

**PLANNING COMMISSION  
REVISED APPROVED CONDITIONS**

Planning Commission Meeting Date: September 14, 2023

**PLANNING CASE:**      **PR-2021-001030** (TM, PRD, DR)

**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.
3. **Advisory:** Signs shall be permitted in accordance with Chapter 19.620 of the Zoning Code. Any new signs shall be subject to separate review and assessment. A separate sign application, including fees and plans, will be required prior to sign permit issuance.

*Prior to Map Recordation:*

4. Prior to Final Map recordation, a Conservation Lot shall be designated for cultural resource conservation, to preserve, manage, and maintain the Conservation Lot. Only surface irrigation, landscaping and maintenance shall be allowed within the Conservation Lot. The Conservation Lot shall be kept free of building materials, fencing, equipment, and earth fill or deposit.
5. 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. Establishment of a Homeowner's Association;
  - b. 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;
  - c. 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;
  - d. The By-Laws or other appropriate document of the Homeowners' Association shall include the obligations of the Association with respect to maintenance of the private streets;
  - e. The HOA shall maintain the common open space lots, habitat open space conservation lots, stormwater basins, parkway, slopes, and all landscape along the street frontages;
  - f. Vehicles parked on a residential driveway shall not encroach onto the sidewalk or private street;
  - g. Graffiti shall be removed within 24 hours of complaint;

- h. Garages shall be prohibited from being used as storage and must be used for vehicular parking;
  - i. Any privacy screening installed by homeowners shall be maintained in good order and repair at all times; and
  - j. All lettered lots shall be maintained by the HOA.
6. **Advisory:** The provisions of approved CC&R's shall not be amended without the prior approval of the Community Development Director or his/her designee and the City Attorney who at his/her discretion may refer the matter to the Planning Commission. Requests for amendments to existing CC&R's shall be submitted to the Planning Division.
7. **Advisory:** All commonly owned lots, improvements and facilities shall be preserved and maintained in a safe condition and in a state of good repair. Any failure to so maintain is unlawful and a public nuisance endangering the health, safety and general welfare of the public and a detriment to the surrounding community.

*Prior to Grading Permit Issuance:*

8. Slope configuration, maintenance and related fencing on Lots 6, 29 through 39, 47, and 48 shall be addressed during rough grading to the satisfaction of Staff.
9. A 30-day burrowing owl preconstruction survey shall be required to ensure protection for this species and compliance with the conservation goals as outlined in the MSHCP. The survey shall be conducted in compliance with both MSHCP and CDFW guidelines (MSHCP 2006, CDFW 2012). A report of the findings prepared by a qualified biologist shall be submitted to the City of Riverside for review and approval prior to any permit or ground disturbing activities. If burrowing owls are detected onsite during the 30-day preconstruction survey, during the breeding season (February 1st to August 31st) then construction activities shall be limited to beyond 300 feet of the active burrows until a qualified biologist has confirmed that nesting efforts are completed or not initiated. In addition to monitoring breeding activity, if construction is proposed to be initiated during the breeding season or active relocation is proposed, a burrowing owl mitigation plan will be developed CDFW and USFWS requirements for the relocation of individuals to the Lake Mathews Preserve.
10. Construction outside the nesting season (between September 1st and February 15th) does not require preconstruction nesting bird surveys. However, if construction is proposed between February 16th and August 31st, a qualified biologist must conduct a nesting bird survey(s) no more than three (3) days prior to initiation of grading to document the presence or absence of nesting birds within or directly adjacent (100 feet) to the Project Site.

The survey(s) would focus on identifying any bird or raptor nests that would be directly or indirectly affected by construction activities. If active nests are documented, species-specific measures shall be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. At a minimum, grading in the vicinity of a nest shall be deterred until the young birds have fledged. A minimum exclusion buffer of 100 feet shall be maintained during construction, depending on the species and location. The perimeter of the nest setback zone shall be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities restricted from the area. A survey report by a qualified biologist verifying that no active nests are present, or that the young have fledged, shall be submitted to the City of Riverside for review and approval prior to initiation of grading in the nest-setback zone. The qualified biologist shall

serve as a construction monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests occur.

