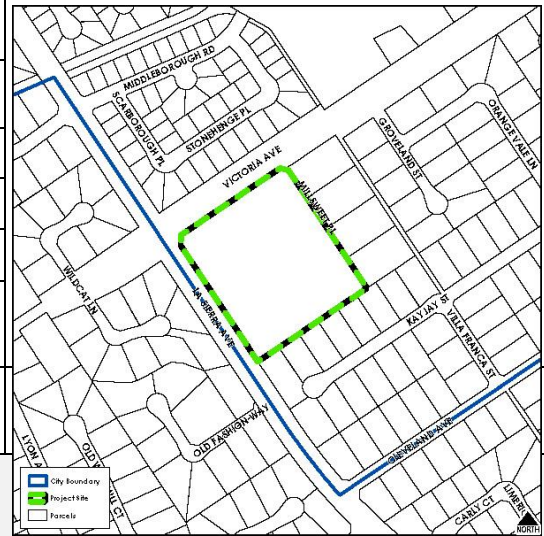




**PLANNING COMMISSION HEARING DATE: NOVEMBER 7, 2024
AGENDA ITEM NO.: 3**

PROPOSED PROJECT

Case Number	PR-2024-001656 (Tract Map No. 38921)
Request	To consider a Tentative Tract Map (TM-38921) to subdivide a 9.91-acre parcel into 49 single family lots
Applicant	Matthew Esquivel of Warmington Residential
Project Location	Southeast corner of Victoria Avenue and La Sierra Avenue.
APN	136-220-016
Project Area	9.91 acres
Ward	5
Neighborhood	La Sierra South
General Plan Designation	LDR – Low Density Residential
Zoning Designation	R-1-1/2 Acre – Single Family Residential Zone
Staff Planner	Judy Egüez, Senior Planner 951-826-3969 jequez@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 PR-2024-001656 (Tentative Tract Map), 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 9.91-acre project site consists of a single parcel developed with orange groves and surrounded by single family residences to the north, southeast, , and west(Exhibit 3 and 4). The property is subject to the Victoria Avenue Policy which establishes guidelines for landscaping, street improvements and standards for new development with the goal of preserving the historic and aesthetic integrity of Victoria Avenue, a City Historic Landmark.

The subject property was annexed into the City in 1985 and placed into the LDR – Low Density Residential Land Use designation and zoned R-1-1/2 Acre - Single Family Residential Zone (formerly R-1-130 Single Family Residential Zone).

On February 24, 2015 City Council approved Planning Case P14-0176 (TM-36713) to subdivide the site into 14 residential lots, with a new public cul-de-sac accessed from Victoria Avenue, and improvements to Millsweet Place. The Map included construction of a decomposed granite trail and planting of three rows of agricultural trees along the Victoria Avenue frontage. The map was not recorded timely and expired on February 24, 2019.

On July 25, 2019 the Planning Commission approved the same subdivision design under Planning Case P19-0380 and P19-0480 (TM-37764). While the map has not expired, it has not been submitted to be recorded.

PROPOSAL

The applicant is requesting approval of a Tentative Tract Map (TM-38921) to subdivide the 9.91-acre project site into 49 lots for development of single-family residences and eight lettered lots for private streets, alleys, a bioretention basin and open space to facilitate construction of 46 market-rate residences and 3 affordable residences for very low-income households.

The map proposes residential lots ranging in size from 3,690 square feet to 7,437 square feet. Lot G, located along Victoria Avenue, consists of a 0.67-acre open space that will preserve a portion of existing orange groves. The proposed subdivision includes the construction of a 10-foot-wide multi-purpose trail along Victoria Avenue. Lot H, located at the northeast portion of the proposed subdivision along Millsweet Place, totals 0.59 acres and serves as common open space as well as an infiltration basin.

Vehicular access to the residential subdivision is from La Sierra Avenue. Pedestrian connections within the subdivision will be provided via an internal pedestrian network of sidewalks.

The site will be secured with a 6-foot-high decorative masonry wall along the south, east along Millsweet Place and west along La Sierra Avenue. A four-foot-high tubular steel fence will be provided between the residences and the orange grove proposed to remain within Lot G.

