drive Aisle Width	24 feet		24 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

FINDINGS SUMMARY

Variance

The proposed project is consistent with the objectives and policies of the Zoning Code and the General Plan. To facilitate a multi-family development on a parcel substandard in size and width, the residential building has been located within the side yard setback to allow critical infrastructure, such as adequate vehicular and fire access, subterranean water quality treatment basins and installation of project specific utility infrastructure (sewer, electric and water lines), to serve the site. The requested Variance for the reduced side yard setback requirement will not be materially detrimental to the health, safety, and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area.

Project entitlements were submitted to the City in 2020 prior to an amendment to the variance findings in Chapter 19.720 of the Zoning Code. While the project was reviewed against both sets of variance findings and found to be consistent, Staff utilized the current findings (Exhibit 1) for the purposes of the staff report. The previously required findings prepared by the applicant can be referenced in Exhibit 9.

STRATEGIC PLAN

This project contributes to the Envision Riverside 2025 City Council Strategic Plan Priority 2 – Community Well-Being - **Goal 2.1 – Facilitate the development of a quality and diverse housing supply that is available and affordable to a wide range of income levels.**

This item aligns with each of the five Cross-Cutting Threads, as follows:

1. *Community Trust* – The proposed multi-family development requires public hearings by the Planning Commission. Additionally, public comment is encouraged throughout the process through the 15-day public noticing period and at public hearings.
2. *Equity* – The proposed multi-family development provides housing opportunities that benefits all residences in the community and region.
3. *Fiscal Responsibility* – The proposed multi-family development applicant will be responsible for all fiscal aspects of the project.

4. *Innovation* – The proposed multiple family development meets the growing community's needs for increased housing opportunities.
5. *Sustainability and Resiliency* – The proposed multi-family development is designed to meet the current and future needs of the community.

ENVIRONMENTAL REVIEW

This proposal for the multiple family residential project is consistent with the Final EIR for the 2014-2021 Housing Element Update/Housing Implementation Plan certified in December 2017 (SCH No. 2017041039) subject to compliance with the approved Mitigation Monitoring and Reporting Program.

The Tentative Tract Map and Variance is exempt from the California Environmental Quality Act (CEQA) review pursuant to Section 15332 (Infill Development) and Section 15061(b)(3) (Common Sense) of the CEQA Guidelines, as the project will not have a significant effect on the environment.

PUBLIC NOTICE AND COMMENTS

Public hearing notices were mailed to property owners within 300 feet of the site. As of the writing of this report, no responses have been received by Planning Staff.

APPEAL INFORMATION

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 Planning Department Public Information Section, 3rd Floor, City Hall.

EXHIBITS LIST

1. Staff Recommended Findings
2. Staff Recommended Conditions of Approval
3. Existing Site Photos
4. Location Map
5. General Plan Map
6. Zoning Map
7. Housing Element Site Map
8. Project Plans (Cover Sheet, Site Plan, Floor Plan, Color Elevations, Roof Plan, Open Space Plan, Conceptual Grading, , Tentative Tract Map, Photometric Plan, Preliminary Landscape Plan, Fence Plan, Material Board)
9. Applicant Prepared Variance Justifications

Prepared by: Alyssa Berlino, Associate Planner

Reviewed and Approved by: Brian Norton, Principal Planner



EXHIBIT 1 – FINDINGS

A. Variance Justification Findings Pursuant to Chapter 19.720.040

Variance Request: To allow a 3.5-foot-wide side yard setback where the Zoning Code requires a 7.5-foot-wide side yard setback.

1. *The variance does not grant or authorize a use or activity that is not otherwise allowed in the zone.*

The proposed project **complies** with this finding. The Zoning Code permits multi-family residential buildings to be constructed with a minimum 7.5-foot setback from an interior side property line. The applicant is requesting approval of a 3.5-foot-wide side yard setback on the west side property line to accommodate critical infrastructure, such as adequate vehicular and fire access, subterranean water quality treatment basins, and installation of project specific utility infrastructure (sewer, electric and water lines), to serve the parcel substandard in size and width.

