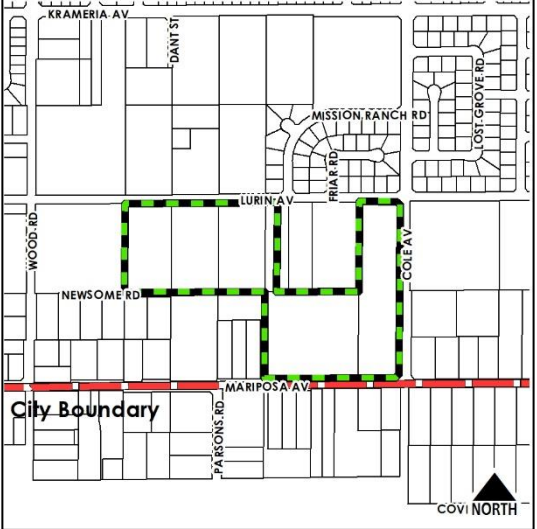




**PLANNING COMMISSION HEARING DATE: JULY 22, 2021
AGENDA ITEM NO.: 4**

PROPOSED PROJECT

| | | |
|---------------------------------|---|--|
| Case Number | P20-0018 (Tract Map No. 37731) P20-0019 (Planned Residential Development Permit) P20-0020 (Design Review) P20-0021 (Variance) | |
| Request | To consider the following entitlements for a Planned Residential Development: 1) Tentative Tract Map (TM-37731) to subdivide 32.54 acres into 138 residential lots and lettered lots for private streets and open space; 2) Planned Residential Development Permit for the establishment of detached single-family dwellings, common open space amenities, private streets, and water quality treatment facilities; 3) Design Review of project plans; and 4) Variance to allow 6 foot high walls within a reduced perimeter landscape setback. | |
| Applicant | Nolan Leggio of Lurin Land, LLC | |
| Project Location | 193311 Lurin Avenue, situated on the south side of Lurin Avenue, west of Cole Avenue |  |
| APN | 266-140-021 266-140-022 266-140-029 266-140-030 266-140-049 266-140-050 | |
| Project Area | 32.54 acres | |
| Ward | 4 | |
| Neighborhood | Orangecrest | |
| Specific Plan | Orangecrest | |
| General Plan Designation | LDR – Low Density Residential VLDR – Very Low Density Residential | |
| Zoning Designation | R-1-13000-SP – Single-Family Residential and Specific Plan (Orangecrest) Overlay Zones R-1-1/2 Acre-SP – Single-Family Residential and Specific Plan (Orangecrest) Overlay Zones RE-SP – Residential Estate and Specific Plan (Orangecrest) Overlay Zones | |
| Staff Planner | Veronica Hernandez, Senior Planner 951-826-3965 vhernandez@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 P20-0018 (TM), P20-0019 (PRD), P20-0020 (DR), P20-0021 (VR), 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 32.54-acre project site consists of six vacant, contiguous parcels. The parcels have an average natural slope of 2.97 percent and feature low-lying hills and shallow drainage areas, which drain from the north and east to the south and west. There are no existing drainage improvements on the site. A barbed wire fence is located on the northern portion of the site, adjacent to Lurin Avenue.

The project site is surrounded by Lurin Avenue, a 66-foot local street, Cole Avenue, an 88-foot arterial street, and Mariposa Avenue, a 66-foot collector street. Surrounding land uses include single-family residences to the north (across Lurin Avenue), east (across Cole Avenue), and south (across Mariposa Avenue), and vacant land to the west (Exhibit 3).

On May 18, 2008, the City Council annexed the project site under Annexation 107 (P06-0453), which annexed 290 acres of the Alta Cresta area into the City. Annexation 107 included Annexation Areas 107-A through 107-E. The project site is located within Annexation Areas 107-C, 107-D, and 107-E.

As part of the annexation, the project site was zoned as follows:

- The northerly parcels (APNs 266-140-021, 266-140-022, 266-140-002, and 266-140-003) were zoned R-1-13000-SP – Single-Family Residential and Specific Plan (Orangecrest) Overlay Zones.
- The easterly parcel (APN 266-140-030) was split-zoned. The upper portion of this parcel was zoned R-1-13000-SP – Single-Family Residential and Specific Plan (Orangecrest) Overlay Zones, the middle portion was zoned R-1-1/2-Acre-SP – Single-Family Residential and Specific Plan (Orangecrest) Overlay Zones, and the lower portion was zoned RE-SP – Residential Estate and Specific Plan (Orangecrest) Overlay Zones.
- The southerly parcel (APNs 266-140-029) was also split-zoned. The upper half of this parcel was zoned R-1-1/2-Acre-SP – Single-Family Residential and Specific Plan (Orangecrest) Overlay Zones, while the lower half was zoned RE-SP – Residential Estate and Specific Plan (Orangecrest) Overlay Zones.