PROJECT ANALYSIS

Authorization and Compliance Summary

	Consistent	Inconsistent
<p>General Plan 2025</p> <p>The project is consistent with the General Plan Land Use Designation of LDR – Low Density Residential, which provides for the development of single-family homes up to a density of 4.1 dwelling units per acre (Exhibit 5). Additionally, the project is utilizing the State Density Bonus Law, which permits an additional 20 percent density bonus with the inclusion of 5 percent of affordable residences. With the affordable residences the project is permitted to have a density of 4.95 dwelling units per acre, consistent with State Density Bonus Law [Government Code § 65915]. The proposed project will further the intent of development within the La Sierra South neighborhood through the following objective and policy of the General Plan:</p> <p>Objective LU-65: Improve the La Sierra South neighborhood, balancing the needs and interests of residents and businesses.</p> <p>Policy LU-65.2: Encourage appropriately scaled infill development for other vacant or underutilized sites in the La Sierra South neighborhood.</p> <p>The project also complies with the following Housing Element policies of the General Plan due to its inclusion of affordable housing:</p> <p>Policy HE-4 – Thriving Neighborhoods: Facilitate and encourage a variety of new housing types, including both single- and multi-family and missing middle housing, and the necessary public amenities to support a sense of community that results in equitable and sustainable neighborhoods.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Zoning Code Land Use Consistency (Title 19)</p> <p>The proposed project site is zoned R-1-1/2 Acre, which is consistent with the General Plan Land Use designation (Exhibit 6).</p> <p>The proposed project is providing three affordable residences for Very Low-Income households; thus, State Law allows the applicant waivers to reduce or modify Zoning Code development standards in accordance with the State Density Bonus Law, discussed in detail below.</p> <p>With the granting of the waivers, the proposed project meets the development standards set forth in the Zoning Code for the R-1-1/2 Acre Zone.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Consistent	Inconsistent
<p>Grading Code Consistency (Title 17)</p> <p>The proposed project has been reviewed against the standards of the Grading Code. The proposed project complies with the standards and provisions of Title 17 of the Riverside Municipal Code.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Subdivision Code (Title 18)</p> <p>The proposed Tract Map complies with the development standards of the Subdivision Code (Title 18).</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Victoria Avenue Policy</p> <p>The project complies with the policy guidelines for preservation, design and development including a proposed 10-foot-wide trail along Victoria Avenue and protection of the existing orange groves to a depth of 100-feet from the edge of Victoria Avenue.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Chapter 19.100.040 Residential Development Standards R-1-1/2 Acre Lots 1-49					
Standard		Proposed	Consistent	Inconsistent	Waiver
Lot Area	21,780 square feet	3,690 square feet	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lot Width	125 feet	41-feet	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lot Depth	150 feet	90-feet	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Building Setbacks	Front – 30-feet	10-feet to the house/18-feet to garage face	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Side – 20-feet	4-feet			
	Rear – 35-feet	15-feet			
Lot Coverage	30%	55%	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Density	2.0 du/ac	4.95 du/ac	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

State Density Bonus Law [Government Code § 65915] and Waivers

The State Density Bonus Law (SDBL) is a state mandate that allows developers with qualifying projects to utilize various tools to maximize density for the purpose of developing affordable housing. The proposed tract map is providing three residential lots for very low-income households, therefore the project is eligible to receive density bonus, concessions and/or waivers under the SDBL.

Under the SDBL, the applicant is allowed to develop the site based on the greatest number of units allowed under the LDR – Low Density Residential designation of the General Plan, which is 4.1 du/ac or, 41 residences (9.91 acres x 4.1 du/ac). Additionally, the applicant is pursuing a 20 percent density bonus, by restricting five percent (3 residences) of the project to very low-income households, allowing 8 additional residences for a project total of 49 residences,

With the project proposal for five percent of residences to be allocated to very low-income households, the project is eligible for waivers to achieve the permitted density. In this case, the density permitted under its General Plan Land Use designation (LDR – Low Density Residential). A waiver is a reduction or modification of any development standard that would physically preclude the construction of the project at the permitted density under the General Plan Land Use designation. The applicant requested 8 waivers to reduce or modify development standards in order to achieve the proposed density.

The applicant is requesting to waive the following development standards of the Zoning Code (Title 19) in order to facilitate the proposed subdivision at a density of 4.59 dwelling units per acre (Land Use Density + Density Bonus):