11. The Grading Plan shall be modified to include parkway sidewalks and landscaping along Dauchy Avenue.
12. **Mitigation Measure BIO-1: Riverpark Mitigation Bank** – Permanent impacts to 0.096-acres of jurisdictional features will be mitigated at a 2:1 ratio through the purchase of 0.192 acres of re-establishment credits at the Riverpark Mitigation Bank. An agreement for sale of credits from the Riverpark Mitigation Bank will be submitted to the City of Riverside prior to grading permit issuance.
13. **Mitigation Measure BIO-2: Conservation Easement** – Prior to grading permit issuance, a conservation easement in favor of a conservation-mission third party (for oversight and compliance verification) shall be placed over all onsite “avoidance areas,” including riparian/riverine resources within the western blue-line drainage, unnamed drainage A, and adjacent upland habitats.
14. Provide proof of the completed purchase of the mitigation credits to the City and the Wildlife Agencies prior to grading permit issuance. Proof of purchase consists of the following:
  - a. A receipt from the Riverpark Mitigation Bank for the Applicant's purchase of 0.192 acres of Re-establishment credits; and
  - b. A copy of the purchase contract/purchase agreement between the Riverpark Mitigation Bank and the Applicant. The purchase agreement should name The Village at Moreno Valley as the development project for which the mitigation credits are being purchased.
15. **Mitigation Measure BIO-3: Erosion Control** – Prior to the initiation of construction, the construction contractor shall install temporary erosion control measures around avoided drainages and conservation areas to reduce impacts to onsite drainages and open space habitat from the excess sedimentation, siltation and erosion. These measures shall consist of the installation of silt fencing, coirs, berms, or dikes to protect storm drain inlets and drainages.
16. **Mitigation Measure BIO-5: Agency Approvals** – Prior to grading permit issuance, no impacts shall occur to onsite drainages until appropriate permits have been obtained from the US Army Corps of Engineers (Corps) Section 404 Nation Wide Permit, Regional Water Quality Control Board (RWQCB) Section 401 Water Quality Certificate, and/or California Department of Fish and Wildlife (CDFW) Section 1602 Streambed Alteration Agreement. Specifically, the following permits or certifications will be required:
  - USACE Section 404 Nation Wide Permit
  - RWQCB 401 Water Quality Certificate
  - CDFW Section 1602 Streambed Alteration Agreement
17. **Mitigation Measure CUL-1:** Prior to grading permit issuance, if there are any changes to project site design and/or proposed grades, the Applicant and the City shall contact 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.

18. **Mitigation Measure CUL-2: Archaeological and Paleontological 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 resources 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 noted in mitigation measure MM-CUL-4.

19. **Mitigation Measure CUL-4: Cultural Sensitivity Training** – The Secretary of Interior Standards County certified archaeologist and Native American monitors shall attend the pre-grading meeting with the developer/permit holder's contractors to provide Cultural Sensitivity Training for all construction personnel. This shall include the procedures to be followed during ground disturbance in sensitive areas and protocols that apply in the event that unanticipated resources are discovered. Only construction personnel who have received this training can conduct construction and disturbance activities in sensitive areas. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.

20. 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. Include a note requiring the developer to contact Underground Service Alert at least 48 hours prior to any type of work within pipeline easement.

*During Grading and Construction Activities:*

21. **Mitigation Measure BIO-4: Construction Mitigation** – During construction of the Project, the construction contractor shall implement the following measures during construction to avoid impacts to Unnamed Drainage A and its single tributary, and western blue-line drainage and its associated tributaries:
  - a. No changing of oil or other fluids, or discarding of any trash or other construction waste materials shall occur on the Project Site.
  - b. Any equipment or vehicles driven and/or operated within or adjacent to onsite drains shall be checked and maintained daily, to prevent leaks of materials into onsite drainages. No equipment maintenance shall be conducted near onsite drains.
22. **Mitigation Measure CUL-3: Treatment and Disposition of Cultural Resources:** In the event that Native American cultural resources are inadvertently discovered during the course of grading for this project, the following procedures will be carried out for treatment and disposition of the discoveries:
  - a. **Consulting Tribes Notified:** Within 24 hours of discovery, the consulting tribe(s) shall be notified via email and phone. The developer shall 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:
    - a. Preservation-in-place of the cultural resources, if feasible as determined through coordination between the project archeologist, developer/applicant, and consulting tribal monitor(s). Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources in perpetuity;
    - b. Accommodate the process for on-site reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed, with an exception that sacred items, burial good and Native American human remains are excluded. No cataloguing, analysis, or other studies may occur on human remains and grave goods. Any reburial process shall be culturally appropriate. List of contents and location of the reburial shall be included in the confidential Phase IV Report. The Phase IV report shall be prepared by the project archeologist and shall be filled with the City under a confidential cover and not subject to a Public Records Request. The Tribe(s) should be able to access these areas in the future through enforceable agreement;

- c. If reburial is not feasible, 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; 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.

