

PLANNING COMMISSION
RECOMMENDED CONDITIONS

PLANNING COMMISSION HEARING DATE: May 27, 2021

PLANNING CASES: **P19-0775** (General Plan Amendment)
 P19-0776 (Zoning Code Amendment)
 P19-0777 (Design Review)
 P20-0307 (Variance)
 P20-0308 (Grading Exception)
 P20-0309 (Grading Exception)
 P20-0310 (Summary Vacation)
 P19-0905 (Environmental Impact Report)

Planning Division

1. All mitigation measures, as outlined in the Mitigation, Monitoring and Reporting Plan in the FEIR, shall be completed in accordance with the designated schedule.
2. Approval of this project is contingent upon the Certification of the Environmental Impact Report associated with this project.
3. 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 additional development applications and fees may be required.
4. All conditions of Riverside County Airport Land Use Commission case ZAP1414MA20 shall apply.
5. **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 Issuance of Grading Permit:

6. The General Plan Amendment (P19-0775) shall be finalized and/or adopted.
7. The Zoning Code Amendment (P19-0776) shall be finalized and/or adopted.
8. The Summary Vacation (P20-0310) shall be finalized and/or adopted.
9. The applicant shall convey the 0.53-acre area of conservation to the Regional Conservation Authority (RCA) to ensure long-term conservation. Submit documentation of the conveyance to the Planning Division.
10. A 40-scale precise grading plan shall be submitted to the Planning Division and include:
 - 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;
- e. Identification of location, exposed height, material, and finish of any proposed retaining walls.

During Grading and Construction Activities:

- 11. 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.
- 12. 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.
- 13. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
- 14. 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.
- 15. To reduce construction related particulate matter air quality impacts of projects the following measures shall be required:
 - a. The generation of dust shall be controlled as required by the AQMD;
 - b. 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.
- 16. The applicant shall be responsible for erosion and dust control during construction phases of the project.
- 17. 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:

18. Landscaping and Irrigation plans shall be submitted to the Planning Division for review. Design modifications may be required as deemed necessary. Separate applications and filing fees are required.
 - a. Landscaping and Irrigation plans shall provide suitable landscape material within the bioinfiltration basins;
 - b. Enhanced landscaping shall be provided at the corner of Sycamore Canyon Boulevard and Central Avenue, to the satisfaction of staff;
 - c. Plans shall be approved by the City Fire Department; and
 - d. Landscaping and Irrigation plans shall be approved by the Riverside Conservation Authority (RCA). Submit documentation of RCA approval to the Planning Division.
19. **Photometric/Lighting Plan:** A photometric study and manufacturer's cut sheets of all exterior lighting on the building, in the landscaped areas, parking lots and pedestrian paths shall be submitted.
 - a. All on-site lighting shall provide a minimum intensity of one foot-candle and a maximum of ten foot-candles at ground level throughout the areas serving the public and used for parking, with a ratio of average light to minimum light of four to one (4:1);
 - b. The light sources shall be hooded and shielded to minimize off-site glare, shall not direct light skyward and shall be directed away from adjacent properties and public rights-of-ways;
 - c. If lights are proposed to be mounted on buildings, down-lights shall be utilized;
 - d. Light poles shall not exceed 14 feet in height, including the height of any concrete or other base material; and
 - e. For safety, all pedestrian paths shall be adequately lighted throughout the project.
20. **Fence and Wall Plan:** Revise the wall and fence plan such that the plan provided for building permit plan check incorporates the following changes:
 - a. All retaining walls shall be constructed of Lock+Load quarry rock, or equal alternative, subject to staff approval;
 - b. All freestanding and retaining walls shall be constructed of, or finished in, a decorative material;
 - c. All walls and pilasters shall be finished with a decorative cap.
21. The Wall and Fence Plan shall be approved by the Riverside Conservation Authority (RCA). Submit documentation of approval to the Planning Division, prior to building permit issuance.
22. **Staff Required Plot Plan Conditions:** Revise the submitted plot plan such that the plan provided for building permit plan check incorporates the following changes:
 - a. Verify that all internal drive aisles have a minimum width of 24 feet and all parking stalls are a minimum 9 feet in width by 18 feet in depth;

