

PLANNING COMMISSION
RECOMMENDED CONDITIONS

Case No.: P16-0314 (TTM-37013)

PLANNING COMMISSION HEARING DATE: January 26, 2017

Case Number: P16-0314 (Tentative Tract Map)
2017

Meeting Date: January 26,

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

Prior to Map Recordation:

1. The applicant shall record an open space easement, as depicted on Exhibit 5 - Subdivision Plans. The open space easement shall clearly specify that these areas are intended for open space purposes only and that no grading, construction, fencing or removal of native vegetation is permitted. The open space areas within the open space easement is to be maintained by the property owner in perpetuity.
2. The applicant shall prepare and record Covenants, Conditions, and Restrictions (CC&Rs) subject to approval of the Planning Division and City Attorney's Office. The CC&Rs shall contain the following conditions and restrictions:
 - a. Future development shall comply with applicable requirements of the RC zone, including, but not limited to, maximum height and stories and building setbacks for future residences;
 - b. Future development shall comply with the City's Grading Code standards;
 - c. Further subdivision of any lot within this map is prohibited; and
 - d. The keeping of livestock is prohibited.

Prior to Building Permit Issuance:

3. The development of each lot shall be subject to Design Review approval. A separate application and fee will be required.
4. 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.
5. A detailed slope planting plan shall be included with grading details. Slope planting plans shall only include native vegetation. 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.

6. A detailed wall and fencing plan shall be submitted for review and approval by Planning Staff.

Prior to Grading Permit Issuance:

7. Tract Map 37013 shall be recorded.
8. *Prior to the issuance of a grading permit, focused surveys for the burrowing owl shall be conducted in accordance with the Burrowing Owl Survey Instructions for the Western Riverside County MSHCP Area. The protocol surveys must be conducted by a qualified biologist four times during the breeding season (March 1 through August 31). Surveys must be conducted during appropriate weather conditions and must be completed between dawn and noon. A mandatory preconstruction survey for owls shall be conducted within 30 days prior to ground disturbance.

If owls are observed during the preconstruction survey, additional mitigation measures shall be warranted. Mitigation measures for any owls present could include avoidance of the owl burrows during their nesting season as described in Mitigation Measure B-2 and/or passive relocation of burrowing owls. A specific mitigation methodology for the owl shall be determined in consultation between the City of Riverside and the Western Riverside County Regional Conservation Authority.

9. All Future grading plans submitted for each of the five parcels shall substantially conform to the conceptual grading plan shown on the Tentative Tract Map for the preservation of the scenic and aesthetic features of the hillside.
10. All grading is to comply with the Hillside/Arroyo Grading requirements of the Grading Code, including limitations on slope height and pad size. No grading exceptions are granted under this approval.
11. 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. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;
 - ii. 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;
 - 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 Ground Disturbance Activities:

12. *Due to the potential for nesting birds, including raptor species, and burrowing owl habitat on the Proposed Project site, pre-construction surveys shall be conducted. In order to avoid take of any species protected under the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Wildlife (CDFW) Game Code Section 3513, a pre-construction nesting bird survey shall be conducted not more than 30 days prior to any grading, tree or brush clearing or trimming, grubbing or other project related ground disturbances that is to occur between February 1 through August 31.

If no nesting birds are observed during the survey, site preparation and construction activities may begin. If nesting birds (including nesting raptors or nesting burrowing owls) are found to be present, then avoidance or minimization measures shall be undertaken in consultation with the appropriate wildlife agency. Measures shall include establishment of an avoidance buffer until nesting has been completed. Width of the buffer will be determined by the project biologist. Typically this is a minimum of 300 feet from the nest site in all directions (500 feet is typically recommended by CDFW for raptors), until the juveniles have fledged and there has been no evidence of a second attempt at nesting. The monitoring biologist will monitor the nest(s) during construction and document any findings.