23. **Discovery of Human Remains:** In the event that human remains (or remains that may be human) are discovered at the Project site during grading or earthmoving, the construction contractors, Project Archaeologist, and/or designated Native American Monitor shall immediately stop all activities within 100 feet of the find. The Project proponent shall then inform the Riverside County Coroner and the City of Riverside Community & Economic Development Department immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b) unless more current State law requirements are in effect at the time of the discovery. Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If human remains are determined as those of Native American origin, the Applicant shall comply with the state relating to the disposition of Native American burials that fall within the jurisdiction of the NAHC (PRC Section 5097). The coroner shall contact the NAHC to determine the most likely descendant(s). The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The Disposition of the remains shall be overseen by the most likely descendant(s) to determine the most appropriate means of treating the human remains and any associated grave artifacts.

The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. The County Coroner will notify the Native American Heritage Commission in accordance with California Public Resources Code 5097.98.

According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). The disposition of the remains shall be determined in consultation between the Project proponent and the MLD. In the event that the Project proponent and the MLD are in disagreement regarding the disposition of the remains, State law will apply and the median and decision process will occur with the NAHC (see Public Resources Code Section 5097.98(e) and 5097.94(k)).

24. 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.

25. 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.
26. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
27. 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.
28. To reduce construction related particulate matter air quality impacts of the project, 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. Trucks and other equipment leaving the site shall be washed off;
  - f. Disturbed/loose soil shall be kept moist at all times;
  - g. All grading activities shall be suspended when wind speeds exceed 25 miles per hour; and
  - h. A 15 mile per hour speed limit shall be enforced on unpaved portions of the construction site.
29. The applicant shall be responsible for erosion and dust control during construction phases of the project.
30. 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.
31. The contractor shall adhere to applicable measures contained in Table 1 of Rule 403 including, but not limited to:
  - a. All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.
  - b. The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three (3) times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.
  - c. The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are limited to 15 miles per hour or less.

*Prior to Building Permit Issuance:*

32. Tract Map No. 38074 shall be recorded.
33. **Landscape and Irrigation:** Plans shall be submitted for Planning staff approval. Separate application and filing fee are required. The following shall be implemented in the landscape and irrigation design:
  - a. All street adjacent landscaping shall utilize a layering effect of ground cover, 1-gallon, then 5-gallon shrubs, to the satisfaction of staff;
  - b. All bioretention areas shall include a mix of trees, shrubs, and groundcover, to the satisfaction of staff; and
  - c. The landscaping adjacent to the vehicle gates shall be further enhanced, to the satisfaction of staff.
  - d. Landscaping adjacent to open space conservation areas shall be drought-tolerant and non-invasive for consistency with MSHCP guidelines.
34. **Photometric/Lighting Plan:**
  - a. An exterior lighting plan shall be submitted to staff for review and approval. A photometric study and manufacturer's cut sheets of all exterior lighting on the building, in the landscaped areas and in the parking-lot shall be submitted with the exterior lighting plan. 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). The light sources shall be shielded to minimize off-site glare, shall not direct light skyward and shall be directed away from adjacent properties and public rights-of-ways. If lights are proposed to be mounted on buildings, down-lights shall be utilized. Light poles shall not exceed fourteen (14) feet in height, including the height of any concrete or other base material.
  - b. Light sources adjacent to open space conservation/habitat areas shall be limited and shielded to prevent light and glare within these sensitive areas.
35. **Fences and Walls:** A perimeter wall plan shall be submitted for review and approval. Plans shall include the following:
  - a. Walls shall be constructed of a decorative material, with a decorative cap, consistent with the Citywide Design Guidelines;
  - b. Perimeter walls and returns visible from the public right-of-way shall consist of a solid decorative masonry wall with pilasters and a decorative cap;
  - c. Walls shall not exceed 6-feet in height;
  - d. Termination of walls shall include a decorative column and cap; and
  - e. Pilasters shall be added to the masonry walls at even intervals.
  - f. The proposed fence between Lots J, N, and F shall be removed or modified to staff's satisfaction to allow habitat access within the proposed open space conservation areas.
36. Ground mounted equipment shall be screened from view on all sides with solid masonry walls or similar permanent structures. Such masonry wall or structure shall be of a neutral color. Screening with wood, chain-link, or similar fencing materials shall not be permitted.
37. **Exit Only/Emergency Vehicle Access:** It shall be noted on plans that the driveway on Ferrari Drive shall be reserved for exit and emergency vehicle access only.



