



Community & Economic Development
Department

City of Arts & Innovation

March 7, 2016

EGL Associates, Inc.
Hank Jong
11819 Goldring Road, Unit A
Arcadia, CA 91006

SUBJECT: Planning Cases: P12-0601, P12-0697, and P12-0698 – Tentative Tract Map 36370, Rezoning and General Plan Amendment – Southwesterly corner of the intersection of Cactus and Dauchy Avenues

Dear Mr. Jong:

At its meeting of March 3, 2016, the City Planning Commission approved Planning Cases P12-0601, P12-0697 and P12-0698, subject to the attached conditions.

There is now a ten-day appeal period from the date of the Planning Commission's decision. Appeals must be received in writing along with the required fee by 5:00 p.m. on March 14, 2016 in the Planning Division of the Community & Economic Development Department.

In accordance with established procedure, this matter will now be forwarded to the City Council for public hearing. You will be notified by the City Clerk of the date and time of the hearing. Approval of this action shall not be final until City Council has reviewed and approved it.

Should you have any questions concerning this notice please call Brian Norton, Associate Planner, at (951) 826-2308.

Sincerely,

Ted White
City Planner

cc: Public Works, Jeff Hart

PLANNING COMMISSION
RECOMMENDED CONDITIONS

Case No.: P12-0601 (TM)
P12-0697 (Rezone)
P12-0698 (GP)

PLANNING COMMISSION HEARING DATE: March 3, 2016

CONDITIONS

Case Specific

• **Planning**

1. All conditions approved by the Riverside County Airport Land Use Commission development review case ZAP1092MA13 shall apply.
2. Proposed sewer lift stations shall not be located within front yard areas. Sewer lift station shall be located along Dauchy Avenue and adequately screened from the public right-of-way.

Prior to Map Recordation

3. The landowner shall convey and have recorded an avigation easement to the March Inland Port Airport Authority.
4. The applicant shall record an open space easement, as reflected on the tentative tract map over the undisturbed and ungraded portion of Lots 1 and 2, located in the RC – Residential Conservation Zone.

Prior to Grading Permit Issuance:

5. The Rezoning and General Plan Amendment shall be finalized and adopted.
6. Tract Map 36370 shall be recorded.
7. * During grading of the property, the bedrock milling features associated with CA-RIV-10255 and CA-RIV-10256 shall be moved to an open space location, as identified in Lot 1 and Lot 2 of Tentative Tract Map No. 36370 where they can be preserved in perpetuity in an undisturbed state. The Pechanga Tribe shall work with the project archaeologist and the grading contractor to identify the features to be relocated prior to any disturbance or grading within 100 feet of the archaeological site. Before construction activities are allowed to resume in the affected area, any visible artifacts shall be recovered and the features recorded using professional archaeological methods. Should subsurface resources or features be identified during or as a result of the removal process, current archaeological protocols will be conducted, in consultation with the Pechanga Tribe, including but not limited to photo documentation, sketches, excavation, specialized testing if appropriate and artifact collection. The current Department of Parks and Recreation (DPR) forms for CA-RIV-10255 and CA-RIV-10256 shall be updated by the project archaeologist, detailing which features were or were not relocated, the process taken and the feature' new location. The site records should clearly indicate that the features are not in their original location and why they were relocated.

8. * Prior to beginning project construction, the project applicant shall retain a qualified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation.
9. * At least 30 days prior to beginning project construction, the project applicant shall contact the Pechanga Tribe to notify the Tribe of grading, excavation and the monitoring program and to develop a Cultural Resources Treatment and Monitoring Agreement between the Tribe and the Developer and Applicant. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities and participation of professional Pechanga Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation for monitors; and treatment and final disposition of any cultural resources, sacred sites and human remains discovered on the site.
10. * Prior to beginning project construction, the project archeologist shall file a pre-grading report with the City of Riverside Planning Division to document the proposed methodology for grading activity observation which will be determined in consultation with the Pechanga Tribe. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement required in Cultural 2, the archeological monitor's authority to stop and redirect grading will be exercised in consultation with Pechanga Tribe in order to evaluate the significance of resources found on the property. Tribal and archaeological monitors shall be allowed to monitor all grading, excavation and groundbreaking activities and shall have the authority to stop and redirect grading activities.
11. * All tree felling, brushing, grading or other habitat-removal activities during the avian breeding season (February 1st through August 31st) shall be avoided. However, should it be necessary to conduct tree felling, brushing, grading or other habitat-removal activities during the avian breeding season, a preconstruction nesting "sweep" of all areas within 300 feet of the proposed activity shall be required. The result of the survey shall be provided in a report to the City and Wildlife Agencies staff for concurrence with the conclusions and recommendations.
12. A detailed slope planting plan shall be included with grading plans. Slope planting plans shall only include native vegetation.
13. A detailed wall and fencing plan shall be submitted for review and approval by Planning Staff.
14. 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.

