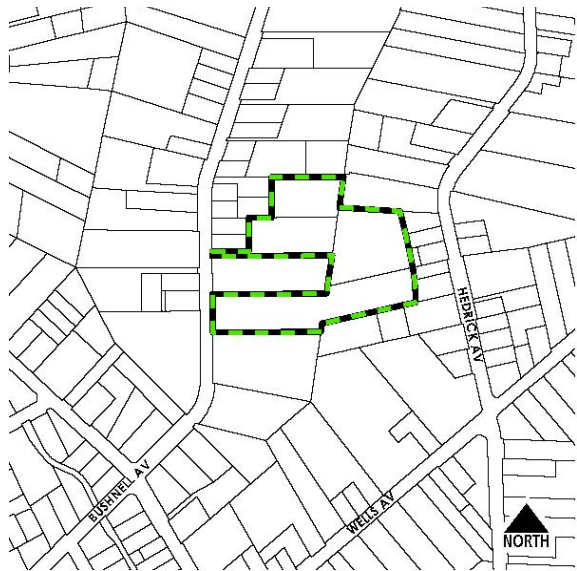




**PLANNING COMMISSION HEARING DATE: JUNE 25, 2020**  
**AGENDA ITEM NO.: 6**

**PROPOSED PROJECT**

<i>Case Numbers</i>	<b>P19-0283</b> (Planned Residential Development) <b>P19-0284</b> (Tract Map No. 37740) <b>P19-0285</b> (Design Review) <b>P20-0295</b> (Modification)	
<i>Request</i>	To consider the following entitlements for a residential subdivision:  1. A Planned Residential Development Permit for the establishment of 22 detached single-family dwellings, private streets, and common open space;  2. Tentative Tract Map No. 37740 to subdivide 6.75 acres into 22 single family residential lots ranging in size from 5,776 to 18,191 square feet;  3. Design Review of project plans; and  4. Modification to allow a cul-de-sac street to serve more than 16 lots and to be greater than 600 feet in length.	
<i>Applicant</i>	Dean Cook on behalf of Bushnell Development, LLC	
<i>Project Location</i>	5001 Bushnell Avenue, situated between Bushnell Avenue and Hedrick Avenue, north of Wells Avenue	
<i>APN</i>	147-160-007, 147-140-014, 147-140-015, 147-140-027	
<i>Project Area</i>	6.75 acres	
<i>Ward</i>	7	
<i>Neighborhood</i>	La Sierra Acres	
<i>General Plan Designation</i>	SRR – Semi-Rural Residential	
<i>Zoning Designation</i>	RR – Rural Residential	
<i>Staff Planner</i>	Regine Osorio, Associate Planner 951-826-5712 rosorio@riversideca.gov	

## RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. **DETERMINE** that the proposed project will not have a significant effect on the environment based on the findings set forth in the case record and adopt a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) pursuant to Sections 15074 and 21081.6 of the California Environmental Quality Act (CEQA) Guidelines; and;
2. **APPROVE** Planning Cases P19-0283 (Planned Residential Development), P19-0284 (Tract Map No. 37740), P19-0285 (Design Review), and P20-0295 (Modification) based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions (Exhibits 1 and 2).

## SITE BACKGROUND

The 6.75-acre project site consists of four contiguous parcels, one of which is developed with an existing one-story single-family residence and driveway access off Bushnell Avenue. The remaining three parcels are currently vacant and undeveloped. Bushnell Avenue, located on the westerly side of the property, is a 66-foot residential collector road that serves the project site.

Surrounding land uses include single-family residences to north and south and vacant land zoned for residential to the east and west of the project site (Exhibit 3).

## PROPOSAL

The applicant is requesting approval of the following entitlements for development of the property with a Planned Residential Development:

- Planned Residential Development Permit for the establishment of 22 detached single-family dwellings, private streets, and common open space;
- Tentative Tract Map No. 37740 to subdivide 6.75 acres into 22 single family residential lots ranging in size from 5,776 to 18,191 square feet;
- Design Review of project plans; and
- Modification to allow a cul-de-sac street to serve more than 16 lots and to be greater than 600 feet in length.

The Planned Residential Development (PRD) includes 22 single-family residences with two primary floor plans ranging in size from 1,904 square feet to 2,204 square feet. All residences will be single story and feature between 4 and 5 bedrooms with two car garages. Each residence would include a front porch and a rear yard private open space area.