PROPOSAL

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

- Tentative Tract Map (TM 37731) to subdivide 32.54 acres into 138 residential lots and lettered lots for private streets and open space;

- Planned Residential Development Permit for the establishment of 138 detached single-family dwellings, common open space amenities, private streets, and water quality treatment facilities;
- Design Review of project plans for the site design and building elevations; and
- Variance to allow 6 foot high walls within a reduced perimeter landscape setback along Lurin, Cole, and Mariposa Avenues.

Individual proposed lots range in size from 4,235 square feet to 15,720 square feet and the proposed single-family residences range in size from 2,274 square feet to 3,783 square feet. The proposed residences consist of one and two stories with a maximum building height of 29 feet, 6 inches, with up to five bedrooms, four-and-a-half bathrooms, and a two-car garage. Three architectural styles (Spanish Santa Barbara, Italianate, and Craftsman Bungalow) and five floor plans are proposed with varying building designs and rooflines for each of the plans.

A total of 72,387 square feet of common open space is located throughout the Planned Residential Development. Amenities include two open lawn areas, exercise stations, four picnic shelters, two BBQ areas, a tot lot and playground, two pickleball courts, and a lawn games area. Each residential lot includes a minimum of 200 square feet of private open space.

Vehicular access to the project site is provided via two-way driveways on Lurin Avenue, Cole Avenue, and Mariposa Avenue. The internal private streets provide 127 guest parking spaces. The proposed project includes an internal pedestrian network of sidewalks with enhanced street crossings and corner curb bulb-outs for safety.

Site perimeter walls consist of 6-foot-high, split-face block walls. Interior vinyl fencing, 5 feet, 6 inches in height, is proposed along the interior property lines. A 5 foot, 6-inch-high tubular steel fence is proposed to secure the water quality treatment areas.

PROJECT ANALYSIS

Authorization and Compliance Summary

| | Consistent | Inconsistent |
|---|-------------------------------------|--------------------------|
| <p>General Plan 2025</p> <p>The General Plan 2025 Land Use designations for the site are LDR – Low Density Residential and VLDR – Very Low Density Residential (Exhibit 4). The proposed project is consistent with the Objectives and Policies of the General Plan 2025, specifically:</p> <ul style="list-style-type: none"> • <u>Objective LU-75:</u> Manage continued growth of the Orangecrest neighborhood in a manner consistent with the Orangecrest Specific Plan, providing needed infrastructure as land develops. • <u>Objective H-1:</u> Contributes to a high-quality, livable neighborhood that includes maintained housing, public services, and open space • <u>Objective LU-89:</u> Accommodates flexible design that results in superior development that goes beyond the required development standards | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | Consistent | Inconsistent |
|---|-------------------------------------|--------------------------|
| <p>Orangethree Specific Plan</p> <p>The project site is in the Orangethree Specific Plan (Exhibit 5). The site is located within Planning Areas 107-C, 107-D, and 107-E, which provide development standards for single-family residential uses. The Specific Plan does not provide development standards for PRDs; therefore, the Project is subject to the standards of the underlying zones.</p> <p>Staff has determined that the proposed development is consistent with the development patterns of the Orangethree Specific Plan.</p> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>Zoning Code Land Use Consistency (Title 19)</p> <p>The project site is zoned R-1-13000-SP – Single-Family Residential and Specific Plan (Orangethree) Overlay Zones, R-1-1/2-Acre-SP - Single-Family Residential and Specific Plan (Orangethree) Overlay Zones, and RE-SP – Residential Estate and Specific Plan (Orangethree) Overlay Zones. These zones are consistent with the underlying LDR – Low Density Residential and VLDR – Very Low Density Residential General Plan Land Use Designations (Exhibit 5).</p> <p>The R-1-13000 Zone allows for a benchmark density of 4.8 dwelling units per acre with the approval of a PRD permit. The R-1-1/2-Acre and RE Zones allow for a benchmark density of 3.0 dwelling units per acre, with the approval of a PRD permit. A density bonus can be granted for projects incorporating superior design, resulting in a maximum density with bonuses of 5.3 dwelling units per acre for the R-1-13000 Zone and 3.3 dwelling units per acre for the R-1-1/2-Acre and RE Zones.</p> <p>When two or more General Plan land use designations and/or base zones exist within a PRD, the Zoning Code allows density to be transferred between designations and/or zones within the same development. Using this density transfer, the maximum allowable number of units on the project site is 144 units, or an overall density of 4.45 dwelling units per acre. The applicant is proposing a total of 138 units with an overall density of 4.24 dwelling units per acre, which complies with the overall maximum PRD density allowed in these Zones.</p> <p>The proposed project has been designed to include elements of superior design to achieve a density bonus and density transfer, including meeting the California Green Building Standards Code, installation of solar panels, and onsite management of water runoff. It is generally consistent with the applicable development standards of the Zoning Code, with the exception of 6 foot high walls within the project reduced perimeter landscape setback along Lurin, Cole and Mariposa Avenues. The Zoning Code allows for consideration of Variances to deviate from development standards. The applicant is requesting a Variance to facilitate the proposed project (Exhibit 7).</p> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>Subdivision Code Consistency (Title 18)</p> <p>The proposed tract map meets the development standards outlined in Chapter 18.210 of the Subdivision Code, including those for public streets and lot dimensions.</p> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | Consistent | Inconsistent |
|--|-------------------------------------|--------------------------|
| Grading Code Consistency (Title 17) 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. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Compliance with Citywide Design & Sign Guidelines The proposed project provides five primary floor plans in three distinct architectural styles (Spanish Santa Barbara, Italianate, and Craftsman Bungalow) with varied building shapes, roof lines, materials, and colors. Architectural details are provided on the front, side, and rear façades of the dwelling units such as decorative trim, wood siding, and shutters. Enhanced architecture is also provided on all elevations visible from Lurin, Cole, and Mariposa. 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 & Sign Guidelines. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Riverside County Airport Land Use Compatibility Plan The project site is located within Compatibility Zone D (Primary Traffic Patterns and Runway Buffer Area) and Zone E (Other Airport Environs) of the of the Riverside County Airport Land Use Compatibility Plan (RCALUCP) for March Air Reserve Base (MARB). Zone D is exempt from residential density limits required in the RCALUCP, and Zone E does not require residential density limits. The proposed project is consistent with the RCALUCP for the March Air Reserve Base. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