During Grading and Construction

15. 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.
16. 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.
17. * The following mitigation measures should be implemented to reduce project-related adverse impacts to archaeological resources and sites containing Native American human remains that may be inadvertently discovered during construction of projects proposed in the City's General Plan Update:
 - a. In areas of archaeological sensitivity, including those that may contain buried Native American human remains, a registered professional archaeologist and a representative of the culturally affiliated Native American Tribe, with knowledge in cultural resources, should monitor all project-related ground disturbing activities that extend into natural sediments in areas determined to have high archaeological sensitivity.
 - b. If buried archaeological resources are uncovered during construction, all work must be halted in the vicinity of the discovery until a registered professional archaeologist can visit the site of discovery and assess the significance and origin of the archaeological resource. If the resource is determined to be of Native American origin, the Tribe shall be consulted. If the archaeological resource is determined to be a potentially significant cultural resource, the City, in consultation with the project archaeologist and the Tribe, shall determine the course of action which may include data recovery, retention in situ, or other appropriate treatment and mitigation depending on the resources discovered.

In the event of an accidental discovery of any human remains in a location other than a dedicated cemetery, the steps and procedures specified in Health and Safety Code 7050.5, *State CEQA Guidelines* 15064.5(e), and Public Resources Code 5097.98 must be implemented. Specifically, in accordance with Public Resources Code (PRC) Section 5097.98, the Riverside County Coroner must be notified within 24 hours of the

discovery of potentially human remains. The Coroner will then determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission (NAHC) by phone within 24 hours, in accordance with PRC Section 5097.98. The NAHC will then designate a Most Likely Descendant (MLD) with respect to the human remains within 48 hours of notification. The MLD then has the opportunity to recommend to the property owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and associated grave goods within 24 hours of notification. Whenever the NAHC is unable to identify a MLD, or the MLD fails to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the MLD and the mediation provided for in subdivision (k) of PRC Section 5097.94 fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall re-inter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance.

18. 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 flag person shall be retained to maintain safety adjacent to existing roadways.
19. Should cultural, historical or archeological items be found during grading and construction activity, the construction and grading of this project 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.
20. Erosion Control/Landscaping. The faces of cut and fill slopes which measure five feet or greater in vertical height shall be treated and maintained to control against erosion and protect the public health, safety, and welfare. This control shall consist of effective planting, and/or, check dams, cribbing, riprap other devices. Erosion controls shall be installed as soon as practical and prior to the final approval. Where cut slopes are not subject to erosion due to the erosion resistant character of the materials, such protection may be omitted.
 - a. Landscape materials on graded slopes shall be designed to be compatible with adjacent natural vegetation and shall be suitable for the climatic, soil and ecological characteristics of the area. Plant materials that require excessive water after becoming established should be avoided. Fire resistant and drought tolerant materials shall be selected wherever feasible.

Prior to Building Permit Issuance

21. Property Owner(s) shall submit Administrative Design Review applications for the development of new residences on each lot. The site plan and building elevations will be subject to review and approval of Planning Staff.
22. 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. Landscaping and irrigation plans must be submitted prior to

building permit issuance and landscaping must be installed prior to occupancy of each residence. No non-native vegetation shall be introduced on slopes or within the open space easement areas.