1. Increase in Maximum Density
 - The project is requesting a waiver from the R-1-1/2-Acre zone's maximum density of 2.0 dwelling units per acre. As previously discussed, the SDBL allows projects proposing affordable housing to develop the site based on the greatest number of units allowed per the General Plan on top of a density bonus. The project is eligible for a 20 percent density bonus and is proposing a density of 4.95 dwelling units per acre.
2. Decrease in minimum Lot area
 - The project is requesting a waiver from the R-1-1/2-Acre zone's minimum lot area of 21,780 square feet. In order to accommodate the density of 4.95 du/ac allowed by the SDBL, the lots needed to be reduced to a minimum of 3,690 square feet. The map proposes residential lots ranging in size from 3,690 square feet to 7,437 square feet.
3. Reduction in Lot Width
 - The project is requesting a waiver from the R-1-1/2-Acre zone's minimum lot width of 120- feet. The project proposes lot widths of a minimum of 41-feet-wide.
4. Reduction in Lot Depth
 - The project is requesting a waiver from the R-1-1/2-Acre zone's minimum lot depth of 150- feet. The project proposes lot depths of a minimum of 90-feet.
5. Increase in Lot Coverage
 - The project is requesting a waiver from the R-1-1/2-Acre zone's maximum lot coverage of 30 percent. The project proposes a maximum lot coverage of 55 percent.
6. Reduction in Front Yard Setback
 - The project is requesting a waiver from the R-1-1/2-Acre zone's minimum front yard setback of 30-feet. The project proposes a front setback of 10-feet to the residence and a minimum 18-feet to the face of the garage.
7. Reduction in Side Yard Setback
 - The project is requesting a waiver from the R-1-1/2-Acre zone's minimum side yard setback of 20-feet. The project proposes a minimum side yard setbacks of 4-feet.
8. Reduction in Rear Yard Setback
 - The project is requesting a waiver from the R-1-1/2-Acre zone's minimum rear yard setback of 35-feet. The project proposes a minimum rear yard setbacks of 15-feet.

The requested waivers will not result in adverse public health, safety, or be contrary to state or federal law. The waivers will not have an adverse impact on any real property listed in the California Register of Historical Resources. Additionally, granting the waiver results in a project with three affordable residences for very low-income households.

ENVIRONMENTAL REVIEW

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

PUBLIC NOTICE AND COMMENTS

Public hearing notices were mailed to property owners within 300 feet of the site. As of the writing of this report, Staff has received three comments in opposition of the proposed project. Comments included concerns regarding the proposed density when half-acre lots were anticipated, quality of life for adjacent residents during construction, and compatibility of the proposed subdivision with the existing homes on Millsweet Place.

As previously discussed, the proposed project is eligible for a density bonus under the State Density Bonus Law for providing 5% of affordable housing for very low-income households. With regards to nuisance during construction, the project is conditioned to comply with local and state requirements regarding noise and dust.

The proposed subdivision will be constructing a 6-foot-high wall along Millsweet Place which will be located on top of a landscaped slope. The project is also conditioned to plant 2 rows of trees along Millsweet Place to ensure residents on Millsweet Place maintain their view of trees.

STRATEGIC PLAN ALIGNMENT

This project contributes to the Envision Riverside 2025 City Council Strategic Priority 2 – Community Well-Being (Goal 2.1 – Facilitate the development of a quality and diverse housing supply that is available and affordable to a wide range of income).

This item aligns with the following Cross-Cutting Threads:

1. Community Trust: The proposed residential subdivision requires public hearings by the Planning Commission and City Council. Additionally, public comment is encouraged through the environmental review process and the 20-day public noticing period.
2. Equity: The proposed residential subdivision provides housing opportunities that benefits all residences in the community and region.
3. Fiscal Responsibility: All project costs are borne by the applicant.
4. Innovation: The proposed residential subdivision meets the growing community's needs for increased housing opportunities.
5. Sustainability and Resiliency: All new construction will meet the most up-to-date Building Codes. The proposed residential subdivision is designed to meet the current and future needs of the community.

APPEAL INFORMATION

Actions by the City Planning Commission, including any environmental finding, may be appealed to the City Council within ten calendar days after the decision. Appeal filing and processing

information may be obtained from the Planning Department Public Information Section, 3rd Floor, City Hall.

EXHIBITS LIST

1. Findings
2. Staff Recommended Conditions of Approval
- 2a. Mitigation Measures
3. Existing Site Photos
4. Location Map
5. General Plan Map
6. Zoning Map
7. Project Plans (Tentative Tract Map, Conceptual Grading Plan, Fence and Wall Plan)
8. Mitigated Negative Declaration and Technical Studies
9. Public Comment Letters

Prepared by: Judy Egüez, Senior Planner
Reviewed by: Brian Norton, Principal Planner
Approved by: Maribeth Tinio, City Planner



EXHIBIT 1 – FINDINGS

PLANNING CASE: PR-2024-001656 (Tentative Tract Map)

Waiver or reduction to development standards Pursuant to Chapter 19.545.070.A, as outlined in the Staff Report

1. The waivers or reduction of development standards would not have a specific adverse impact upon public health or safety for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.
2. The waivers or reduction of development standards would not have an adverse impact on any real property listed in the California Register of Historical Resources.
3. The waivers or reduction of development standards would not be contrary to State or Federal law.