- b. A minimum 12-inch concrete walkway, including curb width, shall be provided along the sides of landscape planters whenever the side of a parking stall is adjacent to it; and
 - c. Provision for handicap accessible parking as deemed necessary by Building and Safety Division.
23. **Staff Required Building Elevations Conditions:** Revise the submitted building elevations such that the plans provided for building permit plan check incorporate the following changes:
- a. The color scheme of Buildings 1-5 shall be revised to match the color scheme of Buildings 6 and 7;
 - b. The building elevations submitted for building permits shall clearly specify all building materials and colors to match the materials and colors as approved by the City Planning Commission as applicable; and
 - c. Roof-mounted mechanical equipment shall not protrude above the height of the building parapet wall.
24. **Staff Required Floor Plan Conditions:** Revise the submitted building floor plans such that the plans provided for building permit plan check incorporate the following changes:
- a. Revise the floor plan of Building 5 to remove the eastern most garage, as it does not have direct access to a drive aisle.
25. Plans submitted for staff review shall specify the location, design and color of all domestic water meters, backflow preventers and utility cabinets subject to Planning and Public Utilities review and approval. The visibility of such facilities shall be minimized to Planning Department review and approval through means including but not limited to relocation, berming, landscaping, and/or installation of a screen wall.
26. Submit three sets of plans depicting the preferred location for above ground utility transformers of capacity to accommodate the planned or speculative uses within the building(s). 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. If landscape screening is the preferred screening method, no landscaping except ground cover shall be allowed within 10 feet of the transformer. The Applicant is advised to consult with the City of Riverside Public Utilities, Electrical Engineering Division, at (951)826-5489 prior to preparing these plans.

Prior to Release of Utilities and/or Occupancy:

- 27. 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/auditor responsible for the project. Contact the Case Planner, at (951) 826-5371 to schedule the final inspection at least one week prior to needing the release of utilities.
- 28. The applicant shall provide written evidence to the Planning Division and the Police Department that they will be participating in the City's Crime Free Multi-Housing Program.

Standard Conditions:

29. There shall be a two-year time limit in which to commence construction of the project beginning the day following approval by the Planning Commission unless a public hearing is held by City Council; in that event the time limit begins the day following City Council approval.
30. The General Plan Amendment, Zoning Code Map Amendment, Design Review, Variance, Grading Exceptions, and Summary Vacation may be granted time extensions by the Community & Economic Development Director, or their designee, up to a total of five years beyond the original approval expiration date prior to issuance of any building permits. At the exhaustion of Community & Economic Development Director approved extensions, the original Approving or Appeal Authority may grant one final permit extension of up to two years following a public hearing noticed pursuant to Section 19.670.030 (Notice of Hearing for Discretionary Actions Requiring a Public Hearing). A public hearing notification fee is required of the applicant in such case in addition to a time extension fee. Once a building permit has been issued, the development will be considered vested and time extensions are no longer needed.

Please be advised that the applicant will not be notified by the planning division about the pending expiration of the subject entitlement.

31. 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.
32. 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.
33. 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.
34. The plans shall be submitted for plan check review to assure that all required conditions have been met prior to exercising of this permit.
35. The subject property shall be developed and operated substantially as described in the text of this report and as shown on the plot plan on file with this case except for any specific modifications that may be required by these conditions of approval.
36. The applicant shall continually comply with all applicable rules and regulations in effect at the time permit is approved and exercised and which may become effective and applicable thereafter.

Riverside Conservation Authority

37. Incorporate measures to control the quantity and quality of runoff from the site entering the Multiple Species Habitat Conservation Plan (MSHCP) Conservation Area. In

particular, measures shall be put in place to avoid discharge of untreated surface runoff from developed and paved areas into MSHCP Conservation Areas.