| Chapter 19.780.060 – Planned Residential Development Standards for R-1-13000, R-1-1/2-Acre, and RE Zones | | | | | |
|---|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| Standard | | Proposed | Consistent | Inconsistent | Modification |
| Maximum Density with Bonus and Transfer | 4.45 dwelling units/acre | 4.24 dwelling units/acre | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Maximum Lot Coverage | Established by the Approving Authority | 53 percent | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Maximum Building Height | 35 feet | 29 feet, 6 inches | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Number of Stories | 2 stories | 2 stories | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Minimum Parking | 2 garage spaces/du | 2 garage spaces/ du | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| Chapter 19.780.060 – Planned Residential Development Standards for R-1-13000, R-1-1/2-Acre, and RE Zones | | | | | |
|---|------------------------------------|------------------------------|-------------------------------------|--------------------------|--------------------------|
| Standard | | Proposed | Consistent | Inconsistent | Modification |
| Minimum Guest Parking Spaces | 1 guest space/ 3 dwelling units | 127 guest spaces | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Total Required: 46 guest spaces | | | | |
| Open Space | Common: 500 square feet/unit | 72,387 square feet | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Total Required: 69,000 square feet | | | | |
| | Private: 200 square feet/unit | 540 – 5,909 square feet/unit | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| Chapter 19.780.060 – Planned Residential Development Standards for R-1-13000 Zone (Setbacks) | | | | | |
|---|--|------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| Standard | | Proposed | Consistent | Inconsistent | Modification |
| Individual Lot Setbacks | Front Yard 10 feet | 15 feet | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Side Yard 5 feet | 5 feet | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Rear Yard 10 feet | 7 feet | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Project Perimeter Building Setbacks | Lurin Avenue - Front 25 feet | 28 feet | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Cole Avenue – Front 25 feet | 33 feet | | | |
| | Adjacent to Perimeter Property Lines 20 feet | 32 feet | | | |
| Project Perimeter Landscape Setback | Lurin Avenue - Front 25 feet | 10 feet | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | Cole Avenue – Front 25 feet | 8 feet | | | |
| | No fences or walls | Fences and walls | | | |

| Chapter 19.780.060 – Planned Residential Development Standards for R-1-1/2-Acre and RE Zones (Setbacks) | | | | | |
|--|---|-------------------|-------------------------------------|-------------------------------------|--------------------------|
| Standard | | Proposed | Consistent | Inconsistent | Modification |
| Individual Lot Setbacks | Front Yard 15 feet | 18 feet | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Side Yard 5 feet | 5 feet | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Rear Yard 15 feet | 18 feet | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Project Perimeter Building Setbacks | Cole Avenue - Front 30 feet | 33 feet | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Mariposa Avenue – Front 30 feet | 81 feet, 6 inches | | | |
| | Adjacent to Perimeter Property Lines 25 feet | 32 feet | | | |
| Project Perimeter Landscape Setback | Cole Avenue - Front 30-feet | 8 feet | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | Mariposa Avenue – Front 30 feet | 25 feet | | | |
| | No fences or walls | Fences and Walls | | | |

Modifications to Setbacks – Planned Residential Development

The applicant is requesting a modification to the recommended 10-foot rear yard setback for Lot 10, where a 7-foot rear yard setback is proposed. Section 19.780.060.B. allows front, side, and rear yard setbacks to be modified as part of the PRD permit. Staff has prepared the following supplemental justifications in support of the modification:

- 1) The proposed 7-foot rear yard setback will not be readily seen from the public right-of-way, as Lot 10 is located towards the interior of the site.
- 2) No residences will be impacted by the reduced rear yard setback, as Lot 10 is located adjacent to landscaping and approximately 43 feet from the nearest project perimeter property line to the west.
- 3) The reduced rear yard setback will accommodate the irregular shape of Lot 10.