13. *Archaeological Monitoring: 30-days prior to ground disturbing activities on the project site, the Applicant shall retain a Secretary of Interior Standards qualified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. The Project Archaeologist, in consultation with the consulting sovereign tribal governments, the Applicant, and the City of Riverside, shall develop an Archaeological Monitoring Plan to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. Details in the Plan shall include:

- a. Project grading and development scheduling;
- b. The development of a rotating or simultaneous schedule in coordination with the Applicant and the Project Archeologist for designated Native American Tribal Monitors from the consulting sovereign tribal government during grading, excavation and ground disturbing activities on the site: including the scheduling, safety requirements, duties, scope of work, and Native American Tribal Monitors' authority to stop and redirect grading activities in coordination with all Project archaeologists;
- c. The protocols and stipulations that the Applicant, City of Riverside, Tribes, and the Project Archaeologist will follow in the event of an inadvertent cultural resources discovery, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.

14. *Treatment and Disposition of Cultural Resources: In the event that Native American cultural resources are inadvertently discovered during ground disturbing activities for this Project the following procedures will be carried out for treatment and disposition of the discoveries:

- a. Temporary Curation and Storage: During the course of construction, all discovered resources shall be temporarily curated in a secure location onsite or at the offices of the Project Archaeologist. The removal of any artifacts from the project site will need to be thoroughly inventoried with tribal monitor oversight of the process; and

Treatment and Final Disposition: The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. The applicant shall relinquish the artifacts through one or more of the following methods and provide the City of Riverside with evidence of same:

- i. Accommodate the process for onsite reburial of the discovered items with the consulting sovereign tribal governments. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloging and basic recordation have been completed;
- ii. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation; and
- iii. At the completion of grading, excavation, and ground disturbing activities on the project site a Phase IV Monitoring Report shall be submitted to the City of Riverside documenting monitoring activities conducted by the Project Archaeologist and Native Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe how each mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade

meeting; and, in a confidential appendix, include the daily/weekly monitoring notes from the archaeologist. All reports produced will be submitted to the City of Riverside, Eastern Information Center and consulting sovereign tribal government.

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. 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.
18. 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.
19. 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.

Standard Conditions:

20. 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.

21. 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.
22. 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.
23. 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.

Public Works

Prior to Building Permit Issuance:

24. 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.
25. Installation of curb and gutter at 20 feet from monument centerline, sidewalk and matching paving on Eddystone Street to Public Works specifications. Rolled curb and gutter not allowed.
26. Deed for widening Eddystone Street to 33 feet from monument centerline to Public Works specifications.
27. Installation of sewer main and laterals to serve project.
28. Driveway(s) size and location to Public Works specifications.
29. Deed for widening Cook Street to 33 feet from monument centerline to Public Works specifications.
30. Deed for widening Bolton Avenue to 33 feet from monument centerline to Public Works specifications.

31. Installation of curb and gutter at 20 feet from monument centerline, sidewalk and matching paving on Bolton Avenue to Public Works specifications.
32. Off-site improvement plans to be approved by Public Works prior to map recordation.
33. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to map recordation.
34. Storm Drain construction will be contingent on engineer's drainage study.
35. Planting of 24" Box Size Street Trees along public streets.
36. Installation of automatic irrigation system to provide deep-root watering to trees is required.

Prior to Building Permit or Grading Permit Issuance:

37. 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. 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.

Prior to Final Inspection:

41. 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.

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:

- 42. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
- 43. Construction plans shall be submitted and permitted prior to construction.
- 44. Any required fire hydrants shall be installed and operational prior to Fire Department release of permit.
- 45. 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. 2013 California Residential Code, Section R313, 2013 California Fire Code, Section 903.2.8 or Riverside Municipal Code, Section 16.32.080.

Public Utilities- Water

Contact Matt Bates for questions regarding water conditions or corrections:

Prior to Map Recordation

46. The Applicant shall pay applicable water connection fees adequate to provide service to the project.

Public Utilities- Electric

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

47. 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.
48. 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.

Parks, Recreation, and Community Services

Prior to Building Permit Issuance:

49. 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.