Common usable open space totals 32,310 square feet and includes a community park with a covered picnic area, barbeque grill, open turf, play area, exercise stations with equipment, and a walking/jogging path.

Sidewalks throughout the development provide pedestrian access to both community amenities and Bushnell Avenue. Vehicular access to the sites 1,053-foot long private street will be provided via a gated entrance from Bushnell Avenue. The 28-foot wide street will include 34 parallel curbside parking spaces.

Site perimeter walls consist of 6-foot tall split-face block walls, with interior fencing, between lots, constructed of a 6-foot tall vinyl fencing.

## PROJECT ANALYSIS

### Authorization and Compliance Summary

	Consistent	Inconsistent
<p><b><i>General Plan 2025</i></b></p> <p>The General Plan Land Use designation for the site is SRR - Semi-Rural Residential, which includes large lot single-family development while allowing animal keeping as an auxiliary use. However, greater densities, up to a maximum of 3.3 dwelling units per acre, can be achieved with a Planned Residential Development permit. The proposed project furthers the intent of the goals of the General Plan to provide a diverse housing type and a mix of lifestyle choices under the following objectives:</p> <ul style="list-style-type: none"> <li>• <u>Objective H-1:</u> Contributes to a high-quality, livable neighborhood that includes maintained housing, public services, and open space</li> <li>• <u>Objective H-2:</u> Provides for diverse housing types and affordability levels.</li> <li>• <u>Objective LU-89:</u> Accommodates flexible design that results in superior development that goes beyond the required development standards</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b><i>Zoning Code Land Use Consistency (Title 19)</i></b></p> <p>The proposed project site is zoned RR – Rural Residential, which is consistent with the SRR – Semi-Rural Residential General Plan land use designation. Under a PRD permit, the allowable density for the RR zone allows for a benchmark density of 2.1 dwelling units per acre and a maximum density with bonuses up to 3.3 dwellings units per acre. The proposed project proposes 3.3 dwelling units an acre, which is consistent with the maximum PRD density allowed in this Zone.</p> <p>The proposed project meets all the standards for the PRD and the RR Zone, and has been designed to incorporate elements of superior design to achieve a density bonus.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b><i>Subdivision Code (Title 18)</i></b></p> <p>With the approval of a modification to allow a private street to serve more than 16 lots and to exceed 600 feet in length, the proposed project will be consistent with the Subdivision Code. The Subdivision Code allows for modifications to deviate from development standards. Staff supports the street Modification request based upon the justification findings below.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Consistent	Inconsistent
<p><b>Grading Code (Title 17)</b></p> <p>The conceptual grading plan collects and drains storm water and runoff to on-site treatment areas as required by the Santa Ana Regional Water Quality Control Board. The proposed project complies with the standards and provisions of Title 17 of the Riverside Municipal Code.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Compliance with Citywide Design &amp; Sign Guidelines</b></p> <p>The proposed project provides two primary floor plans in three distinct architectural styles (Traditional, Spanish and Craftsman) with varied building shapes, materials and colors. Enhanced architecture is provided on the front, side, and rear façades of the dwelling units such as decorative trim, stacked stone veneer, and shutters. Enhanced architecture is also provided on the facades of the houses on Lots 21 and 22, which are visible from Bushnell Avenue.</p> <p>The conceptual landscape plan provides an attractive and welcoming environment, with the inclusion of shade trees and high-quality landscaping in amenity areas. The proposed project meets the objectives of the Citywide Design &amp; Sign Guidelines.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