2. *There are practical difficulties or unnecessary hardships created with the strict application of the Code because of the physical circumstances and characteristics of the property that are not shared by other properties in the Zone.*

The proposed project **complies** with this finding. The infill project site is a substandard lot with regards to width and size. The Zoning Code requires R-3-1500 – Multi-Family Residential zoned properties to have a minimum 80-foot lot width and 30,000 square foot lot area. The project site provides a 67.5-foot lot width and 20,908 square foot lot area. Most parcels in the surrounding area with similar zoning designation generally have lot widths greater than the project parcels. Lot widths on most of the lots meet the minimum lot width standard of 80-feet, allowing minimum development standards for setbacks to be met while also accommodating adequate space for required infrastructure to serve the project. In this case, the substandard width of the project parcel serves as a hardship in allowing the proposal to meet all the development standards, specifically for side yard setback. The parcel was previously zoned R-1-7000 – Single Family Residential prior to the Zoning Code Map Amendment associated with the 5th Cycle Housing Element Update. The subject opportunity site (Site W5G4S10) includes eight parcels totaling approximately 3.9-acres. While the ideal outcome in changing the zone for the eight parcels may have been to consolidate all or multiple parcels for a larger project, the individual parcels may still be developed without consolidation. Because the lots were previously intended for medium-density single-family residential uses most of the eight parcels in the opportunity site are substandard in size and width. Compliance with the 7.5-foot setback would require significant reductions to the floor area of each unit or trigger other variance requests to be required as a result.

3. *The variance does not grant special privileges which are not otherwise available to surrounding properties and will not be detrimental to the public welfare or to the property of other persons located adjacent to the subject property and in the vicinity.*

The proposed project **complies** with this finding. The adjacent multi-family residentially zoned parcels are permitted to construct multi-family residential uses. Granting the Variance will allow typical development of the property in accordance with the Objectives and Policies of the General Plan 2025 and the Zoning Code. Except for the requested Variance, the site and

overall project design comply with the standards of the Zoning Code, Grading Code and Citywide Design Guidelines. The property has been designed to incorporate design elements such as private and common open space, adequate on-site circulation and parking, and fire access. Granting the variance will not be detrimental to the public welfare or the surrounding properties.



EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

PLANNING CASES: **PR-2020-000609** (Tentative Tract Map, Design Review, Variance)

Case Specific

Planning

1. The subject property shall be developed substantially as described in the text of this report and as shown on the plans on file with this case, except for any specific modifications that may be required by these conditions of approval.
2. Any future modifications to the approved design shall be submitted to the Planning Division for consideration. A separate application and fee may be required.
3. The project shall comply with the applicable mitigation measures of the Final Program Environmental Impact Report (FPEIR) certified for the City's 2014-2021 5th Cycle Housing Element (SCH# 2017041039).
4. *Advisory:* 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. A separate sign application, including fees and additional sets of plans, will be necessary prior to sign permit issuance.

Prior to Map Recordation:

5. The applicant shall prepare and record Covenants, Conditions, and Restrictions (CC&Rs) and documents to create a Homeowners Association (HOA), subject to approval of the Planning Division and City Attorney's Office. The CC&Rs shall contain the following:
 - a. Establishment of a Homeowner's Association.
 - b. Each buyer shall sign an acknowledgement that he/she has read the Constitution and By-Laws of the HOA and the CC&Rs applying to the development, including any clause pertaining to private driveways.
 - c. Except as provided in California Code Section 66411.7 (otherwise known as Senate Bill 9) and as may be modified in the future, further subdivision of any lots within this map is prohibited.
 - d. The HOA shall maintain the stormwater basins, parkway, and landscape along the street frontages, and open space areas;
 - e. Recorded map shall include the condition for maintenance by approved entity.

Prior to Grading Permit Issuance:

6. 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 any applicable recommendations of qualified soils engineer to minimize potential soil stability problems;
- d. 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
- e. Identification of location, exposed height, material, and finish of any proposed retaining walls.