Allowing a reduced rear yard setback on Lot 10 will not be detrimental to the surrounding area.

FINDINGS SUMMARY

Planned Residential Development Permit (PRD) – Bonus Density and Density Transfer

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 4.24 dwelling units per acre and the design incorporates the following requirements to qualify for the Maximum Bonus Density and Density Transfer:

- A. The proposed project meets all applicable building design requirements of the 2019 California Green Building Standards Code.
- B. The proposed project is not gated, and all streets, sidewalks, trails, and common open space amenities are directly available for general public use.
- C. All homes will feature solar panels, per Title 24 of the California Building Code.
- D. 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.
- E. The proposed project is designed so that at least 70 percent of the built environment 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.
- F. The proposed project includes a minimum 50 square feet of groundcover for every 500 feet of disturbed lot area.
- G. 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 includes common area amenities, pedestrian and vehicular circulation and landscaping. The proposed project has also been designed to be consistent with and sensitive to the surrounding residential community and development pattern of the immediate neighborhood and will contribute to the buildout of the Orangecrest Specific Plan Area.

Variance Findings

In the R-1-13000, R-1-1/2-Acre, and RE Zones, the Zoning Code requires a project perimeter landscape setback of 25 to 30 feet adjacent to all public streets for PRDs. The same Code provision does not allow any fences or walls within the reduced project perimeter landscape setback. The Applicant is requesting a Variance to allow 6-foot high split-face block walls within a reduced project perimeter landscaped setback of 10 feet along Lurin Avenue, 8 feet along Cole Avenue, and 25 feet along Mariposa Avenue. The Applicant has provided Variance Justification findings in support of this request (Exhibit 7).

The request for reduced project perimeter landscape setbacks with walls and fences is consistent with conditions to the north along Lurin Avenue, where perimeter landscape setbacks with fences and walls range from 7 to 10 feet, and to the north and south along Cole Avenue, where setbacks range from zero to 5 feet. The proposed reduced project perimeter setback is also consistent with the residences to the south of the development, across Mariposa Avenue, which provide a minimum front yard setback of 14 feet.

In addition to the proposed project perimeter landscape setbacks along Lurin, Cole, and Mariposa Avenues, there will be 20 feet of landscaped parkway on the Lurin Avenue right-of-way, 10 feet of landscaped parkway on the Cole Avenue right-of-way, and 10 feet of landscaped parkway on the Mariposa Avenue right-of-way. This helps reduce the visual effect of the reduced project perimeter landscape setbacks, and allows the combined landscaped areas to soften the perimeter walls.

ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration (MND) and Mitigation and Monitoring Reporting Program (MMRP) have been prepared for this project in accordance with Sections 15074 of the California Environmental Quality Act (CEQA) Guidelines and Sections 15074 and 21081.6 of CEQA (Exhibit 9). 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. 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 Division, 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 and Specific Plan Map
6. Project Plans (Site Plan, Floor Plans, Building Elevations, Color and Material Sample Board, Open Space Plan, Conceptual Landscape Plan, Preliminary Grading Plan, Tract Map, Composite Utility Plan, Conceptual Photometric Plan)
7. Applicant Prepared Variance Justifications
8. Existing Site Photos
9. Draft Initial Study and Mitigated Negative Declaration

Prepared by: Veronica Hernandez, Senior Planner
Reviewed by: Patricia Brenes, Principal Planner
Approved by: Mary Kopaskie-Brown, City Planner



EXHIBIT 1 – STAFF RECOMMENDED FINDINGS

PLANNING CASES: **P20-0018** (Tract Map No. 37731)
 P20-0019 (Planned Residential Development)
 P20-0020 (Design Review)
 P20-0021 (Variance)

A. Variance Findings pursuant to Chapter 19.720.040

Variance Requested: To allow 6-foot high split-face block walls within reduced project perimeter setbacks along Lurin, Cole, and Mariposa Avenue, where the Zoning Code requires 25 to 30 feet.