<i>Chapter 19.780.050 – Planned Residential Development for RR – Rural Residential Zone</i>					
<i>Standard</i>		<i>Proposed</i>	<i>Consistent</i>	<i>Inconsistent</i>	<i>Modification</i>
<b>Maximum Density with Bonus</b>	3.3 dwelling units/acre	3.3 dwelling units/acre	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Maximum Lot Coverage</b>	Established by the Approving Authority	45 percent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Individual Lot Setbacks</b>	Front Yard 15 feet	11 feet	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Side Yard 5 feet	5 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Rear Yard 15 feet	25 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Project Perimeter Building Setbacks</b>	Bushnell Avenue 30 feet	30 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Adjacent to Perimeter Property Lines 25 feet	25 feet			
<b>Project Perimeter</b>	Bushnell Avenue 30 feet	30 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Chapter 19.780.050 – Planned Residential Development for RR – Rural Residential Zone</i>					
<i>Standard</i>		<i>Proposed</i>	<i>Consistent</i>	<i>Inconsistent</i>	<i>Modification</i>
<i>Landscape Setback</i>	No fences or walls	No fences or walls			
<i>Minimum Parking</i>	2 garage spaces/ du	2 garage spaces/ du	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Minimum Guest Parking Spaces</i>	1 guest space/3 units Total Required: 8 guest spaces	34 guest spaces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Open Space</i>	Common: 500 square feet/unit Total Required: 11,000 square feet	32,310 square feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Private: 200 square feet/unit	1,349 – 11,289 square feet/unit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>R-1-7000 – Single-Family Residential Standards Chapter 19.100 – Residential Zones</i>				
<i>Standard</i>		<i>Proposed</i>	<i>Consistent</i>	<i>Inconsistent</i>
<i>Maximum Building Height</i>	35 feet	18 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Number of Stories</i>	2 stories	1 story	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### *Front Yard Setback Modification – Planned Residential Development*

Section 19.780.060 of the Zoning Code allows for modification of development standards specific to PRD setbacks within the project boundaries. The PRD provisions require a 15-foot front yard setback for individual lots. The applicant is requesting a modification for reduced front yard setbacks for the individual lots within the PRD.

The proposed project would have reduced front yard setbacks that ranges from 11 feet to 13 feet for lots 7 thru 9. The proposed front yard setbacks can be justified as the reduced depth allows for increased private open space in rear yards and maintains required setbacks to adjacent properties. Additionally, lots 7 thru 9 are not visible from the public right-of-way and therefore will not negatively impact the surrounding community. Staff supports the proposed front yard setback modifications.

## **FINDINGS SUMMARY**

### *Planned Residential Development Permit (PRD)*

The proposed project will be compatible with the surrounding residential neighborhood. A Planned Residential Development at this location allows for flexibility and creativity in design that addresses the site's geography while allowing for residential amenities and gathering areas for

residents. The proposed project is requesting a density of 3.3 dwelling units per acre and the design incorporates the following requirements to qualify for the Maximum Bonus Density:

- A. The proposed project meets all applicable building design requirements of the 2019 California Green Building Standards Code.
- B. The location of trees and plantings provide at least 50 percent shading for sidewalks and driveways. The proposed project includes 14,950 square feet of sidewalks and driveways. Landscape plans show 51 percent or 7,625 square feet of sidewalks and driveways to be shaded.
- C. The proposed project includes the installation of light-colored high-albedo materials for at least 50 percent of sidewalks, patios and driveways. The site development relies upon durable concrete elements that are colored to reduce heat and reflect light. The light-colored ground level elements designed within the site development provides the minimum 29 solar reflectance index (SRI) for 100 percent of sidewalks, patios and driveways.
- D. The lots are designed so that at least 70 percent of each lot (not including areas under the roof) is permeable and designed to capture water runoff for infiltration onsite, incorporates vegetative landscape, and directs all runoff from impervious surfaces toward an appropriate permanent infiltration feature. Using the worst-case scenario lot (Lot 19) having the least permeability, the percentage of the lot that is permeable is 83 percent; thus, meeting the design criteria threshold.
- E. The proposed project includes the design and installation of erosion control measures to include portions of the lot that are located on a steep slope, reduce long-term runoff effects through use of terracing and retaining walls. The existing site conditions present the need to provide lot terracing between the lots in the proposed development. The Surface Water Management design utilizing terracing and retaining walls is further reinforced with the planting of trees and groundcover at the slopes that thrive on the captured rainwater runoff that would occur at these lots. Landscaping, coupled with lot terracing, will promote an aesthetically pleasing vista from all angles for this residential development.
- F. The proposed project is designed by a licensed or certified landscape design and/or engineering professional such that it is demonstrated that all water runoff for the homes are managed through an onsite design element.

The proposed project is well designed with adequate common area amenities, pedestrian and vehicular circulation and landscaping. The proposed project is designed to be consistent with and sensitive to the surrounding rural residential community and development pattern of the immediate neighborhood. Staff supports the proposed PRD with the requested Bonus Density.

## ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration (MND) and Mitigation and Monitoring and Reporting Program (MMRP) have been prepared for the proposed project in accordance with Section 15074 and 21081.6 of the California Environmental Quality Act (CEQA) Guidelines. The CEQA documentation states that the proposed project will not have a significant effect on the environment, subject to implementation of the Mitigation, Monitoring and Reporting Program (MMRP)) (Exhibit 8).