EXHIBIT 2 – CONDITIONS OF APPROVAL

PLANNING CASES: PR-2024-001656 (Tentative Tract Map)

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/or 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.
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. Recordation of a covenant designating three (3) affordable residences for very low-income households within the project site to the satisfaction of the Housing Authority. The applicant shall submit a written request to the project planner to initiate the process.
5. The applicant shall prepare and record Covenants, Conditions, and Restrictions (CC&Rs) and documents to create a Homeowners Association (HOA), subject to approval of the Planning Division, The Parks, Recreation & Community Services Department, and City Attorney's Office. The CC&Rs shall contain and continually maintain 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 driveways.
 - c. The HOA shall maintain the stormwater basins, parkways, and landscape along the street frontages, and open space areas;
 - d. Orange trees that are diseased, dead, dying or posing a safety hazard shall be replaced to the satisfaction of the Planning Division and City's Urban Forester for consistency with the Victoria Avenue Policy.
 - e. Recorded map shall include the condition for maintenance by approved entity.
 - f. All vehicles parked on site in conjunction with this use shall be maintained in operable condition.
 - g. Graffiti shall be removed within 24 hours of complaint.
 - h. Future owners may not construct additional fences and/or walls.

- i. Garages shall be prohibited from being used as storage and must be used for vehicular parking.
- j. First floor home office areas shall be maintained solely for home office/Home Occupation uses, as defined in Section 19.485 of the Zoning Code. The home offices shall be used solely by the residents of the unit and may not be subleased or operated for commercial public use.

Parks, Recreation & Community Services

- k. Mechanism shall ensure that maintenance of trail improvements is provided for "in-perpetuity".

Prior to Grading Permit Issuance:

- 6. A 40-scale precise grading plan shall be submitted to the Planning Division and include the following:
 - a. Hours of construction and grading activity are limited to between 7:00 a.m. and 7:00 p.m. weekdays and 8:00 a.m. and 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or Federal Holidays;
 - b. Compliance with City adopted interim erosion control measures;
 - c. Compliance with any applicable recommendations of qualified soils engineer to minimize potential soil stability problems;
 - d. Include a note requiring the developer to contact Underground Service Alert at least 48 hours prior to any type of work within pipeline easement;
 - 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. Sweep streets at the end of the day if visible soil material is carried onto adjacent paved public roads;
 - iii. Wash off trucks and other equipment leaving the site;
 - iv. Replace ground cover in disturbed areas immediately after construction;
 - v. Keep disturbed/loose soil moist at all times;
 - vi. Suspend all grading activities when wind speeds exceed 25 miles per hour;
 - vii. Enforce a 15 mile per hour speed limit on unpaved portions of the construction site.
- 7. 30-day Preconstruction – Burrowing Owl Survey: Prior to the commencement of ground-disturbing activities (i.e., earthwork, clearing, and/or grubbing), Step II surveys shall be conducted to determine the presence or absence of BUOW on the project site. The surveys shall be conducted following the County's survey protocol (2006). If BUOW is not detected during the Step II surveys, a pre-construction survey shall be conducted on the project site within 30 days prior to ground disturbance to determine the presence of BUOW. If the preconstruction survey is negative and BUOW is confirmed absent, then ground-disturbing activities shall be allowed to commence and no further mitigation is required.

If BUOW is observed on the project site during the Step II surveys, a Determination of Biologically Equivalent or Superior Preservation (DBESP) assessment shall be completed to ensure that the proposed alternative provides for the replacement of any lost functions and values of habitat. At least 90 percent of the area with long-term conservation value and BUOW pairs shall be conserved on-site if the project site (including adjacent areas) supports three or more pairs of BUOWs; supports greater than 35 acres of suitable habitat; and is non-contiguous with MSHCP Conservation Area lands. If BUOW is observed during the Step II surveys or the pre-construction survey, active burrows shall be avoided by the project following the CDFW's Staff Report on BUOW Mitigation (2012) or CDFW's most recent guidelines. The project proponent shall inform the RCA of BUOW observations. A BUOW Protection and Relocation Plan (plan) shall be prepared by a qualified biologist, which must be sent for approval by RCA prior to initiating ground disturbance. The RCA will coordinate directly with CDFW as needed to ensure that the plan is consistent with the MSHCP and CDFW guidelines. The plan shall detail avoidance measures that shall be implemented during construction and passive or active relocation methodology. Relocation shall only occur outside of the nesting season (September 1 through January 31)