38. Land uses proposed in proximity to the MSHCP Conservation Area that use chemicals or generate bioproducts, such as manure, that are potentially toxic or may adversely affect wildlife species, Habitat, or water quality shall incorporate measures to ensure that application of such chemicals does not result in discharge to the MSHCP Conservation Area. The greatest risk is from landscaping fertilization overspray and runoff.
39. Night lighting shall be directed away from the MSHCP Conservation Area to protect species within the MSHCP Conservation Area from direct night lighting. Shielding shall be incorporated in project designs to ensure ambient lighting in the MSHCP Conservation Area is not increased. Lighting is proposed on the walkway and is required for safety.
40. Proposed noise-generating land uses affecting the MSHCP Conservation Area shall incorporate setbacks, berms, or walls to minimize the effects of noise on MSHCP Conservation Area resources pursuant to applicable rules, regulations, and guidelines related to land use noise standards.
41. Consider the invasive, non-native plant species listed in Table 6-2 of the MSHCP in approving landscape plans to avoid the use of invasive species for the portions of the project that are adjacent to the MSHCP Conservation Area. Considerations in reviewing the applicability of this list shall include proximity of planting areas to the MSHCP Conservation Areas, species considered in the planting plans, resources being protected within the MSHCP Conservation Area and their relative sensitivity to invasion, and barriers to plant and seed dispersal, such as walls, topography, and other features.
42. Proposed land uses adjacent to the MSHCP Conservation Area shall incorporate barriers, where appropriate, in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping into the MSHCP Conservation Areas. Such barriers may include native landscaping, rocks/boulders, fencing, walls, signage, and/or other appropriate mechanisms.
43. Manufactured slopes associated with the proposed site development shall not extend into the MSHCP Conservation Area.

Fire Department

44. An automatic fire sprinkler system is required by City Ordinance 16.32.080. Under separate cover, submit plans for the automatic fire sprinkler system(s) and obtain approval from the Fire Department prior to installation. Systems exceeding 20 sprinkler heads shall be provided with supervisory service and shall be monitored by a UL Central Station (UUFX) and shall be UL, FM or ETL certificated for the life of the system. Post Indicator valves, Detector Check control valves and water flow switches are required to be supervised by an UL listed central station.

Have a UL, FM or ETL listed and licensed C10 fire alarm contractor submit plans and obtain approvals prior to installation. Alarm contractor shall provide a copy of a maintenance contract complying with N.F.P.A. 72.

Contact the Riverside Public Utilities Department at (951) 826-5285 for the requirements for the dedicated fire service and backflow requirements.

45. Group R, Division 2 occupancies shall be provided with a manual and automatic fire alarm system in apartment houses three or more stories in height or containing 16 or more dwelling units. (See California Fire Code for exceptions). Submit plans and obtain

approvals from the Fire Department prior to installation. New fire alarm systems shall be UL, FM or ETL certificated for the life of the system. Central Station shall be UL UUFX.

46. Provide for fire department access to the gate. "Knox" key devices are available for use in the city. Contact the Fire Department for applications and details.
47. An "Infrared Automatic Gate System" is required for all electric gates. Contact the Fire Prevention Division for information.
48. Provide for fire department access to the facility. "Knox" key devices are available for use in the city. Contact the Fire Department for applications and details.
49. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
50. Construction plans shall be submitted and permitted prior to construction.
51. Fire Department access shall be maintained during all phases of construction.
52. Public fire hydrants shall be provided on Central Avenue and Sycamore Canyon Boulevard spaced a maximum of 350 feet apart.
53. New buildings located in any Very High Fire Hazard Severity Zone or any Wildland-Urban Interface Fire Area shall comply with the 2016 California Building Code, Chapter 7A, California Fire Code, Chapter 49, and Public Resource Codes 4290 & 4291.
54. When the project is submitted to the Building and Safety Division for plan review, the submittal shall include the approved Fire Protection Plan (FPP) and Alternate Methods and Materials (AM&M) dated 2/3/2021.
55. Buildings and structures located in the Very High Fire Hazard Severity Zone shall maintain the required hazardous vegetation and fuel management Fire-Resistant Landscaping, found on the CA State Fire Marshal's website, <https://www.readyforwildfire.org/prepare-for-wildfire/get-ready/fire-resistant-landscaping/>

This includes the required minimum 30-feet of defensible space within the project boundaries. As well as the landscaping within the City right-of-way, that is part of the project development.
56. Fire access shall be maintained throughout apartment complex with the required turnaround at the dead-end, adjacent to Building #7. See Fire Department Information Bulletin #B-19-001.
57. Approved Fire Department access pedestrian gates shall be equipped with Knox padlocks and Fire Department access only signage. See Fire Department Information Bulletin #B-19-004.