38. Guest parking shall be clearly designated with the appropriate striping to staff's satisfaction.
39. "NO PARKING" signs shall be posted on each side of a private street where parking is not permitted. The design and location of said signs shall be approved by the City Traffic Engineer.
40. Construction plans submitted for Plan Check review shall include a copy of these Conditions of Approval.
41. 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.
42. The following measures shall be incorporated into Project plans and specifications as implementation of SCAQMD Rule 1113 and 445:
  - a. Only "Low-Volatile Organic Compounds (VOC)" paints (no more than 50 gram/liter of VOC) consistent with SCAQMD Rule 1113 shall be used.
  - b. The Project is required to comply with SCAQMD Rule 445, which prohibits the use of wood burning stoves and fireplaces in new development.
43. To satisfy the 45 dBA CNEL interior noise level standard, residential units will require a Noise Reduction (NR) of up to 19.5 dBA and a windows-closed condition requiring a means of mechanical ventilation (e.g. air conditioning). To meet the 45 dBA CNEL interior noise standards for residential land use the Project shall provide the following or equivalent noise abatement measures:
  - a. Windows & Glass Doors: All windows and glass doors with well-fitted, well-weather-stripped assemblies and shall have minimum sound transmission class (STC) ratings of 27.
  - b. Doors (Non-Glass): All exterior doors shall be well weather-stripped and have minimum STC ratings of 27. Well-sealed perimeter gaps around the doors are essential to achieve the optimal STC rating. (1)
  - c. Exterior Walls: At any penetrations of exterior walls by pipes, ducts, or conduits, the space between the wall and pipes, ducts, or conduits shall be caulked or filled with mortar to form an airtight seal.
  - d. Roof: Roof sheathing of wood construction shall be per manufacturer's specification or caulked plywood of at least one-half inch thick. Ceilings shall be per manufacturer's specification or well-sealed gypsum board of at least one-half inch thick. Insulation with at least a rating of R-19 shall be used in the attic space.
  - e. Ventilation: Arrangements for any habitable room shall be such that any exterior door or window can be kept closed when the room is in use and still receive circulated air. A forced air circulation system (e.g. air conditioning) or active ventilation system (e.g. fresh air supply) shall be provided which satisfies the requirements of the Uniform Building Code.

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

44. 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:*

45. There is a 36-month time limit in which to satisfy the conditions and record Tentative Tract Map No. 38074. 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.
46. The Planned Residential Development and Design Review related to implementing the 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 project will be considered vested and time extensions are no longer needed.
47. Time extension requests shall include a letter stating the reasons for the extension of time and associated fees, submitted to the Planning Division.

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

48. 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.
49. This approval is for design concept only and does not confirm the project has been thoroughly checked for compliance with all requirements of law. As such, it is not a substitute for the formal building permit plan check process, and other changes may be required during the plan check process.
50. 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.

**Fire Department**

51. **Advisory:** The development may be affected by the revised 2023 Fire Hazard Severity Zone map (FHSZ) to be published by CAL FIRE. When your plans are submitted, your project will be required to comply with FHSZ map at the date of application.
52. 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. Automatic residential fire sprinkler system shall be designed in accordance with 2019 California Residential Code, Section R313. Plans shall be submitted to and approved by the Fire Department prior to installation (2019 California Fire Code, Section 903.2.8 or Riverside Municipal Code, Section 16.32.080)

53. Public fire hydrants shall be spaced a maximum of 350 feet apart. Onsite fire hydrants are based on the required fire flow for the buildings. Single family residences equipped with fire sprinklers shall have fire hydrants spaced a maximum of 500 feet apart, dead end streets or roads shall not exceed 400 feet from the end of the street or road. Additional information provided:

