



Community & Economic Development Department

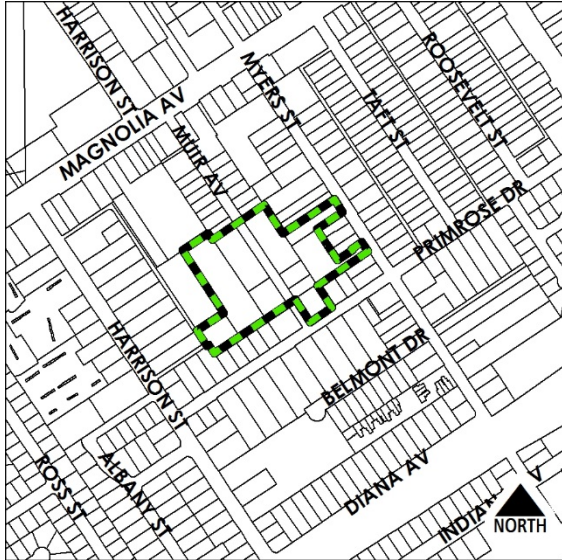
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Planning Division

PLANNING COMMISSION HEARING DATE: DECEMBER 14, 2017

AGENDA ITEM NO.: 3

PROPOSED PROJECT

<i>Case Numbers</i>	P16-0885 (TM-37219), P16-0886 (Planned Residential Development Permit), P16-0506 (Design Review), and P17-0874 (Variance)	
<i>Request</i>	To consider the following entitlements for a Planned Residential Development on 9.30 acres: 1) a Tract Map (TM-37219) to subdivide ten parcels into 63 residential lots; 2) a Planned Residential Development Permit for 63 single family detached residences; 3) a Design Review of project plans; and 4) a Variance to allow reduced setbacks along the project perimeter of lot 10.	
<i>Applicant</i>	Brett Crowder on behalf of Coastal Commercial Properties	
<i>Project Location</i>	Situated west of Myers Street, north of Primrose Drive, east of Harrison Street, and bisected by Muir Avenue.	
<i>APN</i>	234-080-031, 234-080-032, 234-091-012, 234-091-013, 234-092-017, 234-092-023, 234-092-024, 234-092-025, 234-092-026, 234-092-039	
<i>Project area</i>	9.30 Acres	
<i>Ward</i>	5	
<i>Neighborhood</i>	Arlington	
<i>Specific Plan</i>	Magnolia Avenue Specific Plan-Arlington District	
<i>General Plan Designation</i>	MDR - Medium Density Residential and MU-V Mixed Use - Village	
<i>Zoning Designation</i>	R-1-7000 – Single-Family Residential Zone and R-1-7000-SP – Single-Family Residential and Specific Plan (Magnolia Avenue) Overlay Zones	
<i>Staff Planner</i>	Sean P. Kelleher Associate Planner; 951-826-5712; skelleher@riversideca.gov	

RECOMMENDATIONS

Staff recommends that the City Planning Commission:

1. **DETERMINE** the proposed project will not have a significant effect on the environment based on the findings set forth in the case record; **ADOPT** a Mitigated Negative Declaration; and **ADOPT** the Mitigation Monitoring and Reporting Program (MMRP) pursuant to CEQA Section 21081.6; and
2. **APPROVE** Planning Cases P16-0885 (Tract Map 37219), P16-0886 (Planned Residential Development), P16-0506 (Design Review), and P17-0874 (Variance) based on the findings outlined in the staff report and subject to the recommended conditions.

SITE BACKGROUND

The site consists of ten contiguous parcels, totaling 9.30 acres. The property is generally vacant, except for two parcels on the east side Muir Avenue developed with single family residences and a parcel on the west of Muir Avenue developed with a detached garage. Records obtained from historicaerials.com show the property was used for agricultural purposes in the late 1940's.

Surrounding land uses include single family residences around the perimeter of the site and agricultural uses to the north and west.

PROPOSAL

The applicant is requesting approval of a Planned Residential Development Permit and Tract Map to develop the site with a 63 lot planned residential development (PRD) consisting of detached single family residences. Design Review is requested for site design and building elevations. In addition, a Variance is requested to allow reduced setbacks along the project perimeter of Lot 10. Two existing single family residences and detached garage will be demolished as part of this project.

The residences will be two-stories, with a maximum height of 32 feet, on lots ranging in size from 3,907 to 7,902 square feet. Three architectural styles (Spanish, Farmhouse, and French Country) are proposed with varying building modulations and rooflines for each of the three floor plans. The residences will range in size from 1,818 to 2,356 square feet and consist of up to five bedrooms, four bathrooms, kitchen, living room, great room/family room, laundry room, and a two-car garage.

The project includes 35,005 square feet of common open space distributed throughout the site, and includes a pool, open recreation area, fitness park, a tot lot, bocce ball court, rain garden, and botanical garden. Additionally, each residential lot includes at least 640 square feet of private open space.