1. *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. Strict application of the Planned Residential Development Permit standards for the R-1-13000, R-1-1/2-Acre, and RE Zones would require 25- to 30-foot fully landscaped setbacks, free of any structures including walls and fences, adjacent to public streets. The intent of the required setback is to ensure a uniform, well-designed project appearance from the public realm, and to balance the flexible development standards allowed by a Planned Residential Development for compatibility with surrounding development.

Compliance with the Zoning Code would result in wide, reverse-frontage landscaped areas on Lurin, Cole, and Mariposa Avenues that are substantially larger than those of the surrounding development. Compliance would further require the proposed project to reduce usable private and common open space areas in exchange for creating unusable, passive landscaped areas on the perimeter; or to reduce internal private street widths. Either of these actions would result in a practical difficulty and an unnecessary hardship contrary to the intent and purpose of the Zoning Code, and more specifically the purpose of the Planned Residential Development Permit ordinance.

2. *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. The proposed project design situates the residential lots surrounding and facing onto central common open space amenity areas. This design results in a side and reverse frontage condition along Lurin, Cole, and Mariposa Avenues, which is common throughout the surrounding neighborhood. However, a majority of the surrounding development consists of conventional subdivisions which are not subject to the same common usable open space or perimeter setback requirements applicable to Planned Residential Developments. In conventional subdivisions in the RE and R-1 Zones, reverse and side frontage lots are not subject to any perimeter landscaped setback requirement. Fence and wall setbacks, observed at existing developments in the immediate project area, range from zero to five feet.

Compliance with the required landscaped setback provision would create a landscaped setback area that would be inconsistent with the surrounding pattern of development, and thus constitute an exceptional circumstance that does not apply to other property in the same zone or neighborhood.

3. *Granting 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. In addition to the proposed project perimeter landscape setbacks, there will be 20 feet of landscaped parkway on the Lurin Avenue right-of-way, 10 feet of landscaped parkway on the Cole Avenue right-of-way, and 10 feet of landscaped parkway on the Mariposa Avenue right-of-way. The combination of the proposed perimeter landscaping and parkway will soften the aesthetic of the perimeter walls and create the appearance of a larger landscape setback. The proposed project will provide sufficient area for enhanced landscape planting along the public street frontages. It includes construction of sidewalks, curbs and gutters, utility relocation, and stormwater treatment facilities. These improvements will benefit the Orangecrest neighborhood. Granting the Variance request will not be materially detrimental to the public welfare and surrounding property improvements.

4. *Granting the request will not be contrary to the objectives of the General Plan.*

The proposal **complies** with this finding. Granting the Variance to allow walls within a reduced project perimeter landscape setback along public streets is consistent the objectives and policies of the General Plan 2025. 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-1, Objective LU-75, and Objective LU-89



CITY OF RIVERSIDE

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

PLANNING DIVISION

EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

PLANNING CASE: **P20-0018** (Tract Map No. 37731)
 P20-0019 (Planned Residential Development Permit)
 P20-0020 (Design Review)
 P20-0021 (Variance)

Planning Division

1. Plans shall conform to the exhibits attached to this report. Proposed modifications to the approved design shall be submitted to the Planning Division and shall include revised exhibits and a narrative description of the proposed modifications. The applicant is advised that an additional application and fee may be required.
2. The subject property shall be developed and operated substantially as described in the text of this report and as shown on the project plans on file with this case except for any specific modifications that may be required by these conditions of approval.

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 plans, will be required prior to sign permit issuance.

Prior to Map Recordation:

3. **Mitigation Measure BIO-9:** The Project Applicant, prior to final tract map approval, shall provide the *Preliminary Jurisdictional Delineation and Determination* analysis to the U.S. Army Corps of Engineers (USACE) for their review to determine if any federal jurisdictional waters exist on site. If federal jurisdictional waters are determined to occur on the Project site, the Project Applicant shall implement mitigation measures required in the USACE review of the proposed Project. Final tract maps for the proposed Project shall not be approved by the City of Riverside until a determination of federal jurisdictional waters occurs on the Project site.
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) 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.
 - d) Maintenance of private streets.

- e) Vehicles parked on a residential driveway shall not encroach onto the sidewalk or private street.
- f) Graffiti shall be removed within 24 hours of complaint.
- g) A pedestrian gate shall be installed on Lot B adjacent to Lurin Avenue.
- h) All letter lots shall be maintained by the HOA.