## PUBLIC NOTICE AND COMMENTS

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

## APPEAL INFORMATION

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

## EXHIBITS LIST

1. Staff Recommended Findings
2. Staff Recommended Conditions of Approval
3. Location Map
4. General Plan Map
5. Zoning Map
6. Project Plans (Civil and Architectural)
7. Applicant Prepared Street Modification Justifications
8. Initial Study – Mitigated Negative Declaration (IS-MND) and Mitigation, Monitoring, and Reporting Plan (MMRP)
9. Existing Site Photos

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Prepared by: Regine Osorio, Associate Planner  
Reviewed by: Patricia Brenes, Principal Planner  
Approved by: Mary Kopaskie-Brown, City Planner



**EXHIBIT 1 – STAFF RECOMMENDED FINDINGS**

**PLANNING CASES:** P19-0283 (Planned Residential Development)  
P19-0284 (Tract Map No. 37740)  
P19-0285 (Design Review)  
P20-0295 (Modification)

*Modification Justifications pursuant to Chapter Subdivision Code (Title 18) – Chapter 18.230*

**Request:** Modification to allow a cul-de-sac street to serve more than 16 lots and to be greater than 600 feet in length as limited by Title 18 of the Riverside Municipal Code.

**A. That the property is of such size or shape, or is affected by such topographic conditions, or that there are such special circumstances or conditions affecting the property that it is impossible, impractical or undesirable for the petitioner to fully conform with the regulations prescribed by this title, and required conformance would result in undue hardship;**

The proposed project complies with this finding. The unusual shape of the tract boundary, the geography of the site and the requirement to provide adequate access to each lot for emergency response, requires the proposed private street to be 1,053 feet in length. Reducing the length of the street would require other design alternatives that could have the potential to require additional modifications or variances from the Municipal Code and could have the potential to hinder access for emergency vehicles. These special circumstances and conditions provide justification for the proposed street modification, as requiring the proposed project to meet the development standards would result in undue hardship.

**B. Is the modification necessary for the preservation and enjoyment of a substantial property right of the petitioner?**

The proposed project complies with this finding. The granting of this modification ensures that the property owner may develop their property in compliance with the standards set forth in the Planned Residential Development provisions of the Zoning Code and all applicable Municipal Codes. The modification allows for the preservation of the target maximum density of 3.3 dwelling units per acre for the proposed PRD.

**C. Will the modification be detrimental to the public health, safety or welfare, or be injurious to other properties in the vicinity?**

The proposed project complies with this finding. The development provides an emergency vehicular access that connects directly to Bushnell Avenue, allowing for evacuation or access for emergency personnel. The proposed private street is designed to comply with public works specifications; therefore, the granting of this modification would not be materially detrimental to the public welfare or injurious to the improvements within the zone and the neighborhood.



**D. Is the granting of the modification in accordance with the purposes set forth in Title 18 – Subdivision Code (Chapter 18.020 – Purpose and Scope) of the Riverside Municipal Code?**

The proposed project **complies** with this finding. The granting of this modification is in accordance with the objectives of Title 18 – Subdivision Code, and allows for adequate access to each lot from Bushnell Avenue.

**E. Is granting of the modification contrary to the objectives of the Zoning Code set forth in Title 19 of this Code and the General Plan?**

The proposed project **complies** with this finding. The granting of this modification is not contrary to the objectives of the Zoning Code and the General Plan 2025. The proposed project is consistent with the development standards in the Zoning Code and proposes new dwelling units that will contribute to the diversity of the City’s housing stock, as envisioned by the objectives of the General Plan.



# CITY OF RIVERSIDE

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

PLANNING DIVISION

## EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

**PLANNING CASES:**     P19-0283 (Planned Residential Development)  
                                 P19-0284 (Tract Map No. 37740)  
                                 P19-0285 (Design Review)  
                                 P20-0295 (Modification)

### Planning

1. The subject property shall be developed substantially as described in the text of this report and as shown on the plans on file with this case, except for any specific modifications that may be required by these conditions of approval.
2. Any future modifications to the approved design shall be submitted to the Planning Division for consideration. A separate application and fee may be required.
3. Advisory: Signs shall be permitted in accordance with Chapter 19.620 of the Zoning Code. Any new signs shall be subject to separate review and assessment. A separate sign application, including fees and additional sets of plans, will be necessary prior to sign permit issuance.