Vehicular access to the development will be provided from Primrose Drive to the south, Muir Avenue to the north, and Myers Street to the east. The existing segment of Muir Avenue, within the project boundaries, will be vacated and become part of the, non-gated, internal private roadway system. Internal streets have been designed to provide up to a total of 62 on-street guest parking spaces.

PROJECT ANALYSIS

PLANNED RESIDENTIAL DEVELOPMENT CONSIDERATIONS

The proposed 63 lot PRD yields a density of 6.77 dwelling units per gross acre, which is under the benchmark density of 7.30 dwelling units per acre. In the R-1-7000 – Single-Family Residential Zone, a PRD qualifies for a benchmark density of up to 7.30 dwelling units per acre if the project complies with the following criteria:

1. The property is well served by public infrastructure;
2. The project enjoys good access to public services, including schools, shopping and public and semipublic facilities;
3. The site is located on streets capable of accommodating the anticipated traffic. A traffic study may be required to assess consistency with Policy CCM - 2.3 of the General Plan to maintain Level of Service (LOS) "D" or better on arterial streets or greater, except where LOS "E" has been designated as an acceptable standard;
4. The project complies with the purpose and standards of this Chapter, demonstrates substantial compliance with the provisions of the Citywide Design and Sign Guidelines, and is in accordance with City Codes, which may include deviations by variances when required findings are made. Additional criteria used in evaluating the design of the project shall include, but shall not be limited to, the following:
 - a. Varied placement of buildings demonstrating sensitivity to the natural topographic features of the site;
 - b. Relatively level land is set aside for active recreational pursuits;
 - c. Open space is distributed on the site and accessible to all units;
 - d. An efficient circulation system consisting of both vehicular lanes and pedestrian walkways;
 - e. Sensitivity to surrounding community and attention to the edge conditions, creating areas of transition from surrounding existing development to the proposed development; and
 - f. Where front porches are consistent with the style of the development, a minimum of two-thirds (2/3) of the total units shall provide front porches.
5. The project proposes development in an environmentally and topographically sensitive manner in order to minimize the impacts of development on adjacent properties, and is designed in a manner that is compatible with the adjacent and existing development in the vicinity;
6. The project provides amenities in compliance with this chapter, and that the amenities are consistent with the size and scale of the project, the project density, and neighborhood characteristics.

The proposed PRD is consistent with the benchmark density criteria based on the following: the site is relatively flat and does not contain environmentally or natural topographic features. The proposed development will be served by existing infrastructure along Primrose Drive, Muir Avenue, and Myers Street and is located in an area with adequate access to schools, shopping, and other public services. A Traffic Impact Analysis prepared for the project assessed consistency with Policy CCM - 2.3 of the General Plan and did not identify LOS impacts to arterial roads. The PRD has been designed with residential lots clustered around internal private streets to provide an efficient vehicular circulation system. Sidewalks throughout the site provide efficient pedestrian access to on-site common open space and recreational amenities. Common open space with recreational amenities, consistent with the size and scale of this project, is provided throughout the project site. Further, all residential lots include, private open space, in the form of backyards. Based on the above, staff can support the proposed PRD benchmark density.

TRACT MAP

The proposed map design can be supported as it will allow development of the irregular shaped site with a small lot infill subdivision and a residential density consistent with existing subdivisions in the surrounding area. The proposed lot sizes are consistent with the PRD provisions of the Zoning Code. Additionally, a PRD consisting of detached single-family residences with attached garages will be compatible with conventional subdivisions in the vicinity. Adequate street access will be provided via Primrose Drive, Muir Avenue, and Myers Street. The existing segment of Muir Avenue, within the project boundaries, will be vacated and become part of the internal private street system. Lastly, common and private open space will be provided in compliance with the Code. All lettered lots shown on the subdivision map will be required to be maintained by a Home Owner's Association (HOA).

AUTHORIZATION AND COMPLIANCE SUMMARY

	Consistent	Inconsistent
<p><i>General Plan 2025</i></p> <p>The site has General Plan land use designations of MDR – Medium Density Residential and MU-V - Mixed Use-Village. The project will be developed with a maximum density of 6.77 dwelling units per acre where a maximum density of 8 dwelling units per acre is permitted in the MDR – Medium Density Residential land use designation and 40 dwelling units per acre in the MU-V - Mixed Use-Village. The proposed project will further the intent of the General Plan by facilitating in-fill development, while directly addressing the City's housing needs consistent with Objective H-2 and Policy LU-8.1. Further, the project will continue the single-family residential development pattern in the Arlington Neighborhood consistent with Objective LU-35, Policy LU-35.2, Policy LU-36.1, and Policy LU-36.5.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><i>Magnolia Avenue Specific Plan (MASP)</i></p> <p>The proposed project is consistent with the development standards and design guidelines of the MASP and is consistent with Objective 1 of the Arlington District, as it maintains the sense of community by providing additional single family residences and open space</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