<https://riversideca.gov/fire/sites/riversideca.gov.fire/files/fire/pdf/2020/resources-forms/D11005.pdf>

54. Fire Department access shall be maintained during all phases of construction.
55. Public and provide roadways shall comply with Riverside City Fire Department minimum access requirements. Additional information provided:

<https://riversideca.gov/fire/sites/riversideca.gov.fire/files/fire/pdf/2020/resources-forms/B12001.pdf>

### **Parks, Recreation & Community Services**

*Prior to Map Recordation:*

56. Developer shall make payment of all applicable Park Development Impact fees (regional/reserve and trail fees) for all recorded ROW, HOA Common landscape areas or private street lots.

*Prior to Building Permit Issuance:*

57. 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**

58. 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.
59. Vacation of excess right of way along Dauchy Avenue to Public Works standards and specifications. City to reserve 33' from improvement centerline.
60. Vacation of excess right of way along Ferrari Drive to Public Works standards and specifications. City to reserve 33' from improvement centerline.
61. Dedication of right of way per Public Works cul-de-sac standards for bulb on Richard M. Nixon Court.
62. Installation of curb and gutter at 18 feet from monument centerline, sidewalk and matching paving on project side of Ferrari Drive to Public Works specifications. 12 feet of additional pavement required on opposite side of centerline to public works specifications.
63. Installation of curb and gutter at 20 feet from monument centerline, sidewalk and matching paving on Dauchy Avenue to Public Works specifications.
64. Installation of curb and gutter at 18 feet from monument centerline, sidewalk and matching paving on north side of Victor Hugo Drive and construction of cul-de-sac to Public Works specifications. 12 feet of additional pavement required on opposite side of centerline to public works specifications.
65. Full improvement of interior streets based on private residential street standards.

66. Installation of sewers and sewer laterals to serve this project to Public Works specifications.
67. Minimum 20' wide sewer easement required for sewer main.
68. The project proposes to utilize the existing sewer lift station and sewer force main at Dauchy Avenue and Ferrari Drive. A detailed inspection of the existing lift station and force main will be completed by Carollo Engineers prior to issuance of any construction permits from the Public Works Department. Tract 38074 shall complete all improvements to the existing lift station and force main as recommended by Carollo Engineers in the inspection report. All necessary improvements shall be included in the sewer construction drawings as part of the sewer plan check review for Tract 38074 and shall be constructed in full at the developer's expense.
69. Off-site improvement plans to be approved by Public Works prior to map recordation.
70. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to map recordation.
71. Storm Drain construction will be contingent on engineer's drainage study. Construction of storm drain is required under Ferrari Drive to maintain the natural drainage pattern.
72. 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.

73. 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.
74. 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 (CC&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.

75. 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.
76. 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.
77. On site plan, provide linear footage labels along all parcel lines.
78. Add the following notes to the landscape plans and email PDF for review and approval to Tree Inspector (gtanaka@riversideca.gov):

PLANT 24" box size Geijera parviflora in PUBLIC RIGHT-OF-WAY along both DAUCHY AVE and Celtis sinensis along FERRARI DR. Typical spacing 25 O.C. Prior to planting, Tree Inspector to determine precise locations and quantities at time of site inspection after fine grading and hardscape installation is complete. Planting, staking, irrigation, root barriers to Landscape & Forestry specifications.
79. Size, number and location of driveways to Public Works specifications.

### **Public Works – Traffic Engineering**

*Prior to Grading Permit Issuance:*

80. **Mitigation Measure – Trans 2:** The developer shall pay the City's VMT Mitigation Bank Fees in the total amount of \$132,500 per the agreement by both parties prior to the issuance of site grading permits.
81. Signing & striping improvements and traffic signal modifications in this memo shall be shown on traffic design plans signed by a licensed civil or traffic engineer and to the satisfaction of the Director of Public Works.