8. Nesting Bird Survey: To the extent feasible, (i.e., earthwork, clearing, and grubbing) shall occur outside of the general bird nesting season for migratory birds. The general nesting season is February 15 through August 31 for songbirds and January 15 through August 31 for raptors. If construction activities (i.e., earthwork, clearing, and grubbing) must occur during the general bird nesting season for migratory birds and raptors (January 15 through August 31), a qualified biologist shall perform a pre-construction survey of potential nesting habitat to confirm the absence of active nests belonging to migratory birds and raptors afforded protection under the MBTA and CFG Code. The pre-construction survey shall be performed no more than seven days prior to the commencement of construction activities. If construction is inactive for more than seven days, an additional survey shall be conducted. The results of the pre-construction survey shall be documented by the qualified biologist. If the qualified biologist determines that no active migratory bird or raptor nests occur, the activities shall be allowed to proceed without any further requirements. If the qualified biologist determines that an active migratory bird or raptor nest is present, no impacts within 300 feet (500 feet for raptors) of the active nest shall occur until the young have fledged the nest and the nest is confirmed to no longer be active, or as determined by the qualified biologist. The biological monitor may modify the buffer or propose other recommendations to minimize disturbance to nesting birds
9. **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 Native American Heritage Commission shall be contacted within the period specified by law (24 hours). 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))

10. 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.
11. 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. 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.
12. The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
13. Noise-reducing design features shall be utilized consistent with standards in Title 24 California Code of Regulations and Title 7 of the Municipal Code.

Prior to Building Permit Issuance:

14. Tract Map No. 38921 shall be recorded.
15. Development Standards: Proposed residences shall adhere to the following development standards:
 - Front Yard Setbacks: 10-foot minimum to the house/18-foot minimum to garage fact
 - Side Yard Setbacks: 4-foot minimum
 - Rear Yard Setbacks: 15-foot minimum
 - Lot Coverage: 55% maximum
16. Elevations: Residences visible from La Sierra Avenue shall have enhanced elevations.
17. Landscaping and Irrigation Plan shall be submitted for Landscape Design Review approval. Design modifications may be required as deemed necessary. Separate applications and filing

fees are required. The landscaping and irrigation plans must be submitted prior to building permit issuance. Landscape plans shall reflect the following:

- a. Two rows of 24" Box Avocado trees or similar species shall be planted along Millsweet Place.
 - b. Existing Orange trees located within 100 feet Victoria Avenue's edge of roadway shall be protected and preserved in place.
18. Photometric/Lighting Plan: 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.
19. Fence and Wall: A perimeter wall plan shall be submitted for review and approval. Plans shall include the following:
- a. Perimeter wall adjacent to lots 47 through 49 shall be moved in towards the lots to allow a minimum of 5-feet of landscaping. Wall footings within that area cannot be T footings to allow for landscaping.
 - b. Walls shall be constructed of a decorative material, with a decorative cap, consistent with the Citywide Design Guidelines;
 - c. 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; and
 - d. Termination of walls shall include a decorative column and cap.
20. Construction plans submitted for plan check review shall specify the location, design and color of all domestic water meters, backflow preventers, and all on- and off-site utility cabinets subject to Planning Division and Public Utilities' review and approval. The visibility of such facilities shall be minimized and include use of the smallest equipment possible, be painted green, and include of some form of screening including but not limited to berming, landscaping, and/or installation of a screen wall.
21. 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.

Prior to Release of Utilities and/or Occupancy

22. A final site inspection shall be required prior to certificate of occupancy or the commencement of site operations.
23. All landscape and irrigation shall be installed per the approved plans. A "Certificate of Substantial Completion," signed by the Designer/auditor responsible for the project, shall be completed and submitted as part of the landscape and irrigation plans (Appendix C of the water Efficient Landscaping and Irrigation Ordinance Summary and Design Manual). Additional plant material may be required upon final inspection if better coverage is needed.

Standard Conditions:

24. There is a **thirty-six-month time limit** in which to satisfy the conditions and record Vesting Tract Map No. 38921. 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.

The request shall include a letter stating the reasons for the extension of time and associated fee shall be submitted to the Planning Division.

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

25. Within 30 days of approval of this case by the City, the applicant/owner 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.
26. Failure to abide by all conditions of this entitlement shall be cause for revocation.
27. 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.
28. This project shall fully and continually comply with all applicable conditions of approval, State, Federal and local laws in effect at the time the permit is approved and exercised and which may become effective and applicable thereafter, and in accordance with the terms contained within the staff report and all testimony regarding this case. Failure to do so will be grounds for Code Enforcement action, revocation or further legal action.
29. 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.