amenities within an established single family residential neighborhood.		
<p><i>Subdivision Code (Title 18)</i></p> <p>The proposed project meets the development standards outlined in Chapter 18.210 of the Subdivision Code including private street and guest parking standards. The proposed lot depths and widths are subject to the PRD standards. Staff has reviewed the project plans and determined the proposed lot depth and width of each residential lot are appropriate for this PRD.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><i>Zoning Code Land Use Consistency (Title 19)</i></p> <p>The R-1-7000 – Single-Family Residential Zone is consistent with the MDR - Medium Density Residential General Plan Land Use designation. However, the R-1-7000-SP – Single-Family Residential and Specific Plan (Magnolia Avenue) Overlay Zones is inconsistent with the MU-V - Mixed Use-Village General Plan Land Use designation. While consistency with the General Plan 2025 is preferable; as a charter city, consistency between the General Plan Land Use designation and the Zoning is not required.</p> <p>A PRD in the R-1-7000 Zone allows for a benchmark density of 7.3 dwelling units per acre. This PRD proposes a density of 6.77 dwelling units per acre, which is under the PRD benchmark density allowed in the Zoning Code.</p> <p>In addition, the project generally meets the standards for PRD and the R-1-7000 Zone, except for a Variance requested to allow for a reduced side yard setback on Lot 10.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><i>Compliance with Citywide Design & Sign Guidelines</i></p> <p>The project provides a variety of floor plans in three distinct architectural styles with: varying building modulations, building materials, and rooflines. Enhanced architectural features are provided on the front, side, and rear facades of the residences.</p> <p>Additionally, the conceptual landscape plan has been designed to provide an attractive and welcoming environment, with the inclusion of shade trees in amenity areas.</p> <p>The proposed project substantially meets the objectives of the Citywide Design & Sign Guidelines, subject to the recommended conditions of approval detailed below.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

<i>Chapter 19.780.050 – Planned Residential Development for R-1-7000 Zone</i>				
Standard		Proposed	Consistent	Inconsistent
<i>Max Density</i>	7.3 dwelling units / acre	6.77 dwelling units / acre	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Minimum Setback – Perimeter Property</i>	Primrose Drive and Myers Street - 20 feet	20 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Adjacent to Perimeter Property Lines - 20 feet	9 to 26 feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Minimum Setback – Project Boundaries</i>	Front Yard Setback - 10 feet	7 to 32 feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Side Yard Setback – 5 feet	4 to 24.4 feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Rear Yard Setback - 10 feet	15 to 64 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Minimum Parking</i>	2 fully enclosed garage spaces / dwelling unit	2 fully enclosed garage spaces per residence	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Minimum Guest Parking Spaces</i>	1 guest space / 3 units Total Required: 21 guest spaces	62 guest spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Open Space</i>	Common: 500 square feet / unit Total Required: 31,500 square feet	35,005 square feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Private: 200 square feet minimum per unit	640 to 2,871 square feet per unit	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>R-1-7000 – Single-Family Residential Standards</i> <i>Chapter 19.100 – Residential Zones and Chapter 19.550 – Fences, Walls, and Landscape Materials</i>				
Standard		Proposed	Consistent	Inconsistent
<i>Maximum Building Height</i>	35 feet	24.5 to 32 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Number of Stories</i>	2 stories	2 stories	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Maximum Fence and Wall Height</i>	Front - 3 feet	0 to 6 feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Sides and Rear – 6 feet	5 to 6 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Modifications:

Section 19.780.060.B.2 of the Zoning Code allows for the modification of development standards specific to front, side, and rear yard setback in conjunction with a PRD. The following modifications have been requested for this project, and justifications for the modification are discussed below.

Front Building Setback

The PRD provisions require a 10-foot front building setback within the project boundaries. The proposed seven foot setback allows for the incorporation of front patios on each of the proposed homes. Patios provide a greater sense of community by creating gathering places. Furthermore, the proposed reduced setback will continue to provide adequate separation from the street, as the front most walls of the residences are setback a minimum of 10 feet from the front property line. For these reasons, staff is supportive of the modification of the side yard setback along the interior residential lots.

Side Building Setback

The PRD provisions require a 5-foot side building setback within the project boundaries. The proposed 4 foot setback on lots 12 through 16 allows for the incorporation of pedestrian paths from Lots 10 and 19, located on Myers Street, to directly access the amenities within the PRD. Additionally it allows adequate space to provide a driveway for Lot 18. Furthermore, the proposed reduced setback will continue to provide adequate separation between the proposed residences. For these reasons, staff is supportive of the modification of the side yard setback along the interior residential lots.