Prior to Grading Permit Issuance:

5. Tract Map No. 37731 shall be recorded.
6. **Mitigation Measure BIO-1:** Prior to the commencement of grading activities, the Applicant shall make the appropriate mitigation fee payment into the MSHCP Stephens' kangaroo rat fee payment program for conservation of Stephens' kangaroo rat-occupied habitats in order to offset the loss of potentially suitable Stephens' kangaroo rat habitat on-site through project implementation.
7. **Mitigation Measure BIO-2:** Prior to on-site vegetation clearance, the Project Applicant shall retain a qualified biologist to conduct a pre- construction nesting bird survey in accordance with the following:
 - a. The survey shall be conducted no more than three days prior to the initiation of clearance/construction work;
 - b. If pre-construction surveys indicate that bird nests are not present or are inactive, or if potential habitat is unoccupied, no further mitigation is required.
 - c. If active nests of birds are found during the surveys, a species-specific no-disturbance buffer zone shall be established by a qualified biologist around active nests until said qualified biologist determines that all young have fledged (i.e., no longer reliant upon the nest).
 - d. Close coordination among the developer of the site, the City of Riverside, the project engineer, and the consulting qualified biologist is recommended to consider vegetation clearance outside of the normal bird nesting season (usually February 15 through September 15) to avoid impacts to nesting birds which would potentially violate the Migratory Bird Treaty Act. It should be noted that bird nesting season is increasingly less definitive for some year-round resident species such as hummingbirds and raptors. Further, ground-dwelling birds such burrowing owls, can be affected nearly any time of the year if present. It is therefore advisable to conduct a pre-construction bird survey no matter the time of year.
 - e. Removal of vegetation necessitates installation of appropriate Storm Water Pollution Prevention Plan (SWPPP) measures, particularly if grading is not undertaken immediately, therefore careful timing of the project schedule and implementation measures is necessary to avoid water quality impacts
8. **Mitigation Measure BIO-6:** Prior to the issuance of grading permits, the removal of Features 1, 2, 3, 4, 5, and 5A, which comprise 0.28 acres of Riparian/Riverine area on the Project site, shall be mitigated at a 1:1 mitigation to impact basis with purchase of rehabilitation credit and also purchase of re-establishment credit at the same mitigation ratio (1:1). Purchase of these rehabilitation credits and reestablishment credit shall be required if such credits are available for purchase and are acceptable to all associated agencies including U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and the Santa Ana Regional Water Quality Control Board, if applicable. If these credits are not available or acceptable to the aforementioned agencies, then alternative mitigation shall be identified and approved by each agency.

9. **Mitigation Measure BIO-7: Restoration of Off-site Habitat in an Approved In-Lieu Fee Program or Mitigation Bank.** Implementation of the proposed Project would result in the loss of 0.17 acre of RWQCB jurisdictional waters onsite. The Project applicant shall implement, on a 1:1 ration, the purchase of 0.17 acre of rehabilitation credits for wetland "waters" at the Riverpark Mitigation Bank. Evidence of compliance with RWQCB requirements shall be submitted to the City of Riverside and the mitigation purchase shall occur prior to the issuance of grading permits for the proposed Project. This mitigation measure is intended to reduce impacts of RWQCB jurisdictional waters on the proposed Project site.
10. **Mitigation Measure BIO-8: Restoration of Off-site Habitat in an Approved In-Lieu Fee Program or Mitigation Bank.** Implementation of the proposed Project would result in the loss of 0.28 acre of RWQCB jurisdictional waters onsite. The Project applicant shall implement, on a 1:1 ration, the purchase of 0.28 acre of rehabilitation credits for wetland "waters" at the Riverpark Mitigation Bank. Evidence of compliance with RWQCB requirements shall be submitted to the City of Riverside and the mitigation purchase shall occur prior to the issuance of grading permits for the proposed Project. This mitigation measure is intended to reduce impacts of RWQCB jurisdictional waters on the proposed Project site.
11. **Mitigation Measure CUL-1: Archaeological Monitoring.** At least 30 days prior to application for a grading permit and before any grading, excavation, and/or ground disturbing activities take place, the developer/applicant shall retain a Secretary of Interior Standards qualified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources.
- The project archaeologist, in consultation with consulting tribes, the Developer, and the City, shall develop an Archaeological Monitoring Plan to address the details, timing, and responsibility of all archaeological and cultural activities that will occur on the project site. Details in the plan shall include:
- a. Project grading and development scheduling;
 - b. The development of a rotating or simultaneous schedule in coordination with the developer/applicant and the project archaeologist for designated Native American Tribal Monitors from the consulting tribes during grading, excavation, and ground-disturbing activities on the site, including the scheduling, safety requirements, duties, scope of work, and Native American Tribal Monitors' authority to stop and redirect grading activities in coordination with all project archaeologists;
 - c. The protocols and stipulations that the Applicant, tribes, and project archaeologist/paleontologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits, or nonrenewable paleontological resources that shall be subject to a cultural resource evaluation;
 - d. Treatment and final disposition of any cultural and paleontological resources, sacred sites, and human remains if discovered on the project site; and
 - e. The scheduling and timing of the Cultural Sensitivity Training.
12. **Mitigation Measure HAZ-1:** Prior to issuance of a grading permit, a soil survey conducted by a licensed professional (retained by the applicant and approved by the City) to determine levels of pesticides and or heavy metals shall be conducted on the site. If pesticide or heavy metal levels are not found on the Project site (or are found below the Environmental Protection Agency (EPA) threshold limits for human exposure), then no additional mitigation is required. However, if pesticide or heavy metal levels exceeding the EPA threshold limits for human exposure are found on site, then **Mitigation Measure HAZ-2** would be required