Fire Department

30. Codes in Effect: The proposed project shall fully comply with the 2022 version of Title 24, the California Building Standards Code, as adopted and amended by the City of Riverside, or the version of these codes in effect at the time a new permit application is filed.
31. Separate Permits Required: Where installation is required, a separate plan review and permit application must be submitted directly to the Fire Department for each of the following improvements:
 - Automatic Fire Sprinkler System
 - Underground Fire Protection Water Supply
32. Automatic Fire Sprinkler System: An automatic residential fire sprinkler system is required by City Ordinance 16.32.335.
33. Water Meter: A minimum of a 1" water meter is required for the fire sprinkler system.
34. Fire Hydrants: All required public and private fire hydrants shall be operational prior to delivery of lumber and or combustible materials to the jobsite. This requirement shall not apply to combustible underground fire service piping.
35. Key Devices: Provide for Fire Department access through any proposed vehicle gate. "Knox" key devices are available for use in the city. Contact the Fire Department for applications and details. An "Infrared Automatic Gate System" is required for all motorized gates. Contact the Fire Prevention Division for information.
36. Fire Access: Fire Department access shall be maintained during all phases of construction.

37. Red Curbing: To provide for Fire Department vehicle access, roads or alleys less than 28 feet in width will require red curbing on both sides of the road. Roads or alleys 28-35 feet in width will require red curbing on one side.

Parks, Recreation & Community Services (PRSCD)

Prior to Map Recordation

38. Developer shall make payment of all applicable Park Development Impact fees (regional/reserve and trail fees) for all recorded ROW, HOA Common landscape areas and/or private street lots.
39. Recorded map shall include the condition for trail maintenance by approved entity.

Prior to Grading/Street Improvement Permit Issuance

40. Submit a copy of the Grading Plans and Street Improvement Plans to PRCSD for review and approval prior to permit issuance.
Obtain a Public Park/Trail Improvement Permit through the Parks, Recreation and Community Services Department.

Public Park/Trail Improvement Permit Requirements:

- a. Permit scope of work includes all trail improvement work constructed by the Developer.
- b. All improvements shall be constructed per California Building Code, City Public Park/Trail Improvement Standard specifications and details, and Standard Specifications for Public Works Construction.
- c. Protect trail improvements from graffiti and remove graffiti within 72 hours of notification.
- d. Plans must show that trail will be free and clear of any above-ground or at-grade utility cabinets, vaults, boxes, valves, and other similar utility and irrigation infrastructure.

Prior to Grading/Street Improvement permit closeout

41. Demonstrate that trail related improvements have been completed per City approved plans.

Prior to Building Permit Issuance

42. Developer shall make payment of all applicable Park Development Impact Fees (local, aquatic, regional/reserve and trail fees) for privately developed areas.
43. Submit a copy of construction documents and specifications to PRCSD for review and approval prior to permit issuance.

Prior to all Occupancy, certificate of use or building permit closeout

44. Dedicate and construct trail improvements per Trails Master Plan and Trails Standards from the Victoria Avenue Policy for the trail segments adjacent to the project including the following segments:
- a. Trail dedication and construction of trail along the Victoria Avenue Street frontage of the project site in locations where curb and gutter and parkway street improvements are being required by the Public Works Department.
 - b. Sleeve all utility and irrigation lines crossing under trail.
 - c. Developer/property owner shall enter into a construction agreement with City, and Post-Performance and Payment sureties to guarantee the required trail

improvements. The permit scope of work includes all trail improvements constructed by Developer and any other PRCSD conditioned improvements.

45. Demonstrate that all trail improvements scope of work has been constructed, installed and approved in conformance with the approved plans and specifications.
46. Property owner shall prepare and record a "Covenant and Agreement" with the County-Clerk Recorder to inform future property owners of the requirement to maintain trail improvements in perpetuity.

Operational Conditions

47. Owner or occupant shall maintain in perpetuity, at no cost to the City, dedicated trail improvements including at a minimum all property line and trail fencing, landscape buffers, walls, curbs, signage and trail tread..

Public Works – Land Development

48. 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.
49. Deed for widening Victoria Avenue to 90-feet from monument centerline to Public Works specifications.
50. Waiver of access to Victoria Avenue from all Lots.
51. Rehabilitation of existing improvements on Millsweet Place to Public Works specifications.
52. Full half-street improvements on Millsweet Place total R/W = 60 feet, asphalt berm at 18 feet from monument centerline to Public Works specifications.
53. Installation of sewer and sewer laterals to serve this project to Public Works specifications. A minimum of a 20' wide public sewer easement is required.
54. A sewer extension approximately 200 feet long will be required to serve this project
55. This project is within the Southwest Riverside Drainage Area. Drainage fees to be paid prior to map recordation.
56. Off-site improvement plans to be approved by Public Works prior to map recordation.
57. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to map recordation.
58. Storm Drain construction will be contingent on engineer's drainage study.
59. 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.