VARIANCE

A Variance has been requested by the applicant to allow reduced building setbacks along the north and south perimeter property lines of Lot 10. The applicant has provided variance justification findings in support of the variance request. Staff has also prepared supplemental justification findings in support of the variance. Overall, staff supports the variance as the width of Lot 10 is constrained by existing development, located adjacent to the proposed Planned Residential Development (PRD). Except for the 20 foot perimeter setback requirement, Lot 10 complies with the PRD development standards. The proposed side setback will also be consistent with the surrounding neighborhood, where 10 and 7 ½ foot side setbacks are required by the underlying R-1-7000 – Single Family Residential Zone.

DESIGN REVIEW

Site Plan

The proposed residential lots are sited in a manner that is sensitive to and compatible with existing surrounding single-family residences with the exception of Lots 10 and 19 which do not comply with the minimum 20 foot front building setback. As there ample area to provide the minimum setback requirement, a condition of approval is recommended requiring compliance with the front building setback. Further, adequate access and circulation will be provided via Primrose Drive, Muir Avenue, Myers Street, and the internal private streets. Pedestrian access has been designed to connect with existing and future sidewalks, as well as, with all on-site amenities. Staff generally supports the overall site plan as it is a logical development pattern given the existing development pattern surrounding the site. Staff supports the site plan as it has been designed to

comply with the development standards and design guidelines for a PRD, except for the requested variance and condition of approval as previously discussed.

Conceptual Landscape

Landscaped areas are proposed throughout the development including the pool and open recreation area, fitness park and tot lot, bocce ball court, rain garden, and botanical garden areas. These areas provide residence and visitors opportunities to gather and interact. Landscaping within the common open space areas and within the front yards of the single family residences include a variety of low and medium water usage trees, shrubs, and ground cover. These plant materials have been selected to provide seasonal color while meeting the Water Efficient Landscape Ordinance (WELo). A condition of approval is recommended to plant vines along the project perimeter walls, visible from the public right-of-way, to deter the potential for graffiti. Overall, the proposed landscaping will provide an attractive and welcoming environment and provide visual buffers between land uses. For these reasons, staff supports the conceptual landscape plan.

Fences and Walls

The conceptual fence and wall plan has been designed to be consistent with the development standards of the Code. Six foot high split face block walls are proposed along the perimeter of the site and the front yard areas between the house and the side yard. A five foot, six inch high vinyl fence is provided along the interior property lines. On Lots 10 and 19, walls up to six feet in height are proposed within the front building setback where 3 foot high walls would be allowed; Thus for compliance with the Code, a condition of approval is recommended to reduce the height of walls within the front building setback to a maximum of three feet. In addition, retaining walls, ranging from one-half to three feet in height, are proposed in various locations throughout the site. The height and location of all retaining walls are consistent with the retaining wall standards of the Code. Staff recommends a condition of approval requiring the retaining walls match the materials of the block walls. Further, a condition of approval is recommended requiring the inclusion of a decorative cap on all walls. With the recommended conditions of approval, staff supports the conceptual fence and wall plan.

NEIGHBORHOOD COMPATIBILITY

The project, as proposed, is compatible with the surrounding single-family residential development patterns along Primrose Drive, Muir Avenue, and Myers Street and within the Arlington Neighborhood. The enhanced architectural features of residences along the front, sides, and rear will ensure high quality design. In summary, staff supports the proposed project as it is consistent with the intent, goals, and policies of the General Plan 2025 and the Magnolia Avenue Specific Plan. Furthermore, the project, as conditioned and mitigated, will be compatible with surrounding uses.

ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration (MND) has been prepared for this project in accordance with Section 15074 of the California Environmental Quality Act (CEQA) Guidelines. The CEQA documentation states the proposed project will not have a significant effect on the environment, subject to implementation of the MMRP.

PUBLIC NOTICE AND COMMENTS

Public hearing notices were mailed to property owners within 300 feet of the site. Pursuant to CEQA, a 20-day review and comment period for the MND was provided from November 17, 2017 to December 6, 2017. Additionally, an ad was published in the Press Enterprise. During this period, no comments were received by staff regarding this project.

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 Community & Economic Development Department, Public Information Section, 3rd Floor, City Hall.

EXHIBITS LIST

1. Findings
2. Staff Recommended Conditions of Approval
3. Aerial /Location Map
4. General Plan Map
5. Specific Plan / Zoning Map
6. Project Plans (Tract Map, Illustrative Site Plan, Conceptual Site Plan, Floor Plans, Building Elevations, Grading Plan Open Space Exhibit, Typical Lot Layout, Parking Exhibit, Conceptual Landscape Plans, Conceptual Fence and Wall Plan)
7. Applicant Prepared Variance Justifications
8. CEQA Document (Initial Study/Mitigated Negative Declaration)
9. Existing Site Photos

(Material and Color Sample Board is available for viewing at the Planning Division upon request.)