*Prior to Final Occupancy:*

82. **Mitigation Measure – Trans 1:** The applicant shall develop external sidewalk connectivity along Ferrari Drive on the northern boundary of the Project, east along Dauchy Road, and south on Victor Hugo leading into the Project site.
83. Prior to the issuance of a Certificate of Occupancy, the applicant shall complete following improvements:

- a. Construct a stop sign (R1-1), stop bar, stop legend, at the project driveways. Stop signs must conform to City Standard 664.
- b. Intersection of Dauchy Avenue and John F Kennedy Drive:
  1. Remove existing STOP Signs and install two (2) solar powered flashing LED-lit STOP signs at both approaches, specifications shall be to the satisfaction of the City Traffic Engineer.
- c. Dauchy Avenue and Victor Hugo Drive/Privada Lane:
  1. Shall remove existing STOP Signs and install two (2) solar powered flashing LED-lit STOP signs at the northbound and southbound approaches, specifications shall be to the satisfaction of the City Traffic Engineer.
  2. Install stop sign (R1-1), stop bar, stop legend, at the westbound approach.
- d. All signage and striping improvements must comply with the most current California Manual of Uniform Traffic Control Devices (MUTCD) standards. The applicant shall hire a contractor to install MUTCD & City of Riverside Standard compliant signage & striping and median improvements. The applicant shall obtain any necessary permits and approvals to complete the improvements. The applicant is solely responsible for the procurement and installation of the improvements to the satisfaction of the Director of Public Works.

**Public Utilities – Electric**

84. Developer is responsible for all trenching, installation of conduit and sub-structures required to provide power to the site. In addition to installing spare conduits, streetlights, also stub & cap along property frontage.
85. Plot existing electrical distribution facilities on the original site plan.
86. Provide switch, PJC, transformer, & service panel location.

**Western Municipal Water District**

87. Compliance with water efficient landscape requirements per the City of Riverside's Ordinance No. 859.
88. Developer's landscape architect is required to meet landscape requirements of the agency of jurisdiction.
89. Developer to submit Preliminary Water Plans exhibit to Western for review and approval.
90. Preliminary Water Plans shall show the following items on 22"x34" exhibit:
  - a. Plans based on a field survey showing the basis of bearing, basis of elevation per Western's Development Guidelines, surveyor information and date of survey.
  - b. Delineate all easements within project boundaries showing record numbers, brief description of easement purposes, dimensions and who easements favor.
  - c. Delineate all proposed and existing lots, streets, and storm drains.
  - d. Delineate all existing utility facilities along frontages and within project boundaries (i.e. pipe diameters, pipe materials, water meters, air/vac, blow-off, fire hydrants, valves, manholes, vaults, gas, communication, electrical, etc.). Include utility ownership data.

- e. Delineate all proposed water facilities along project frontages and project boundaries. Include pipeline diameters, type of material, and all appurtenances. Show extension of water main along Ferrari Drive along all project frontage. Show extension of water main in Victor Hugo Drive. Show water main extensions within proposed subdivision private streets with minimum 30-foot-wide easements dedicated to Western.
91. Developer to submit a detailed engineer's construction cost estimate to Western for review and approval. Once approved, Developer shall make a deposit for plan checking services for Water Improvement Plans.
92. Water Improvement Plans shall be designed per Western's Standard Specifications. Please review Western's Standard Specifications for submittal formats and requirements online at <http://www.wmwd.com/158/Standard-Specifications-Drawings>
93. Developer to submit grading plans for Western's review and approval before grading permit is issued. All onsite and/or offsite utilities to be relocated, upsized, or installed are at Developers expense.
94. Developer to pay all cost associated with preliminary review by Western at the time of review.
95. Provide and/or pay for all applicable cost and fees including connection facilities, relocation of facilities, and additional facilities that may be necessary to accommodate applicant's proposed water and sewer usage, while maintaining resiliency of pipelines within Western's distribution system. This may include the upsizing of pipelines, installation of pressure reduction, and/or pump stations (subject to the application of appropriate credits for additional facilities provided by applicant).
96. Water Improvement Plans shall not be accepted for plan checking until all items mentioned above are reviewed and approved by Western.
97. The available Fire Flow must be determined by a flow test or fire flow modeling. Coordinate with fire protection agency of jurisdiction to determine required fire flow for the proposed project and advise Western of the fire flow requirements. Submit request to Western for fire flow modeling to determine if existing water systems capacity is available to provide the required fire flow. Depending on the results of the fire flow modeling additional conditions of approval such as upsizing of existing pipes, extension of pipes, installation of parallel piping or installation of pumps, at the developer's cost, may be required.
98. Contact Western's Development Services Department at (951) 571-7100 for further information.