60. 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.
61. 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.
62. 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.
63. 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.
64. PLANT 15-GAL box size *Persea americana* 'Wurtz' in PUBLIC RIGHT-OF-WAY along MILLSWEET PL. Existing Orange trees shall remain in place, if they are in good standing condition; PW-Street Trees staff shall verify condition and provide additional direction, as needed. PRIOR TO ANY PLANTING, email Tree Inspector at gтанака@riversideca.gov, to schedule inspection for Tree Inspector to determine precise locations at time of scheduled site inspection after fine grading

and hardscape installation is complete. Planting, staking, irrigation, root barriers, trunk protectors, to Landscape & Forestry specifications

65. Full improvement of interior streets based on private residential street standards.
66. Trash collection service will not be provided on common drives. Areas shall be provided along private streets to accommodate the placement of containers for automated collection. On-street parking shall be prohibited on collection days as required to ensure access to the trash containers. Keypad activation of the security gates is required to allow access to the site for collection service. Trash collection service shall be provided by Athens Services.

Public Works – Traffic

67. Prior to the issuance of a Certificate of Occupancy, the applicant shall construct a stop sign (R1-1), stop bar, stop legend, at the project driveways. Stop signs must conform to City Standard 664 and the markings must conform to the California Manual on Uniform Traffic Control Devices, Part 2A and 2B.

The contractor shall complete the construction work with an approved Public Works Permit. The installation of the signage and striping shall be completed to the satisfaction of the Director of Public Works. The applicant is solely responsible for the procurement and installation of this infrastructure improvement.

68. 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 and the stop bar and legend must conform to the City standard 650.
 - b. Intersection of Victoria Avenue at La Sierra Avenue:
Furnish and install a Marathon Battery Backup System (BBS) (or City approved equivalent) at the intersection.

The applicant shall hire a contractor to install the MUTCD & City of Riverside Standard compliant signage and striping and traffic signal modifications. 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.

69. Signing and striping improvements and traffic signal modification improvements 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.
70. Should installation of private gates be proposed in the future, a site plan, showing the proposed improvements, and an empirical Gate Stacking Analysis, consisting of a feasibility study illustrating adequate vehicle turn around area in front of the gates as well as emergency vehicle access, shall be submitted to the Public Works Department and Planning Division for review. Site plan changes shall be subject to consideration by the Development Review Committee (DRC) or Planning Commission, as applicable, and may require a revision to this Planning entitlement.

Public Utilities – Electric

71. Contact Riverside Public Utilities (RPU) for information on private street lighting.
72. Plot existing electrical distribution facilities on the original site plan.
73. Provide proposed PJC and transformer locations.

74. Provide E-sheets reflecting estimated load. Show location, size, and voltage of proposed switchgear on site plan.
75. 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.
76. Developer must notify RPU at least 4 weeks in advance of any removals prior to demolition phase. A separate application and design deposit may be collected depending on the scope.

Public Utilities – Water

77. New water main and service installations are processed under a separate plan and permit submitted directly to the Public Utilities Department. Water plan must be submitted prior to issuance of building permit.
78. All water fees required to provide service to each lot are due prior to map recordation.
79. If any decorative or specialized paving is constructed within the waterline easement, a separate Covenant and Agreement or suitable easement language will be required to guarantee replacement of the decorative pavement by the property owners or HOA in the event of utility maintenance.
80. Public waterline easements are required across the width of the proposed private streets.
81. Second water main connection will be required to loop the proposed water main to Millsweet Place, through “Alley B,” as shown on the conceptual utility plans.



EXHIBIT 2A – MITIGATION MEASURES

***MM-CUL-1 Notification of Changes to Project Design.** 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 resources 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.

***MM-CUL-2: Archaeological** At least 30 days prior to application for a grading permit and before any tree removal, 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.