### *Prior to Map Recordation:*

4. 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:
  - a) 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 street and private driveways.
  - b) The CC&Rs shall be irrevocably written and recorded so that the maintenance is the responsibility of the HOA for the life of the project. The CC&Rs shall clearly state that the HOA officers are responsible for the enforcement of the on-street parking regulations and are personally liable for any penalties, including citations, for the failure to follow through with their responsibilities.
  - c) Mechanical maintenance and "knock-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.
  - d) 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.
  - e) The CC&R's shall provide the City with authority to repair and/or maintain the private street and/or appurtenances in the event the HOA fails to maintain said street 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 street. 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.

- f) Vehicles parked on a residential driveway shall not encroach onto the sidewalk or Private Street.
- g) Graffiti shall be removed within 24 hours of complaint.
- h) Should the City of Riverside enact an ordinance to regulate vehicle traffic on privately owned and maintained roads within the City boundaries, the homeowner's association shall grant the City access to install signage to regulate vehicle traffic.

*Prior to Grading Permit Issuance:*

- 5. \*BIO-1: In order to avoid impacts on nesting birds and raptors (common or special status) clearing, grubbing and grading activities should be scheduled during the non-breeding season (generally between July 1 and February 28/29 for nesting birds and between July 1 and January 31 for nesting raptors), to the extent practicable. If project timing requires that these construction activities be conducted during breeding season (generally between March 1 and June 30 for birds; between February 1 and June 30 for raptors), 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 would be necessary. However, if the biologist finds an active nest of a bird protected under the MBTA or the California Fish and Game Code and determines that the nest may be impacted by clearing, grubbing or grading activities, the biologist shall identify an appropriate buffer zone around the nest depending on the sensitivity of the species and the nature of the construction activities. The active nest site shall be protected until the nesting activity has ended to ensure compliance with the MBTA and California Fish and Game Code. Construction and/or encroachment into the buffer area around a known nest shall only be allowed if the biologist determines that the proposed activity would not disturb the nest occupants.
- 6. \*CUL-1: Prior to grading permit issuance, if there are any changes to project site design and/or proposed grades, the Applicant and the City shall contact interested tribes to provide an electronic copy of the revised plans for review. Additional consultation shall occur between the City, developer/applicant, and consulting tribes to discuss any proposed changes and review any new impacts and/or potential avoidance/preservation of the cultural resources on the project site. The City and the developer/applicant shall make all attempts to avoid and/or preserve in place as many cultural and paleontological resources as possible that are located on the project site if the site design and/or proposed grades should be revised. In the event of inadvertent discoveries of archaeological resources, work shall temporarily halt until agreements are executed with consulting tribe, to provide tribal monitoring for ground disturbing activities.
- 7. \*CUL-2: **On call Project Archaeologist:** Prior to the issuance of a grading permit, the Property Owner/Developer shall provide a letter from a County certified Archaeologist and Paleontologist stating that the Property Owner/Developer has retained these individuals, and that the Archaeologist and Paleontologist shall be on call during all grading and other significant ground-disturbing activities in native sediments.
- 8. \*CUL-4: **Cultural Sensitivity Training:** The Secretary of Interior Standards County certified archaeologist and Native American monitors shall attend the pre-grading meeting with the developer/permit holder's contractors to provide Cultural Sensitivity Training for all

construction personnel. This shall include the procedures to be followed during ground disturbance in sensitive areas and protocols that apply in the event that unanticipated resources are discovered. Only construction personnel who have received this training can conduct construction and disturbance activities in sensitive areas. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.

9. Tract Map No. 37740 shall be recorded.
10. A 40-scale precise grading plan shall be submitted to the Planning Division and include the following:
  - a) Hours of construction and grading activity are limited to between 7:00 a.m. and 7:00 p.m. weekdays and 8:00 a.m. and 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or Federal Holidays;
  - b) Compliance with City adopted interim erosion control measures;
  - c) Compliance with any applicable recommendations of qualified soils engineer to minimize potential soil stability problems;
  - d) Include a note requiring the developer to contact Underground Service Alert at least 48 hours prior to any type of work within pipeline easement; and
  - e) 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:*