Parks, Recreation & Community Services – Park Planning

Prior to Issuance of Grading Permit:

58. Submit a copy of the Grading Plans to Parks, Recreation & Community Services Department (PRCSD for review and approval prior to permit issuance.

Incidental park land impacts shall be returned to as good or better condition than existing.

Cut and/or fill slopes visible from natural open spaces, (e.g. Quail Run Site) shall be designed using "contour grading".

Prior to Issuance of Building Permit:

59. Developer shall make payment of all applicable Park Development Impact Fees (local, aquatic, regional/reserve, and trail fees) for privately developed areas per RMC Chapters 16.60, 16.44 and 16.76.
60. Submit a copy of the Site Improvement and Landscape Plans to PRCSD for review and approval prior to permit issuance.

Public Utilities – Electric

61. 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.
62. Blanket Public Utility Easement required on all parcels.
63. 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.
64. 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.
65. Developer is responsible for all trenching, installation of conduit and sub-structures required to provide power to the site.
66. Plot existing electrical distribution facilities on the original site plan.
67. Show proposed location of transformers and electrical rooms.

Public Utilities – Water

Prior to Issuance of Building Permit:

68. Applicant shall construct or guarantee the construction of an 8" water main extension in Central Avenue from Sycamore Canyon Boulevard across the project frontage.
69. Applicant shall construct or guarantee the construction of a 12" water main extension in Sycamore Canyon Boulevard from Central Avenue across the project frontage.

Public Works

Prior to Issuance of Grading Permit, Unless Otherwise Noted:

70. Installation of sewer laterals to serve this project to Public Works specifications.
71. Installation of curb & gutter and sidewalk along Sycamore Canyon Boulevard at location of existing asphalt berm to Public Works specifications.
72. Size, number, and location of driveways to Public Works specifications.
73. Storm Drain construction will be contingent on engineer's drainage study.
74. 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.

75. 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.
76. 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.
77. 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.
78. 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.

79. Street Trees will be Required. 24" Box Size Magnolia grandiflora 'Russet' on Central Avenue and 24" Box Size Tabebuia chrysotricha on Sycamore Canyon Boulevard with root barrier along all hardscapes. Typical spacing approximately 35 feet.

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

80. Installation of automatic irrigation system to provide deep-root watering to Street Trees is required.
81. Vacation of excess right of way along Central Avenue to Public Works standards and specifications. City to reserve 65' from improvement centerline.
82. Vacation of excess right of way along Sycamore Canyon Boulevard to Public Works standards and specifications. City to reserve 65' from improvement centerline.
83. Trash enclosures required per Public Works standards. Tandem enclosures will be allowed but they must contain the same type of dumpster (2 solid waste or 2 recycle).
84. Council authorizes the City Manager to execute quitclaims documents on behalf of the City of Riverside to extinguish the desired public rights within the vacated right-of-way that does not revert by operation of law.
85. Prior to finalization of the case, the applicant shall provide the appropriate documentation that the lender(s) / trustee(s) has(have) agreed to modify any Trust Deed(s) to reflect the reconfigured parcel(s).
86. Property transfers to the final proposed parcel configurations must be accomplished concurrently with the finalization of this case. Ownership of the property shall remain undivided prior to recordation of the Certificate of Compliance for Lot Line Adjustment.
87. All recording fees of the Riverside County Recorder, including transfer documents, grants of right-of-way and the Certificate of Compliance for Lot Line Adjustment are the responsibility of the applicant.
88. Applicant shall prepare Grant Deeds that have each owner grant to themselves each of the parcels in their final configuration. This requirement is necessary to ensure that the final parcel configurations and ownerships are clearly identified in the Land Title History.
89. VC P20-0310 to be completed prior to issuance of the Certificate of Compliance.