1. 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 schedule in coordination with the developer/applicant, the project archaeologist, and for designated Native American Tribal Monitors from the consulting tribes for tree removal, grading, excavation, and ground-disturbing activities on the site, including the scheduling, safety requirements, duties, scope of work, and project archeologist and Native American Tribal Monitors' authority to stop and redirect grading activities;
 - 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. In conjunction with the Archeological Monitor(s), the Native American Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources.
 - e. Treatment and final disposition of any archeological and cultural and paleontological resources, sacred sites, if discovered on the project site; and
 - f. The scheduling and timing of the Cultural Sensitivity Training noted in mitigation measure MM-CUL-5

***MM-CUL-3: Native American Monitor:** Prior to issuance of grading permit, the developer/permit applicant shall engage each of the consulting tribe(s) regarding Native

American Monitoring. The developer/permit applicant shall provide evidence to the City that they have reached an agreement with each of the consulting tribe(s) regarding the following:

- a. The treatment of known cultural resources;
- b. The treatment and final disposition of any tribal cultural resources, sacred sites, human remains, or archaeological and cultural resources inadvertently discovered on the Project site;
- c. Project grading, ground disturbance (including but not limited to excavation, trenching, cleaning, grubbing, tree removals, grading and trenching) and development scheduling; and
- d. The designation, responsibilities, and participation of professional Tribal Monitor(s) during tree removal, grading, excavation and ground disturbing activities.

The developer/permit applicant shall provide sufficient evidence that they have made a reasonable effort to reach an agreement with the consulting tribes regards to items a-d, as listed above.

***MM-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. Neither project archeologist nor consulting tribe shall be allowed to bring any samples of the cultural and archeological artifacts to this meeting. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.

During Grading and Construction Activities:

***MM-CUL-4 Treatment and Disposition of Cultural Resources:** 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:

1. **Notification to City and Consulting Tribes:** within 24 hours of discovery, the consulting tribe(s) shall be notified via email and phone. Consulting tribe(s) will be allowed access to the discovery, in order to assist with the significance evaluation.
2. **Inadvertent Finds Assessment.**
 - a. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the Project Applicant, the Project Archaeologist, the Tribal Representative(s), and the Planning Division to discuss the significance of the find.
 - b. At the meeting, the significance of the discoveries shall be discussed and after consultation with the Tribal Representative(s) and the Project Archaeologist, a decision shall be made, with the concurrence of the Planning Division, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources.
 - c. Further ground disturbance, including but not limited to grading, trenching etc., shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional Tribal Monitors if needed.
 - d. Treatment and avoidance of the newly discovered resources shall be consistent with the Cultural Resources Management Plan and Monitoring Agreements

entered into with the consulting tribes. This may include avoidance of the cultural resources through project design, in-place preservation of cultural resources located in native soils and/or re-burial on the Project property so they are not subject to further disturbance in perpetuity as identified in Non-Disclosure of Reburial Condition/Mitigation Measures.

- e. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the Project Archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.
3. **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 shall require the approval of the Consulting Tribes and all resources subject to such removal must be thoroughly inventoried with a tribal monitor from each consulting tribe to oversee the process; and
 4. **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;
 - 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. Phase IV Report At the completion of grading, excavation, trenching 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.

***MM-CUL-6: Non-Disclosure.** It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 7927.000, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 7927.000

***MM GEO-1: Paleontological Resources Protection.** If one or more fossils are discovered during construction, all ground-disturbing activities within 50 feet of the area of the find shall be ceased and the applicant shall retain a paleontologist who meets the Society of Vertebrate Paleontology (SVP) qualifications standards for the Project Paleontologist to oversee the documentation of the extent and potential significance of the finds as well as recovery efforts. Ground-disturbing activities may resume in the area of the finds at the discretion of the Project Paleontologist. If the fossils are significant per SVPs 2010 criteria, then paleontological monitoring shall be conducted on an as-needed basis for further ground-disturbing activities in the Project area

***MM NOI-1: Construction Limits.** During all project construction activities, the following actions shall be implemented:

- Limit construction activities to those outlined in Municipal Code Section 7.35.020 subsection (G) which states...construction activities may not occur between 7:00 PM and 7:00 AM on weekdays, between 5:00 PM and 8:00 AM on Saturdays, or at any time on Sunday or a federal holiday.
- Schedule the highest construction noise-generating activities away from noise-sensitive uses away from the east and south and more toward the north and west (i.e., toward the larger adjacent roads).
- Prohibit and post signs prohibiting unnecessary idling of internal combustion engines (more than 3 minutes).
- Locate all stationary noise-generating equipment such as air compressors and portable generators as far as practicable from noise-sensitive land uses.
- Utilize "quiet" air compressors and other stationary equipment where feasible and available.

Designate a noise disturbance coordinator who would respond to neighborhood complaints about construction noise by determining the cause of the noise complaints and requiring the implementation of reasonable measures to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site.