11. **\*CUL-3: Treatment and Disposition of Cultural Resources:** In the event that Native American cultural resources are inadvertently discovered during the course of grading for this project, the following procedures will be carried out for treatment and disposition of the discoveries:
  - a. Consulting Tribes Notified: within 24 hours of discovery, the consulting tribe(s) shall be notified via email and phone. The developer shall establish monitoring agreements with the consulting tribes, and provide the city evidence thereof. Consulting tribe(s) will be allowed access to the discovery, in order to assist with the significance evaluation.
  - b. Temporary Curation and Storage: During the course of construction, all discovered resources shall be temporarily curated in a secure location on site 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

- c. 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 Community and Economic Development Department with evidence of same:
  - d. Accommodate the process for on-site reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed;
  - e. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore will 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;
  - f. If more than one Native American tribe or band is involved with the project and cannot come to a consensus as to the disposition of cultural materials, they shall be curated at the Western Science Center or Riverside Metropolitan Museum by default; and
  - g. At the completion of grading, excavation, and ground-disturbing activities on the site, a Phase IV Monitoring Report shall be submitted to the City 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 interested tribes.
12. 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.
13. 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.
14. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
15. 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.

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 SCAQMD Rule 403;
  - b. Trucks hauling soil, dirt or other emissive materials shall have their loads covered with a tarp or other protective cover as determined by the City Engineer;
  - c. The project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards;
  - d. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;
  - e. Wash off trucks and other equipment leaving the site;
  - f. Keep disturbed/loose soil moist at all times;
  - g. Suspend all grading activities when wind speeds exceed 25 miles per hour; and
  - h. Enforce a 15 mile per hour speed limit on unpaved portions of the construction site.
17. The applicant shall be responsible for erosion and dust control during construction phases of the project.
18. 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:*

19. Construction plans submitted for Plan Check review shall specify the location, design and color of all domestic water meters, backflow preventers, and all on- and off-site utility cabinets subject to Planning Division and Public Utilities' review and approval. The visibility of such facilities shall be minimized and include use of the smallest equipment possible, be painted green, and include of some form of screening including but not limited to berming, landscaping, and/or installation of a screen wall.
20. Submit three sets of plans depicting the preferred location for above ground utility transformer of capacity to accommodate the planned or speculative uses within the building(s) or subject site. These plans shall be reviewed and approved by the Planning Division and Public Utilities Department - Electric Division prior to the issuance of a building permit. The proposed location of the transformer shall be level, within 100 feet of the customer's service point, accessible to service trucks and in a location where the transformer can be adequately screened from public view, either by buildings or landscape screening.
21. **Photometric/Lighting Plan:** An exterior lighting plan shall be submitted with building permit plans review and approval. Photometric plans shall include the following;
- i. 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.
  - j. 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 rights-of-way. 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.

- k. Any street lights proposed along the southern boundary of the project shall be shielded to reduce light glare onto adjacent properties.
22. **Building Elevations:** Revise the building elevations such that the plan provided for building permit plan check incorporates the following changes:
- l. Elevations visible from La Sierra Avenue shall be enhanced elevations, consistent with the project plans; and
  - m. Building elevations shall clearly specify all materials, colors and finishes.
23. **Landscape and Irrigation Plans** shall be submitted for Planning staff approval. Separate application and filing fee are required. Design modifications may be required as deemed necessary.

*Prior to Release of Utilities and/or Occupancy:*

24. Install the landscape and irrigation per the approved plans and submit the completed "Certificate of Substantial Completion" (Appendix C of the Water Efficient Landscaping and Irrigation Ordinance Summary and Design Manual) signed by the Designer/auditory responsible for the project. Contact the project planner at (951) 826-5371 to schedule the final inspection at least one week prior to needing the release of utilities.

**Standard Conditions:**

25. 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.

Prior to June 25, 2023, if building permits have not been obtained, a time extension request shall be submitted to the Planning Division. The request shall include a letter stating the reasons for the extension of time and associated fee shall be submitted to the Planning Division. **PLEASE BE ADVISED THAT THE APPLICANT WILL NOT BE NOTIFIED BY THE PLANNING DIVISION ABOUT THE PENDING EXPIRATION OF THE SUBJECT ENTITLEMENTS.**

26. 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.
27. 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.



28. 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.
29. 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.

#### **Parks and Recreation**

30. Developer shall make payment of all applicable Park Development Impact fees (regional/reserve and trail fees) for all recorded ROW, HOA Common landscape areas or private street lots.
31. Developer shall make payment of all applicable Park Development Impact Fees (local, aquatic, and regional/reserve and trail fees) for privately developed areas.