During Grading and Construction Activities:

- 7. Construction and operation activities on the property shall be subject to the City's Noise Code (Title 7), which limits construction noise 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.
- 8. The project shall comply with all existing State Water Quality Control Board and City storm water regulations, including compliance with NPDES requirements related to construction and operation measures to prevent erosion, siltation, transport of urban pollutants, and flooding.
- 9. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
- 10. The Construction Contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
- 11. To reduce construction related particulate matter air quality impacts of the project, the following measures shall be required:
 - a. The generation of dust shall be controlled as required by the AQMD;
 - b. 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;
 - c. The project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards;
 - d. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;
 - e. Trucks and other equipment leaving the site shall be washed off;
 - f. Disturbed/loose soil shall be kept moist at all times;
 - g. All grading activities shall be suspended when wind speeds exceed 25 miles per hour; and
 - h. A 15 mile per hour speed limit shall be enforced on unpaved portions of the construction site.
- 12. The applicant shall be responsible for erosion and dust control during construction phases of the project.
- 13. 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.

Prior to Building Permit Issuance:

14. **Staff Required Landscape and Irrigation Condition:** Plans shall be submitted for Planning staff approval. Separate application and filing fee are required. Design modifications may be required as deemed necessary.
15. **Photometric/Lighting Plan:** An exterior lighting plan shall be submitted to staff for review and approval. A photometric study and manufacturer's cut sheets of all exterior lighting on the building, in the landscaped areas and in the parking-lot shall be submitted with the exterior lighting plan. All on-site lighting shall provide a minimum intensity of one foot-candle and a maximum 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 off-site glare, shall not direct light skyward and shall be directed away from adjacent properties and public rights-of-ways. If lights are proposed to be mounted on buildings, down-lights shall be utilized. Light poles shall not exceed fourteen (14) feet in height, including the height of any concrete or other base material.
16. **Staff Required Trash Enclosure Conditions:** Revise the submitted plot plan such that the plan provided for building permit plan check incorporates the following changes:
 - a. The trash enclosure shall be constructed of decorative masonry; and
 - b. The trash enclosure shall be constructed with an overhead trellis.
17. **Fence and Wall Plan:** Revise the wall and fence plan such that the plan provided for building permit plan check incorporates the following changes:
 - a. All freestanding and retaining walls shall be constructed of, or finished in, a decorative split-face material with pilasters;
 - b. All walls shall include a decorative cap; and
 - c. Specify the color and materials of all proposed walls.
18. Roof and building mounted equipment shall be fully screened from the public right-of-way. Screening material shall be integrated with the design of the building and be at least as high as the proposed roof mounted equipment.
19. Ground mounted equipment shall be screened from view on all sides with solid masonry walls or similar permanent structures. Such masonry wall or structure shall be of a neutral color. Screening with wood, chain-link, or similar fencing materials shall not be permitted
20. Construction plans submitted for Plan Check review shall 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 equipment possible, be painted green, and include of some form of screening including but not limited to berming, landscaping, and/or installation of a screen wall.
21. 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.

Prior to Release of Utilities and/or Occupancy:

22. 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/auditory responsible for the project. Contact the project Planner at (951) 826-5371 to schedule the final inspection at least one week prior to needing the release of utilities.
23. The applicant shall provide written evidence to the Planning Division and the Riverside Police Department that they will be participating in the City's Crime Free Multi-Housing Program.

Standard Conditions:

24. There is a thirty-six-month time limit in which to satisfy the conditions and record Tentative Tract Map No. 37865. Six subsequent one-year time extensions may be granted by the Community & Economic Development Director 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.
25. The request shall include a letter stating the reasons for the extension of time and associated fee shall be submitted to the Planning Division.

PLEASE BE ADVISED THAT THE APPLICANT WILL NOT BE NOTIFIED BY THE PLANNING DIVISION ABOUT THE PENDING EXPIRATION OF THE SUBJECT ENTITLEMENTS.