Prepared by: Sean P. Kelleher, Associate Planner

Reviewed by: Ted White, Deputy Director of Community & Economic Development Department

Approved by: Rafael Guzman, Director of Community & Economic Development Department

**EXHIBIT 1 – FINDINGS****PLANNING CASES: P16-0885 (TM-37219)****P16-0886** (Planned Residential Development Permit)**P16-0506** (Design Review)**P17-0874** (Variance)***Requested Variance***

To allow reduced setbacks along the project perimeter of Lot 10.

- a. *The strict application of the provisions of the Zoning Regulations would result in practical difficulties or unnecessary hardships in the development of this property.*

The proposal **complies** with this finding. Strict application of the PRD standards for R-1-7000 Zones would require 20-foot building setback along the perimeter property lines. The intent of the required setback is to provide adequate separation and privacy from existing development; thus, avoid land use incompatibilities. In this instance, the project meets all setback requirements except the project perimeter setback for the side yards of Lot 10.

Lots 10 is located along the east side of the site with frontage on Myers Street. The width of Lot 10 is constrained by existing developed parcels to the north and south, located outside of the proposed Planned Residential Development. Strict application of the twenty foot project perimeter setback would result in an unbuildable lot. The proposed 12 foot side yard setback will provide adequate separation from the closest residence to the north and will be consistent with the established side yard setbacks of the surrounding development along Myers Street, which was developed in accordance with the development standards of the R-1-7000 – Single Family Residential Zone.

As such, staff can support the requested variance based on the provisions of the Zoning regulations that would result in practical difficulties or unnecessary hardships in the development of this property.

- b. *There are exceptional circumstances or conditions applicable to this property or to the intended use or development of this property which do not apply generally to other property in the same zone or neighborhood.*

The proposal **complies** with this finding. This site is unique in that it is an irregular shape. Lot 10 is one of two lots with frontage on Myers Street. The width of Lot 10 is constrained by existing parcels, located outside of the proposed Planned Residential Development (PRD), to the north and south. Due to the fact that Lot 10 is located on the project perimeter, twenty foot setbacks are required on the north, south and east (front) sides of this lot. Furthermore, the single family residence on Lot 10 has been designed to comply with all of the setback requirements of the R-1-7000 - Single-Family Residential Zone, consistent with existing residential development along Myers Street. Therefore, there are exceptional

circumstances applicable to Lot 10 that warrant reduced perimeter setbacks that do not generally apply to other properties in the same zone or neighborhood.

- c. *The granting of this request will not prove materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood in which the property is located.*

The proposal complies with this finding. The granting of the request to reduce the 20 foot perimeter setback requirement of Lot 10 will not prove materially detrimental the public welfare. The proposed side setback will be consistent with the surrounding neighborhood, where 10 and 7 ½ foot side setbacks are required by the underlying R-1-7000 – Single Family Residential Zone. Furthermore, the development of the site will not be injurious to the property or improvements in the neighborhood as adequate separation and privacy from existing development is provided. Therefore, no detrimental effect is expected with the approval of this request.

- d. *The granting of this request will not be contrary to the objectives of the General.*

The proposal complies with this finding. The proposed perimeter property setback reduction for Lot 10 will uphold the objectives and policies of the General Plan 2025. Specifically, the proposal will provide a diversity of single-family residential housing and product types within an existing single-family neighborhood consistent with General Plan 2025 Goal H-2, Policy LU-8.1, Objective LU-35, Policy LU-35.2, Policy LU-36.1, and Policy LU-36.5.



EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES

PLANNING CASES: P16-0885 (TM-37219)

P16-0886 (Planned Residential Development)

P16-0506 (Design Review)

P17-0874 (Variance)

CONDITIONS

Planning

1. The property shall be developed substantially as depicted on the site plan except as modified by the approving authority and the following conditions.

Prior to Grading Permit Issuance:

2. **Mitigation Measure BIO-1:** A pre-construction survey for burrowing owls shall be conducted by a qualified biologist within 30 days prior to the start of construction/ground-breaking activities. If no active burrows are detected, then no further action will be required. If an occupied burrow is detected during the burrowing owl breeding season (March 1 to August 31), a protective buffer of 500 feet shall be designated around the active burrow by a qualified biologist to avoid impacting a breeding owl. No work shall occur within 500 feet of the burrow unless a reduced buffer area is determined to be acceptable by a qualified biologist's notification to the City of Riverside. If an occupied burrow is detected during the non-breeding season (September 1 to February 28), the burrowing owl may be passively excluded based on California Department of Fish and Wildlife-approved methods and the burrow can be excavated prior to construction.
3. **Mitigation Measure CUL-1:** Prior to the issuance of the first grading permit, evidence shall be provided to the City Building and Safety Division and Planning Division that a qualified paleontologist has been retained to perform full-time monitoring of any excavations on the project site that have the potential to impact paleontological resources in undisturbed native sediments. The monitor will have the ability to redirect construction activities to ensure avoidance of adverse impacts to paleontological resources. In addition, the project paleontologist may re-evaluate the necessity for paleontological monitoring after examination of the affected sediments during excavation, with approval from the City Building and Safety Division and Planning Division. Any potentially significant fossils observed shall be collected and recorded in conjunction with best management practices and Society for Vertebrate Paleontology professional standards. Any fossils recovered during mitigation should be deposited in an accredited and permanent scientific institution for the benefit of current and future generations. A report documenting the results of the monitoring, including any salvage activities and the significance of any fossils will be prepared and submitted to the appropriate City personnel.

