



Community & Economic Development Department

Planning Division

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TENTATIVE PARCEL MAP AND SUBDIVISION MODIFICATION

Approval Date: July 18, 2023

Development Review Committee Date: September 9, 2020

PROJECT DETAILS

CASE NUMBER: PR-2021-001001 (Parcel Map No. 37964 and Subdivision Modification)

CONTACT PLANNER: Gissel Enriquez, Assistant Planner

APPLICANT: Russell Crha

PROPERTY ADDRESS: 9261 Duncan Avenue, situated on the north side of Duncan Avenue between Turnbull Road and Pershing Drive

ZONE: R-1-7000 – Single Family Residential Zone

WARD: 5

SITE BACKGROUND/PROJECT DESCRIPTION

The 1.0-acre project site is located on the north side of Duncan Avenue, between Turnbull Road and Pershing Drive and is partially developed with an 8,061 square foot single family residence and attached garage. The site is accessed from Duncan Avenue and is surrounded by single-family residential.

The applicant requests approval of the following entitlements: 1) Parcel Map (PM No. 37964) to subdivide the project site into four residential parcels; and 2) Subdivision Modification to allow corridor access lots; and to allow a corridor width of 18-feet, where the Subdivision Code requires a minimum of 20-feet. No construction is proposed as part of this subdivision.

ANALYSIS

The project site is zoned R-1-7000 – Single Family Residential Zone, which is consistent with the MDR - Medium Density Residential General Plan land use designation. The proposed subdivision complies with the development standards of the R-1-7000 – Single Family Residential Zone, as shown on the table below, and most standards of Title 18 – Subdivision Code. Additionally, the proposed Tentative Tract Map is similar in nature to surrounding residential subdivisions.

R-1-7000 – Single-Family Residential Zone Development Standards							
Standard		Proposed Parcel 1	Proposed Parcel 2	Proposed Parcel 3	Proposed Parcel 4	Consistent	Inconsistent
Lot Size	7,000 SF	8,109 SF	14,660SF	11,991 SF	8,439 SF	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lot Width	60 feet	60 feet	69.7 feet	68.3 feet	60 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lot Depth	100 feet	128 feet	185.1 feet	154.6 feet	149.4 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>

All proposed parcels will take access from Duncan Avenue. Parcels 1 and 4 will include individual driveways to attached garages and Parcels 2 and 3 will include driveway access, through an 18-foot wide access corridor. The corridor width is split between Parcels 2 and 3, with each parcel allocating 9-feet of width to the corridor.

FINDINGS SUMMARY

Modification

The Subdivision Code allows for the deviation of development standards through a Modification in accordance with Chapter 18.230. The applicant is requesting a Modification for the following:

- 1) To allow corridor access lots; and
- 2) To allow a corridor width of 18-feet, where the Subdivision Code requires a minimum of 20-feet.

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

Modification 1: The proposed project **complies** with this finding. The 43,560 square foot subject property is rectangular, long, and narrow with 138 feet in width and 316 in depth. Due to its unique size and shape, the property can be subdivided while meeting the majority of development standards and maintaining consistency with neighborhood development patterns. The proposed corridor access lots are required for the complete development of the property.

Modification 2: The proposed project **complies** with this finding. The proposed subdivision consists of two parcels, Parcel 1 and 4, with direct access to Duncan Avenue and two additional parcels (Parcels 2 and 3) located at the rear, accessed via a corridor. Parcels 1 and 4 measure 60 feet in width, meeting the minimum lot width requirement of 60 feet. In order to comply with the minimum corridor width required by the Subdivision Code, the applicant would have to decrease the size of Parcel 1 or 4, creating a lot that deviates from the minimum lot width and size requirement of the Zoning Code. Alternatively, the applicant would be required to remove the corridor access, which would result in reduction of parcels and future dwelling units. Given the narrow but long condition of the parent parcel, a reduction of the corridor width is required for access.

B. That the modification is necessary for the preservation and enjoyment of a substantial property right of the petitioner.

Modifications 1 and 2: The proposed project **complies** with this finding. The granting of these modifications allow for the property owner to maximize the number of parcels while ensuring the property is in compliance with the standards set forth in the Subdivision Code, Zoning Code and all applicable Municipal Codes.

C. That the modification will not be detrimental to the public health, safety or welfare, or be injurious to other properties in the vicinity.

Modifications 1 and 2: The proposed project **complies** with this finding. The requested modifications, allow for corridor access lots and a reduction of the corridor width, will allow for the development of the four parcels in the property, which is consistent to the development pattern in the neighborhood. Future development of the parcels will be able to meet all development standards of the Zoning Code, such as setback and parking requirements. Therefore, granting the modification will not be detrimental to the public health, safety or welfare, or be injurious to other properties in the vicinity.

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

Modifications 1 and 2: The proposed project **complies** with this finding. The granting of this modification is in accordance with the objectives of Title 18 – Subdivision Code and allows for sufficient size and appropriate design of the proposed parcels.

E. That granting the modification is not contrary to the objectives of the Zoning Code set forth in Title 19 of this Code and the General Plan.

Modifications 1 and 2: The proposed project **complies** with this finding. The granting of this modification is not contrary to the objectives of the Zoning Code and the General Plan 2025. The proposed project is consistent with the development standards in the Zoning Code and provides opportunity for future development of new dwelling units that will contribute to the diversity of the City's housing stock, as envisioned by the objectives of the General Plan.