26. The Design Review and Variance related to implementing the subdivision may be granted time extensions by the Community & Economic Development Director or their designee up to a total of six years beyond the original approval expiration date prior to issuance of any building permits. Once a building permit has been issued, the project will be considered vested and time extensions are no longer needed.
27. The Project must be completed per the Plot Plan Review approved by the Community & Economic Development Director, including all conditions listed in this report. Any substantial changes to the Project must be approved by the Development Review Committee or by Planning Staff. Upon completion of the Project, a Staff inspection must be requested, and **UTILITIES** will not be released until it is confirmed that the approved plans and all conditions have been implemented.
28. Within 30 days of approval of this case by the City, the developer 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 approval, 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 of any such claim; action or proceeding and the City will cooperate in the defense of the proceeding.
29. This approval is for design concept only and does not confirm the project has been thoroughly checked for compliance with all requirements of law. As such, it is not a substitute for the formal building permit plan check process, and other changes may be required during the plan check process.

30. 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.

Public Works

Conditions to be fulfilled prior to occupancy unless otherwise noted

31. Installation of sewer laterals to serve this project to Public Works specifications.
32. Size, number and location of driveways to Public Works specifications.
33. Closure of unused driveway to Public Works standards and specifications.
34. Storm Drain construction will be contingent on engineer's drainage study.
35. 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.

36. 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.
37. 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.

38. 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.
39. 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.
40. PLANT 24" box size ***Koelreuteria bipinnata*** in public right-of-way. Planting, staking, irrigation, root barriers to Landscape & Forestry specifications. Tree Inspector to determine precise locations and quantities of trees. Planting, staking, irrigation, root barriers to Landscape & Forestry specifications.
41. Required double trash enclosure per City standards.
42. 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.
43. 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 in 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.

Fire Department

Prior to issuance of building permits

44. A residential fire sprinkler system meeting National Fire Protection Association 13D is required. Attached garages are required to be protected by an automatic fire sprinkler system. Plans shall be submitted to and approved by the Fire Department prior to installation. 2016 California Residential Code, Section R313, 2016 California Fire Code, Section 903.2.8 or Riverside Municipal Code, Section 16.32.335.

Minimum of a 1-inch water meter.
45. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
46. Construction plans shall be submitted and permitted prior to construction.
47. Fire Department access shall be maintained during all phases of construction.

48. Access roadways in excess of one hundred and fifty (150) feet in length shall be provided with a provision for turn around. Such provisions shall be of a design approved by the Fire Department.

Parks, Recreation and Community Services

Prior to Issuance of Building Permits:

49. Developer shall make payment of all applicable Park Development Impact fees (regional/reserve and trail fees) for all recorded ROW, HOA Common landscape areas or private street lots.

Public Utilities – Electric

Prior to Issuance of Building Permits:

50. 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.
51. The provision of utility easements, water, streetlights and electrical underground and/or overhead facilities and fees in accordance with the rules and regulations of the appropriate surveyor.
52. Easements & any associated fees will be acquired during the design process.
53. Provisions for electrical Utility equipment to provide power to the site is the responsibility of the developer. Please make sure that all clearances are maintained and location of the equipment is approved by the Utility.
54. Developer is responsible for all trenching, installation of conduit and sub-structures required to provide power to the site. In addition to installing spare conduits, streetlights, also stub & cap along property frontage.
55. Plot existing electrical distribution facilities on the original site plan.
56. Please show proposed location transformer location & electric room/switchgear.
57. Point of connection Pull box X6790 this primary pull box is across the street this project will require trenching in the street. Second point of connection will require replacing power pole #40-13496J-54 this will also require re-working the overhead conductors & transferring the transformer to another pole.

Public Utilities – Water

Prior to Issuance of Building Permits:

58. New water service installations are processed under a separate plan and permit submitted directly to the Public Utilities Department. Water plan must be submitted prior to issuance of building permit.
59. Project is required to install a separate dedicated water meter for landscape irrigation.