4. **Mitigation Measure HAZ-1:** Prior to issuance of construction permits, a certified hazardous materials waste hauler shall remove and dispose of all potentially hazardous materials, wastes, and debris; including the: 55-gallon drums, storage tanks, and motor vehicle parts. Should potentially contaminated soils be identified during clean up or construction activities, soils samples shall be taken and analyzed for contaminants of concern for concentrations above worker safety thresholds established by the Regional Water Quality Control Board (RWQCB). Any soils with chemicals exceeding the RWQCB Environmental Screening Levels (ESLs) for residential uses or hazardous waste limits will be characterized, removed, and disposed of off-site at a licensed hazardous materials disposal facility in compliance with state regulations. All reports and/or documentation associated with the removal will be submitted to the City of Riverside Fire Prevention Division.
5. **Mitigation Measure N-1:** The project's construction plans and grading and building permits issued by the City of Riverside shall include the following requirements:
 - During all excavation and grading on-site, the construction contractors will equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards to reduce construction equipment noise to the maximum extent practicable. The construction contractor will place all stationary construction equipment so that emitted noise is directed away from noise sensitive receptors.
 - The construction contractor will stage equipment and material stockpiles in areas that will create the greatest distance between construction-related noise sources and noise sensitive receptors during project construction.
 - The construction contractor will limit haul truck deliveries to the same hours specified for construction equipment.
 - Electrically powered equipment to be used instead of pneumatic or internal combustion powered equipment, where feasible.
 - Unnecessary idling of internal combustion engines (e.g., in excess of 5 minutes) will be prohibited.
 - The use of noise-producing signals, including horns, whistles, alarms, and bells, will be for safety warning purposes only.
6. Tract Map 37219 shall be recorded.
7. A 40-scale precise grading plan shall be submitted to the Planning Division and include the following:
 - 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;
 - Compliance with City adopted interim erosion control measures;
 - Compliance with any applicable recommendations of qualified soils engineer to minimize potential soil stability problems; and

- Include a note requiring the developer to contact Underground Service Alert at least 48 hours prior to any type of work within pipeline easement.
- 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. Suspend all grading activities when wind speeds exceed 25 miles per hour.
 - iii. 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;
 - iv. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;
 - v. Wash off trucks and other equipment leaving the site;
 - vi. Replace ground cover in disturbed areas immediately after construction; and
 - vii. Keep disturbed/loose soil moist at all times.

During Grading and Construction Activities:

8. **Mitigation Measure BIO-2:** In order to avoid impacts on nesting birds and raptors (common or special status), construction activities should be scheduled during the non-breeding season (generally between July 1 and February 28/29 for nesting birds; between July 1 and January 31 for nesting raptors), to the extent practicable. If project timing requires that construction activities be conducted during the breeding season (generally between March 1 and June 30 for birds; between February 1 and June 30 for raptors); prior to issuance of a grading permit, a pre-construction survey or multiple surveys shall be conducted by a qualified biologist no more than 72 hours prior to disturbance to confirm the absence of active nests. If no active nests are found, no further measures will be necessary.

If the biologist finds an active nest in or adjacent to the construction area and determines that the nest may be impacted, the biologist will identify an appropriate buffer zone around the nest, depending on the sensitivity of the species and the nature of the construction activity. The active site will be protected until nesting activity has ended to ensure compliance with the Migratory Bird Treaty Act and the California Fish and Game Code. To protect any nest site, the following restrictions to construction activities shall be required until nests are no longer active, as determined by a qualified biologist: (1) clearing limits shall be established within a buffer around any occupied nest (the buffer shall be 300–500 feet for raptors), unless otherwise determined by a qualified biologist and (2) access and surveying shall be restricted within the buffer of any occupied nest, unless otherwise determined by a qualified biologist. Construction and/or encroachment into the buffer area around a known nest shall only be allowed if the biologist determines that the proposed activity will not disturb the nest occupants.

9. 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.
10. 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.
11. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
12. 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.
13. To reduce construction related particulate matter air quality impacts of projects the following measures shall be required:
 - the generation of dust shall be controlled as required by SCAQMD Rule 403;
 - i. 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;
 - ii. The project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards;
 - iii. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;
 - iv. Wash off trucks and other equipment leaving the site;
 - 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.
14. The applicant shall be responsible for erosion and dust control during construction phases of the project.
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.