- **Public Works**

THE FOLLOWING PUBLIC WORKS "ENGINEERING" CONDITIONS TO BE MET PRIOR TO CASE FINALIZATION:

Prior to Map Recordation:

23. 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.
24. Deed for widening Cactus Avenue to 40 feet from monument centerline to Public Works specifications.
25. Installation of curb and gutter at 20 feet from monument centerline, sidewalk and matching paving on Cactus Avenue to Public Works specifications.
26. Installation of curb and gutter at 20 feet from monument centerline, sidewalk and matching paving on Dauchy Avenue to Public Works specifications.
27. Deed for widening Ferrari Drive to 33 feet from monument centerline to Public Works specifications.
28. Full half-street improvements on Ferrari Drive, sidewalk, curb and gutter at 18 feet northerly of monument centerline with roadway paving to 10 feet southerly of centerline to Public Works specifications. The proposed retaining walls along the southerly and westerly portions of the street are not allowed. A six foot wide graded shoulder with 2% maximum cross-slope will be provided along the southerly edge of the roadway along with 2:1 maximum cut and fill slopes to match existing ground line.
29. Full improvement of interior street based on residential cul-de-sac street standards.
30. Installation of sewers and sewer laterals to serve this project. Septic systems are not allowed for this subdivision pursuant to RMC 18.210.110. The nearest gravity line is in John F Kennedy at Wood Road, which is approximately 5,000 feet away. The elevation of the existing sewer pump station along the easterly side of Dauchy Avenue is too high to allow gravity service into it. Additionally, the existing pump station may not be adequately sized to accommodate flows from the proposed subdivision, and any improvements to increase the capacity will be the responsibility of the Developer.
31. Design and Construction of sewage lift station to serve lots which do not gravity flow into existing sewage lift station at the intersection of Ferrari Drive and Dauchy Avenue to Public Works specifications.

32. Installation of offsite drainage facilities near the corner of Cactus and Dauchy Avenues may be required to accommodate the proposed development. Storm drain design and construction will be contingent on engineer's drainage study as accepted by Public Works.
33. Off-site improvement plans to be approved by Public Works prior to map recordation.
34. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to map recordation.
35. Size, number and location of driveways to Public Works specifications.
36. 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.

37. 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.
38. 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.

39. 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.
40. 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 Prevention**

Contact Margaret Albanese at 951-826-5825 for questions regarding fire conditions or corrections.

The following to be met prior to construction permit issuance:

41. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
42. Construction plans shall be submitted and permitted prior to construction.
43. Any required fire hydrants shall be installed and operational prior to Fire Department release of permit.
44. Fire Department access is required to be maintained during all phases of construction.

- **Public Utilities**

Contact Matt Bates for questions regarding water conditions or corrections:

45. *Advisory:* All utilities shall be satisfactorily relocated, protected and/or replaced to the specifications of the affected departments and agencies.

46. Advisory: Utility easements shall be provided and/or retained to the specifications of the affected departments and agencies.
47. Advisory: The provision of water facilities in accordance with the City of Riverside Public Utilities Water Rules.
48. Advisory: The provision of utility fees and charges in accordance with the City of Riverside Public Utilities Water Rules.

Contact Summer Delgado at 951-826-2129 for questions regarding public utilities (electric) conditions/corrections listed below:

49. 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.
50. 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.

- **Park and Recreation**

Prior to Map Recordation:

51. 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.

Prior to issuance of grading permit:

52. 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%. Slopes/grades of driveway segments passing through trail easements shall match cross-slope of trail easement (usually 2%). Concrete driveways passing through trail easements shall have a rough broom finish to provide better traction for trail users. For questions or concerns regarding this condition, contact Trails Coordinator, 951/826-2000.

Prior to Building Permit Issuance:

53. 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.

Standard Conditions

- **Planning**

54. There is a thirty-six-month time limit in which to satisfy the conditions and record this map. Six subsequent one-year time extensions may be granted by the Zoning Administrator 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.
55. When all of the conditions of approval have been completed, the applicant shall apply for a request for processing through the Public Works Department to initiate finalization of this rezoning and general plan amendment.
56. All necessary parcel description describing the exact area to be rezoned shall be prepared, signed and sealed by a licensed Land Surveyor or Civil Engineer authorized to practice Land Surveying in the State of California for the area of the property to be rezoned. Descriptions are required to on 8 1/2 inch by 11 inch paper with the title "Attachment A" at the top.
57. Within 30 days of the approval of the project 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 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.