#### **Fire**

32. 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.
33. Entry vehicle gates: Provide for fire department access to the gate. "Knox" key switch devices are available for use in the city. Contact the Fire Department for applications and details. In addition, an "Infrared Automatic Gate System" is required for all electric gates. Contact the Fire Prevention Division for information.
34. The fire department emergency access shall comply with the following:
  - a. Identification and posting of the required fire lanes. All interior fire department access roadways of 20' shall be maintained at all times. No portion of the fire lane shall not be encroached by street parking or landscaping. Show how the 20' access roadway, including the turning radius of 28' inside radius and 48' outside radius shall.
  - b. The fire department access roadway shall meet the 80,000 pound load and all-weather surface. Any alternate methods to meet the 80,000 pound load shall be reviewed and approved by the Fire Department.
35. Identification and posting of required fire lanes shall be provided as directed by the assigned Fire Inspector. (CFC, Sec. 503.3) (RMC, Sec. 16.32.280)
36. Hydrant Markings:
  - a. Class AA 2000 GPM + are to have Green tops and Caps
  - b. Class A 1000-1999 are to have a Green Top
  - c. Class B 500-999 GPM are to have an Orange top
  - d. Class C less than 500 GPM are to have a red topBlue reflective markers are required for private and public fire hydrants.
37. Private fire hydrants shall be spaced according to the 2019 California Fire Code, Appendix C. Single family residences equipped with fire sprinklers shall have fire hydrants spaced a maximum of 500 feet apart, dead end streets or roads shall not exceed 400 feet from the end of the street or road.

38. Fire Department access shall be maintained during all phases of construction.
39. Construction plans shall be submitted and permitted prior to construction.
40. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.

#### **Water**

41. Applicant shall provide a waterline easement across the proposed access road from Bushnell to the proposed street.
42. Applicant shall provide an 8" looped water main through the development.

#### **Electric**

43. 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.
44. 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.
45. Easements and associated fees will be acquired during the electric design process.
46. 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.
47. Developer is responsible for all trenching, installation of conduit and sub-structures required to provide power to the site. In addition to installing streetlights, stub & cap spare conduits along property frontage.
48. Plot existing electrical distribution facilities on the original site plan.
49. Re-feed existing lot to remain via underground source.
50. Underground service to be provided.
51. Relocate/underground existing facilities as needed per design guidelines.
52. Installation of streetlights per City standards.
53. RPU will have to redesign the existing WO 1911950 Utility plans to comply with new proposed TM.
54. Coordinate with RPU for any design requirements for early design.
55. 6' PUE required behind right of way.

#### **Public Works**

56. 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.
57. Deed for widening Bushnell Avenue to 33 feet from monument centerline to Public Works specifications.

58. 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.
59. Off-site improvement plans to be approved by Public Works prior to map recordation.
60. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to map recordation.
61. Storm Drain construction will be contingent on engineer's drainage study.
62. On all plans, provide linear footage labels along all parcel lines. Street Trees May Be Required.
63. Size, number and location of driveways to Public Works specifications.
64. Full improvement of interior streets based on private residential street standards.
65. 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.
66. 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.
67. Prior to issuance of a building or grading permit, the applicant shall submit to the City for review and approval, a project-specific WQMP that:
  - a. Addresses Site Design BMP's such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas and conserving natural areas;
  - b. Incorporates the applicable Source Control BMP's as described in the Santa Ana River Region WQMP and provides a detailed description of their implementation;
  - c. Incorporates Treatment Control BMP's as described in the Santa Ana River Region WQMP and provides information regarding design considerations;
  - d. Describes the long-term operation and maintenance requirements for BMP's requiring long-term maintenance; and
  - e. Describes the mechanism for funding the long-term operation and maintenance of the BMP's requiring long-term maintenance.
68. 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.

69. 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.
  - a. Prior to building or grading permit closeout or the issuance of a certificate of occupancy or certificate of use, the applicant shall:
  - b. Demonstrate that all structural BMP's described in the project-specific WQMP have been constructed and installed in conformance with approved plans and specifications;
  - c. Demonstrate that applicant is prepared to implement all non-structural BMP's described in the approved project-specific WQMP; and
  - d. Demonstrate that an adequate number of copies of the approved project-specific WQMP are available for the future owners/ occupants.