Prior to Building Permit Issuance

16. The applicant shall prepare and record Covenants, Conditions, and Restrictions (CC&Rs) and documents creating a Homeowners Association (HOA), subject to approval of the Planning Division and City Attorney's Office. The CC&Rs/HOA shall contain the following:

- 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 streets and private drives.
 - The CC&Rs shall be irrevocably written and recorded so that the maintenance and enforcement of the on-street parking prohibition is the responsibility of the HOA for the life of the project. The CC&R shall clearly state that the HOA officers are responsible for the enforcement of the on-street parking prohibition and are personally liable for any penalties, including citations, for the failure to follow through with their responsibilities.
 - Mechanical maintenance and “known-down” repair of fire hydrants and street lights which meet the specifications of the Public Utilities Department along private streets shall be accomplished by either the City Public Utilities Department or applicable serving utility company, at the expense of the HOA.
 - The By-Laws or other appropriate document of the Homeowners’ Association shall include the obligations of the Association with respect to maintenance of the private streets.
 - The CC&R’s shall provide the City with authority to repair and/or maintain the private streets and/or appurtenances in the event the HOA fails to maintain said streets and/or appurtenances in a manner that provides adequate access at all times so that emergency and utility vehicles can service the properties contiguous or adjacent thereto. Provision shall be made in the CC&R’s to enable the City to recover costs of work performed by the City in these streets. The CC&R’s shall provide that the HOA grants the City the authority to enter and repair and maintain the private street in the event the HOA defaults in its maintenance responsibilities and the preservation of the public health, safety, and welfare necessitates City maintenance of the private street. Repair costs incurred by the City shall be shared, pro rata, by all parcels and collected as assessments along with County property taxes.
 - Vehicles parked on a residential driveway shall not encroach onto the sidewalk or private street.
 - Graffiti shall be removed within 24 hours of complaint.
 - The HOA shall maintain the basins, parkway and landscape along the project’s frontage, common open space, private street, curbs, gutters, and sidewalk.
 - Should the City of Riverside enact an ordinance to regulate vehicle traffic on privately owned and maintained roads within the City boundaries, the homeowners association shall grant the City access to install signage to regulate vehicle traffic.
17. 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 berming, landscaping, and/or installation of a screen wall.
18. **Site Plan:** Revise the submitted Site Plan such that the plan provided incorporates the following change:
- A minimum 20 foot front yard setback shall be provided on Lots 10 and 19.

19. **Landscape and Irrigation Plans** shall be submitted for Planning staff approval. Design modifications may be required as deemed necessary. Separate applications and filing fees are required. Revise the submitted Conceptual Landscape Plan such that the plan provided incorporates the following change:
- Fast growing vines shall be planted along the perimeter block walls and walls adjacent to the common open space areas.
20. **Fence and Wall Plan:** Revise the submitted fence and wall plan such that the plan provided incorporates the following changes:
- Walls along the project perimeter shall be split face, with a decorative cap;
 - Retaining walls shall match the materials of the block walls along the sides and front of the project site; and
 - The height of walls within the front setback shall be reduced to a maximum height of three feet.
21. 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.

Prior to Release of Utilities and/or Occupancy:

22. **Mitigation Measure T-1:** Prior to issuance of occupancy permit, the proposed project shall install signage on the minor street approaches (northbound and southbound approaches) of the Myers Street/Magnolia Avenue intersection which would restrict left-turn and through movements (i.e., right-turn only) in both directions during the a.m. and p.m. peak hours (7-9 a.m. and 4-6 p.m.). Vehicles that would make these movements (12 vehicles in the a.m. peak hour and 7 vehicles in the p.m. peak hour in the northbound direction; and, 3 vehicles in both peak hours in the southbound direction) would be re-routed to the intersections of Roosevelt Street/Magnolia Avenue and Muir Avenue/Magnolia Avenue where U-turns are permitted during the peak hours to access either westbound Magnolia Avenue and northbound Myers Street, or eastbound Magnolia Avenue and southbound Myers Street, respectively.
23. 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 Sean P. Kelleher, Associate Planner at (951) 826-5712 or skelleher@riversideca.gov to schedule the final inspection at least one week prior to needing the release of utilities.

Standard Conditions:

24. There is a 36 month time limit in which to satisfy the conditions and record this map. 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. Planned Residential Development permits and Design Review, related to an implementing 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 planned residential development will be considered vested and time extensions are no longer needed. At the exhaustion of Community & Economic Development Director approved extensions, the original Approving or Appeal Authority following a public hearing noticed pursuant to Section 19.670.030 (Notice of Hearing for Discretionary Actions Requiring a Public Hearing), may grant one final permit extension of up to two years. A public hearing notification fee is required of the applicant in such case in addition to a time extension fee.
26. 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.
27. 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.
28. Enumeration of the conditions herein shall not exclude or excuse compliance with all applicable rules and regulations in effect at the time this permit is exercised.