13. **Mitigation Measure HAZ-2:** If the soil survey determines that pesticide or heavy metal levels are found on the Project site that exceed the EPA threshold limits for human exposure, a report of the findings and a Removal Action Plan (RAW) shall be prepared by a qualified licensed professional (retained by the applicant and approved by the City) and submitted to the California Department of Toxic Substances (DTSC) or other appropriate agency for review and approval. The report shall outline the procedures for removing contaminated soils from the Project site down to the level of contamination and for off-site disposal by a licensed contractor at a facility that accepts such contaminated soil. Soil shall not be reused on the Project site and new soil shall be imported from off site and used on the site during Project construction. This measure shall be implemented to the satisfaction of the DTSC and the City of Riverside Community Development Director or designee, and/or Building and Safety Division or designee.
14. **Mitigation Measure CUL-2:** 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 consulting 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.
15. **Mitigation Measure CUL-5: 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.
16. A 40-scale precise grading plan shall be submitted to the Planning Division and include the following notes:
- 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; and
 - d. The developer shall contact Underground Service Alert at least 48 hours prior to any type of work within pipeline easement.
 - 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. The project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards;
- iii. A 15 mile per hour speed limit shall be enforced on unpaved portions of the construction site.
- iv. All grading activities shall be suspended when wind speeds exceed 25 miles per hour.
- v. 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;
- vi. Streets shall be swept at the end of the day if visible soil material is carried onto adjacent paved public roads;
- vii. Trucks and other equipment leaving the site shall be washed;
- viii. Ground cover in disturbed areas shall be replaced immediately after construction; and
- ix. Disturbed/loose soil shall be kept moist at all times.

During Grading and Construction Activities:

- 17. **Mitigation Measure NOI-1:** The use of large bulldozers and loaded trucks shall be prohibited within 15 feet of existing structures or the construction contractor shall use light construction equipment (e.g., small rubber-tire bulldozers or pickup trucks) within 15 feet of the residential building at 19331 Lurin Avenue.
- 18. **Mitigation Measure BIO-10: Construction/Post-Construction Best Management Practices.** Construction/Post-Construction Best Management Practices (BMPs) detailed in the Final Water Quality Management Plan (WQMP) shall be implemented. Such BMPs shall be implemented to maintain the quality of water runoff emanating from the Project site during construction and post-construction activities.
- 19. **Mitigation Measure CUL-3:** If human remains are discovered/uncovered/encountered during Project construction activities, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner shall be notified by the City of Riverside of the find immediately. If the remains are determined to be Native American, the County Coroner shall notify the NAHC, which will determine and notify an MLD. With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD will have the opportunity to offer recommendations for the disposition of the remains
- 20. **Mitigation Measure CUL-4: 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 provide the city evidence of notification to consulting tribes. 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:
- i. 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 cataloging and basic recordation have been completed;
 - ii. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore 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;
 - iii. 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 Museum of Riverside by default; and
- d. 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 consulting tribes.
21. 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.
22. 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.
23. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
24. 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.
25. The applicant shall be responsible for erosion and dust control during construction phases of the project.
26. 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:

27. **Mitigation Measure BIO-3:** The Project Applicant shall retain a qualified biologist to conduct a 30-day pre-construction survey for burrowing owl. The results of the single one-day survey shall be submitted to the City prior to obtaining a grading permit. If burrowing owl are not detected during the pre-construction survey, no further mitigation is required. If burrowing owl are detected during the pre-construction survey, the Project Applicant and a qualified consulting biologist will be required to prepare and submit for approval a burrowing owl-relocation program.
28. **Mitigation Measure BIO-4:** In accordance with MSHCP provisions limiting the use of exotic and invasive plant species, the Project's landscape plan shall exclude invasive species such as, but not limited to crimson fountain grass (*Pennisetum setaceum*), pampas grass (*Cortaderia selloana*), giant reed (*Arundo donax*), tree of heaven (*Ailanthus altissima*), eucalyptus, and other ornamental landscape elements on the list of exotic invasive plants utilized by the Riverside Conservation Authority which have to potential to spread into adjoining, downstream, or nearby areas.
29. **Mitigation Measure BIO-5:** The Project Applicant shall demonstrate to the City of Riverside that applicable federal and State resource agency permits have been obtained, or that authorization from the agency is not required. These agencies include: U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and the Santa Ana Regional Water Quality Control Board
30. **Mitigation Measure TRA-1:** The Project Applicant shall pay a Project Fair-Share fee of 0.20 percent of the \$61,583,924.03 total cost toward the City's bicycle and pedestrian projects and mitigation bank study. The Project Fair-Share Cost equates to \$121,435.63 and shall be paid to the City of Riverside by the Project Applicant. The mitigation amount is a maximum and shall be confirmed by the City of Riverside prior to payment. The Project will pay the required fair-share contribution by the date of issuance of the first grading permit or within one year of entitlement, whichever comes first.
31. Construction plans submitted for Plan Check review shall include a copy of these Conditions of Approval.
32. Construction 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 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.
33. **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. The following shall be included:
 - a. All landscaping fronting onto the perimeter streets shall consist of tiered plant materials, subject to Planning Staff review and approval; and
 - b. A band of decorative paving shall be incorporated at each main project driveway entrance.
34. **Fence and Wall Plan:** Revise the submitted fence and wall plan such that the plan provided incorporates the following changes:
 - a. Retaining walls shall match the materials of the block walls along the sides and front of the project site.

