



Community Development
Department
Planning Division

City of Arts & Innovation

June 26, 2017

Jose Murguia
JM Built Corporation
601 South 3rd Street
Avocado Heights, CA 91746

SUBJECT: ORANGE STREET SUBDIVISION - 978 ORANGE STREET- P16-0016 (PM) and P16-0374 (VR)

Dear Mr. Murguia:

On June 14, 2017, the Development Review Committee (DRC) **approved** Planning Cases P16-0016 (Parcel Map) and P16-0374 (Variance) to permit the subdivision of a 0.91 acre site, into four parcels ranging in size from 7,000 to 7,070 square feet and a Variance to allow for reduced lot depths, located at 978 Orange Street. Please refer to the attached staff report and conditions of approval.

There is now a 10-day appeal period commencing on June 26, 2017 and ending at 5:00 p.m. on **July 6, 2017**. If appealed, you will be notified that the case has been scheduled for review on the Planning Commission's discussion calendar agenda. If not appealed the DRC's decision is final.

Should you have any questions regarding this matter, please contact me at (951) 826-5712 or skelleher@riversideca.gov.

Sincerely,

Sean P. Kelleher
Associate Planner



PARCEL MAP (PM) AND VARIANCE (VR)

Approval Date: June 26, 2017

Development Review Committee Date: June 14, 2017

PLANNING CASES P16-0016 (PM) AND P16-0374 (VR): Proposal by JM Built Corporation to consider: 1) a Tentative Parcel Map (PM36960) to subdivide a 0.91 acre site, into four parcels ranging in size from 7,000 to 7,070 square feet; and 2) a Variance to allow for reduced lot depths. The project is located at 978 Orange Street, situated on the east side of Orange Street between Chase Road and Nash Street, in the R-1-7000 – Single-Family Residential Zone, in Ward 1.

SITE BACKGROUND

The subject site is an irregularly shaped, 0.91-acre vacant parcel surrounded by single-family residential uses to the north, east and south and Reid Park to the west, across Orange Street. A portion of the subject site currently serves as an access point for multiple land locked properties to the east.

PROJECT DESCRIPTION

The applicant proposes to subdivide the 0.91-acre parcel into four parcels ranging in size from 7,000 to 7,070 square feet for future development of, four single-family residences on the north portion of the parcels and a 24-foot wide private street along the south side of the parcels. The private street will allow vehicle access each of the projects parcels and the existing land locked, residential properties to the east.

ANALYSIS

Authorization and Compliance Summary	Consistent	Inconsistent
General Plan 2025 <i>The proposed subdivision is consistent with the underlying General Plan 2025 land use designation of MDR – Medium Density Residential, and will further the intent of the General Plan Preserving and Promoting the lower density charm of the Northside Community (Objective LU-74).</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Zoning Code Land Use Consistency (Title 19) <i>The proposed subdivision is consistent with the applicable development standards of the R-1-7000 – Single-Family Residential Zone. Future development of single family residences will be analyzed for compliance with applicable development standards.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Subdivision Code Consistency (Title 18) <i>With the exception of a variance for lot depth, the proposed subdivision is consistent with the applicable provisions of the Subdivision Code pertaining to the division of land designated for residential use, including: lot size, lot width, private streets and an alternate turn-around design supported by the Public Works Department.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

R-1-7000 - Single-Family Residential Development Standards (Lot 1)				
	Standard	Proposed	Consistent	Inconsistent
Minimum Lot Area	7,000 square feet	9,310 square feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Minimum Lot Depth	100 feet	102.73 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Minimum Lot Width	60 feet	68.18 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>R-1-7000 - Single-Family Residential Development Standards (Lot 2)</i>				
	Standard	Proposed	Consistent	Inconsistent
<i>Minimum Lot Area</i>	7,000 square feet	9,150 square feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Minimum Lot Depth</i>	100 feet	101.15 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Minimum Lot Width</i>	60 feet	72.90 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>R-1-7000 - Single-Family Residential Development Standards (Lot 3)</i>				
	Standard	Proposed	Consistent	Inconsistent
<i>Minimum Lot Area</i>	7,000 square feet	9,556 square feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Minimum Lot Depth</i>	100 feet	89.5 feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Minimum Lot Width</i>	60 feet	80.7 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>R-1-7000 - Single-Family Residential Development Standards (Lot 4)</i>				
	Standard	Proposed	Consistent	Inconsistent
<i>Minimum Lot Area</i>	7,000 square feet	11,547 square feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Minimum Lot Depth</i>	100 feet	82.13 feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Minimum Lot Width</i>	60 feet	87.9 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Variance

As proposed, parcels 3 and 4 have a substandard lot depth. Table 19.100.040 (Residential Development Standards: Single-family Residential Zones) of the Zoning Code specifies minimum dimensions for new parcels in the R-1-7000 – Single-Family Residential Zone, including a minimum lot depth of 100 feet. The applicant has proposed lot depth of 89.5 feet for lot 3 and 82.13 feet for lot 4.

The applicant has submitted justifications based on the configuration of the existing parcel and the site constraints. The project is bounded on the north, south and east with single family residences, and Orange Street to the west of the site. The location of

existing structures on the properties to the north and south of the site, precludes the applicant from proposing a lot line adjustment with the adjacent property owners, as the additional property would bring existing structures out of compliance with the setback standards of the development code. Further, the configuration of the Map is limited in design by the need to provide an access easement to land locked parcels to the east. Strict compliance with the zoning code would prohibit the subdivision. Staff is supportive of the variance request.

NEIGHBORHOOD COMPATIBILITY

The Project site is located within an established single family residential neighborhood. The design of the Parcel Map and the future construction of single-family residences is consistent with the existing neighborhood.