Fire

29. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
30. Construction plans shall be submitted and permitted prior to construction.
31. Fire Department access shall be maintained during all phases of construction.
32. All required hydrants shall be in service and fire flow available prior to building permit release by the Fire Department. Violation of this requirement may result in citations that require a court appearance to be issued.
33. Access roadways shall be a minimum of twenty (20) feet in unobstructed width with a minimum vertical clearance of thirteen feet, six inches (13'6"). Grade differential shall not exceed twenty (20) percent.

Shall comply with our fire department turning radius requirements.

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.

34. 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.

Parks, Recreation & Community Services – Park Planning

35. Developer shall make payment of all applicable Park Development Impact Fees (local, aquatic, regional/reserve and trail fees) per RMC Chapters 16.60, 16.44 and 16.76.

Public Works

36. 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.
37. Storm Drain construction will be contingent on engineer's drainage study. Proposed on-site storm drain to be privately maintained (by HOA) to the proposed junction structure in the alley where it shall become publicly owned and maintained from said point downstream.
38. *Advisory - Off-site drainage to be adequately addressed. Damming of upstream drainage not allowed and must be either conveyed or allowed to "flow through" project.
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. *Advisory – Existing 18" Trunk Sewer Main located within Muir Street. Upon street vacation sewer main to remain in existing location and be located within a 30' non-buildable easement.
41. Lot line adjustment to reflect Tentative Tract Map No. 37219 border to be recorded concurrently with Final Map.
42. Off-site improvement plans to be approved by Public Works prior to map recordation.
43. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to map recordation.
44. Full improvement of interior streets based on private residential street standards.
45. *Advisory - No security gates shall be allowed now, or in the future.
46. 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.

47. 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:

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;

Incorporates the applicable Source Control BMP's as described in the Santa Ana River Region WQMP and provides a detailed description of their implementation;

Incorporates Treatment Control BMP's as described in the Santa Ana River Region WQMP and provides information regarding design considerations;

Describes the long-term operation and maintenance requirements for BMP's requiring long-term maintenance; and

Describes the mechanism for funding the long-term operation and maintenance of the BMP's requiring long-term maintenance.

48. 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.
49. 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.
50. Prior to building or grading permit closeout or the issuance of a certificate of occupancy or certificate of use, the applicant shall:

Demonstrate that all structural BMP's described in the project-specific WQMP have been constructed and installed in conformance with approved plans and specifications;

Demonstrate that applicant is prepared to implement all non-structural BMP's described in the approved project-specific WQMP; and

Demonstrate that an adequate number of copies of the approved project-specific WQMP are available for the future owners/ occupants.

51. Trash collection service will not be provided on common drives. Areas shall be provided along private streets to accommodate the placement of containers for automated collection. On-street parking shall be prohibited (if allowed) on collection days as required to ensure access to the trash containers. Keypad activation of the security gates is required to allow access to the site for collection service.
52. Project to install private street signage at both north and south entries to Public Works Specifications.
53. Dedication of public and emergency access easement over the private streets on the Final Map to Public Works Specifications.
54. Final Map to be recorded prior to issuance of a building permit.
55. At the intersections of Muir St (soon to be vacated) with the newly created private east/west roadways:

Project shall install all-way stop sign traffic control with signage, pavement markings, pavement legends per the provisions of the CA MUTCD 2014 Revision 2 (or most current revision at the time of plan approval).

56. Project shall install "Road Ends 100 FT" signage, CA MUTCD sign code W31A(CA) at a point 100 feet from the newly installed stop limit lines.
57. At the northerly and southerly terminations of the recreational area / easement, the project shall install removable concrete bollards accessible by City and RPU staff to facilitate maintenance of sewer & water facilities. Bollards shall have retroreflective elements to maintain nighttime visibility, and will serve as a deterrent for vehicular traffic. Bollards shall, at a minimum, be rated to stop a 7000lb vehicle at a speed of 30 MPH.

Public Utilities – Electric

58. 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.
59. 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 surveyor.
60. 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.

- 61. Developer is responsible for all trenching, installation of conduit and sub-structures required to provide power to the site.
- 62. Plot existing electrical distribution facilities on the original site plan.
- 63. Blanket PUE required on all parcels.

Public Utilities – Water

- 64. No decorative pavement will be allowed over public water facilities.
- 65. Provide sufficient easement behind curb to allow for water meter and fire hydrant installation and maintenance.
- 66. Site plan shows bulbs at the intersections that protrude over the proposed waterline. Waterline must be located per water department standards with appropriate separation from other utilities and curb/gutter.