Prior to Release of Utilities and/or Occupancy:

35. 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 to schedule the final inspection at least one week prior to needing the release of utilities.

Standard Conditions:

36. 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.
37. Planned Residential Development permits, Design Review and Variance, 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.

PLEASE BE ADVISED THAT THE APPLICANT WILL NOT BE NOTIFIED BY THE PLANNING DIVISION ABOUT THE PENDING EXPIRATION OF THE SUBJECT ENTITLEMENT.

38. 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.
39. 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.
40. 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 Department

41. 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. 2016 California Residential Code, Section R313, 2016 California Fire Code, Section 903.2.8 or Riverside Municipal Code, Section 16.32.335.

Minimum of a 1-inch water meter.

42. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
43. Construction plans shall be submitted and permitted prior to construction.
44. Fire Department access shall be maintained during all phases of construction.
45. 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.

Parks, Recreation & Community Services

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

Public Works – Land Development

47. 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.
48. Installation of curb and gutter at 32 feet from monument centerline, sidewalk, and matching paving on Mariposa Road to Public Works specifications.
49. Installation of curb and gutter at 20 feet from monument centerline, sidewalk, and matching paving on Lurin Avenue to Public Works specifications.
50. Installation of curb and gutter at 32 feet from monument centerline, sidewalk, and matching paving on Cole Avenue to Public Works specifications.
51. **Advisory:** Project to have sewer service provided by WMWD, will serve letter required.
52. Off-site improvement plans to be approved by Public Works prior to map recordation.
53. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to map recordation.
54. Storm Drain construction will be contingent on engineer's drainage study.
55. 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.

56. 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.
57. 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.
58. 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.
59. Prior to building or grading permit closeout or the issuance of a certificate of occupancy or certificate of use, the applicant shall:
 - a. Demonstrate that all structural BMP's described in the project specific WQMP have been constructed and installed in conformance with approved plans and specifications;
 - b. Demonstrate that applicant is prepared to implement all non-structural BMP's described in the approved project specific WQMP; and
 - c. Demonstrate that an adequate number of copies of the approved project specific WQMP are available for the future owners/ occupants
60. On all plans, provide linear footage labels along all parcel lines. PLANT 24" box size Trees (species TBD) in PUBLIC RIGHT-OF-WAY between curb and sidewalk with root barriers along all hardscape and deep root automatic irrigation system. Schedule site inspection after fine grading and hardscape installation is completed at least two working days prior, for Tree Inspector to determine precise locations for new plantings. No planting to occur prior to

scheduled site inspection. Planting, staking, irrigation, root barriers to Landscape & Forestry specifications.

- 61. Size, number, and location of driveways to Public Works specifications.
- 62. Full improvement of interior streets based on private residential street standards.

Public Utilities – Electric

- 63. 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.
- 64. The provision of utility easements, water, streetlights, and electrical underground and/or overhead facilities and fees in accordance with the rules and regulations of the appropriate surveyor.
- 65. 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.
- 66. 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.
- 67. Plot existing electrical distribution facilities on the original site plan.
- 68. Extend underground primary backbone system to site.
- 69. Provide electrical easements per underground utility design. Easements will be acquired during the electric design process.
- 70. A more decorative private streetlight can be provided by developer but will be required be metered. RPU will provide an electric service to a meter pedestal.
- 71. If developer decides to go with RPU standard streetlights, they will be billed at appropriate rate per light (unmetered billing for energy and maintenance).
- 72. New transformer shall be pad mounted. Provide space for transformers, switches, and pad-junction cabinets.
- 73. If Photovoltaic (PV) systems are installed, RPU will require separate PV production meters for each service.

Riverside Transit Agency

- 74. A sidewalk in compliance with American Disabilities Act requirements shall be provided on Lurin Avenue and Cole Avenue.