PUBLIC NOTICE AND COMMENTS

Surrounding property owners within 300 feet of the site were notified of the application. Staff received two public comments on the proposed project. The comments included concerns with the project density, privacy, tolerance of the future property owners with the keeping of animals such as chickens and roosters, and the maintenance of the private street.

ENVIRONMENTAL DETERMINATION

This proposal is exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15332 In-fill Development Projects of the CEQA Guidelines, as this project will not have a significant effect on the environment.

DEVELOPMENT REVIEW COMMITTEE'S DECISION

The Development Review Committee **APPROVES** Planning Cases P16-0016 (Tentative Parcel Map) and P16-0374 (Variance), subject to the attached conditions.

APPEAL INFORMATION

Actions by the Development Review Committee, including any environmental finding, may be appealed to the Planning Commission within ten calendar days after the decision. Appeal filing and processing information may be obtained from the Planning Department Public Information Section, 3rd Floor, City Hall.



CITY OF RIVERSIDE

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PLANNING DIVISION

FINDINGS

Planning Cases P16-0374 (Variance)

Variance: To allow reduced lot depths for lots 3 and 4, where 100 feet is required.

- a. *The strict application of the provisions of the Zoning Code would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Code.*

The proposal **complies** with this finding. The R-1-7000 – Single-Family Residential Zone requires a minimum lot depth of 100 feet. However, the project site is surrounded by existing development to the north and south limiting the depth of the proposed lots or the ability to purchase additional properties to meet existing development standards. Further, the configuration of the Map is limited in design by the need to provide an access easement to land locked parcels to the east. Strict compliance with the zoning code would prohibit the subdivision. Thus, an unnecessary hardship would result from compliance with this provision because the site is bounded by existing development.

- b. *There are special circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the vicinity and under the identical zoning classification.*

The proposal **complies** with this finding. The depth of the proposed lots is predetermined by the presence of existing development to the north and south of the project site, as well as, the need to provide an access easement to the land locked parcels east of the site. This configuration not only limits the overall depth of Lot 3 to 89.5 feet and Lot 4 to 82.13 feet, it also requires the lots generally be wider than the minimum lot widths in order to comply with the minimum lot area requirement. These constraints and conditions are unique to the site, as it is an infill lot within an established residential neighborhood. Thus, special conditions applicable to the property exist due to surrounding development and access rights.

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

The proposal **complies** with this finding. The applicant provided a preliminary Site Plan for the Project site demonstrating adequate building foot prints exist on Lots 3 and 4 that comply with all applicable development standards of the underlying zone and are consistent in size with single family residences constructed during the 1980's and 1990's in the Northside neighborhood. Therefore, the granting of the proposed variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which the property is located.

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

The proposal **complies** with this finding. Based on the scope of the requested variance, the granting of this request will not be contrary to the objectives of the General Plan 2025.



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CONDITIONS OF APPROVAL

Case Numbers: **P16-0016** (Tentative Parcel Map)
P16-0374 (Variance)

CONDITIONS

Case Specific

Planning

1. There shall be a one-year time limit in which to satisfy the conditions and finalize this action.

Concurrent with Map Recordation:

2. A reciprocal access agreement shall be recorded for Parcels 1 through 4, to the satisfaction of the Planning Division and the City Attorney's Office.
3. An access easement across Parcels 1 through 4 to three parcels to the east of the subject site (APN - 246-230-014, 246-230-015, and 246-230-030) shall be recorded to the satisfaction of the Planning Division and City Attorney's Office.

Fire Department

4. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
5. Construction plans shall be submitted and permitted prior to construction.
6. Fire Department access shall be maintained during all phases of construction.
7. Identification and posting of required fire lanes shall be provided as directed by the assigned Fire Inspector.
8. 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.

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.

9. 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

10. Developer shall make payment of all applicable Park Development Impact Fees (local, aquatic, regional/reserve and trail fees) for privately developed areas.

Public Works *(Conditions to be fulfilled prior to map recordation unless otherwise noted.)*

11. 24' Sanitation Services & Access Easement to be inclusive of Fire Department turn-around.
12. Reciprocal Access Easement to be provided to each of the existing residences/lots easterly of proposed development.
13. Installation of sewer main & sewer laterals to serve new construction.
14. Deed for widening Orange Street to 33' from monument centerline concurrent with map recordation.
15. Installation of curb and gutter at 20 feet from monument centerline, sidewalk and matching paving on Orange Street to Public Works specifications.
16. Full improvement of interior streets based on private residential street standards.
17. All security gates or facilities proposed now or in the future will be located on-site and adequate stacking space and vehicle turn-around area will have to be provided to Public Works specifications.
18. Off-site improvement plans to be approved by Public Works prior to map recordation.
19. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to map recordation.
20. 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.
21. Storm Drain construction will be contingent on engineer's drainage study.

22. 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.

23. 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.

24. 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.

25. 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.

26. 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.

27. 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.

28. On Orange Street plant 24" box size trees, species shall be determined by Urban Forester, typical spacing is 35 feet; final spacing will be determined by the Tree Inspector at time of spotting. Developer will be responsible for all expenses.

Quantity and final spotting will determined after site inspection after fine grading and hardscape installation has been completed.

29. Installation of automatic irrigation system to provide deep-root watering to trees is required.

Public Utilities – Electric

30. 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.

31. 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. Asked for a 6' PUE in order to place equipment, new plot plan shows it.
32. 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.

Public Utilities - Water

33. Prior to Water Service Activation, the Applicant shall install Reduced Pressure Principle Backflow Preventers upon each domestic water service.
34. Prior to Map Recordation, the Applicant shall make provisions for private utility easements across each parcel.

cw: SPK
DRC Cycle: 06/14/2017