ENVIRONMENTAL DETERMINATION

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) (Common Sense) and 15315 (Minor Land Divisions) of the CEQA Guidelines, as it can be seen with certainty that there is no possibility the project will have a significant effect on the environment.

PUBLIC NOTICE SUMMARY

Public notices were mailed to property owners within a 300-foot radius of the Project site. To date, Staff has not received any responses.

APPEAL INFORMATION

Actions by the Community & Economic Development Director, including any environmental finding, may be appealed to the Planning Commission within ten calendar days after the decision. Appeal filing and processing information may be obtained from the Planning Division Public Information Counter, 3rd Floor, City Hall.

THE COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR DECISION

The Community & Economic Development Director **APPROVES** Planning Cases PR-2021-001001 (Parcel Map and Subdivision Modification) subject to the conditions of approval.



CONDITIONS OF APPROVAL

Planning Case: PR-2021-001001 (Parcel Map and Subdivision Modification)

Planning

1. The subject property shall be developed and operated substantially as described in the text of this report and as shown on Tentative Parcel Map No. 37964 except for any specific modifications that may be required by these conditions of approval. Changes to the approved design will require further review by the Planning Division; a new application and filing fee may be required.

Prior To Or Concurrent With Final Map Recordation:

2. A reciprocal access easement, covenant, and agreement to provide legal access in perpetuity to Parcels 2, 3, and 4 shall be recorded and prepared subject to the approval of the Planning Division and City Attorney's Office.

Prior to Grading Permit Issuance:

3. Plans submitted for Grading Permit shall reflect retaining walls in compliance with the maximum allowable height of 3-feet when visible from the right-of-way and 6-feet in height when not visible from the right-of-way.
4. Existing fences and structures shall be removed to not obstruct or encroach into the required fire access lane.

Prior to Building Permit Issuance:

5. *Advisory: Landscape and Irrigation Design Review is required for new development projects with an aggregate landscape area equal to or greater than 500 square feet.*
6. Plans submitted for Building Permit for Parcel 2, shall be redesigned so that the garage is located on the west side of the residence, immediately adjacent to the Fire Department turnaround, with the driveway portion leading to the garage measuring a minimum of 18-feet in depth from the end of the Fire Department turnaround to the front of the garage.

Prior to Issuance of Certificate of Occupancy:

7. Landscape shall be maintained between the right-of-way and the bioretention basin on parcel 4, to adequately screen the basin.

Standard Conditions:

8. There is a 36-month time limit in which to satisfy the conditions and finalize this action.
9. The Tentative Parcel Map may be granted time extensions by the Community & Economic Development Director, or their designee, for up to a total of six years beyond the original approval expiration date prior final map recordation. Once a final map has been recorded, the development will be considered vested and time extensions are no longer needed.

Prior to **July 18, 2026**, if a final map has not been recorded, a time extension request shall be submitted to the Planning Division. The request shall include a letter stating the reasons for the extension of time and associated fee shall be submitted to the Planning Division.

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

10. Any future development shall comply with the development and design standards and entitlement processes at the time such development is submitted for permitting.
11. 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.
12. 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.
13. Failure to abide by all conditions of this entitlement shall render it null and void.

Public Utilities – Electric

14. 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.
15. Show proposed location of transformers and electrical rooms.
16. Relocations may be required, and service for homes will need to be fed underground.

Fire

17. A residential fire sprinkler system meeting National Fire Protection Association 13D is required. Attached garages are required to be protected by an automatic fire sprinkler system. Plans shall be submitted to and approved by the Fire Department prior to installation. 2013 California Residential Code, Section R313, 2013 California Fire Code, Section 903.2.8 or Riverside Municipal Code, Section 16.32.080.
18. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments. Note: 2016 Edition
19. Construction plans shall be submitted and permitted prior to construction.
20. Fire Department access shall be maintained during all phases of construction.
21. A covenant and agreement establishing common fire service vehicle access shall be provided prior to final for occupancy. This is a legal and binding document for the buildings that share fire service. (CFC, Sec. 507.5.3)

Parks and Recreation

22. Developer shall make payment of all applicable Park Development Impact fees (regional/reserve and trail fees) for all recorded ROW, private landscape or private street lots.
23. Developer shall make payment of all applicable Park Development Impact Fees (local, aquatic, regional/reserve and trail fees) per RMC Chapters 16.60, 16.44 and 16.76.

Public Works

24. Size, number and location of driveways to Public Works specifications.
25. Installation of sewers/sewer laterals to serve this project to Public Works specifications.

26. Deed for widening Duncan Avenue to 33' along project frontage to Public Works Specifications, prior to issuance of any Building permit.
27. Installation of curb and gutter at 18 feet from monument centerline, sidewalk and matching paving on Duncan Avenue to Public Works specifications.
28. 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.
29. Provide a reciprocal ingress/egress access easement, covenant, and agreement for Parcels 2, 3, and 4.
30. 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.
31. 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.
32. Prior to issuance of any building or grading permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument acceptable to the City Attorney to inform future property owners of the requirement to implement the approved project-specific WQMP. Other alternative instruments for requiring implementation of the approved project-specific WQMP include: requiring the implementation of the project-specific WQMP in the Home Owners Association or Property Owners Association Conditions, Covenants and Restrictions (C,C&R's); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the project-specific WQMP; or equivalent may also be considered. Alternative instruments must be approved by the City prior to the issuance of any building or grading permits.

33. 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.
34. 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.