



CITY OF WILDOMAR PLANNING COMMISSION AGENDA

Commission Members:
Chairman Stan Smith; Vice-Chairman Michael Kazmier;
Commissioners Robert Devine ; Veronica Langworthy; Harv Dykstra

SPECIAL PLANNING COMMISSION MEETING OF WEDNESDAY, JANUARY 16, 2013 AT 6:30 P.M.

Council Chambers, Wildomar City Hall, 23873 Clinton Keith Road, Wildomar, CA 92595

CALL TO ORDER - 6:30 PM

ROLL CALL

FLAG SALUTE

PUBLIC COMMENTS

This is the time for citizens to comment on issues not on the agenda. Under the provision of the Brown Act the Planning Commission is prohibited from discussing or taking action on items not on the agenda. Each speaker is asked to fill out a "Public Comments Card" (located on the table by the Chamber door) and give the card to the Planning Commission Chairperson prior to the start of the meeting. Lengthy testimony should be presented to the Planning Commission in writing (8 copies) and only pertinent points presented orally. Comments are limited to three (3) minutes per speaker. The Commission encourages citizens to address them so the questions and/or comments can be heard.

APPROVAL OF AGENDA AS SUBMITTED

1.0 CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the Commission, the public, or staff request specific items be removed from the Consent Calendar for discussion and/or separate action.

1.1. **Planning Commission Meeting Minutes:**

- Approval of the June 20, 2012 Planning Commission meeting minutes.

2.0 **PUBLIC HEARINGS:**

2.1 **Tentative Tract Map No. 29476 (Planning Application No. 10-0077):**

Planning Commission consideration of a 5th and final Extension of Time for an approved Tentative Tract Map (TM 29476) for the subdivision of 39.63 acres for the future development of 28 single family residential dwelling units within the R-1 (One-Family dwelling) zone located on the west side of David Lane, north of Via Sarah (APN: 362-170-005 & 362-180-006). Requested by MDMG, Inc. (Project Representative) on behalf of Calprop Corporation (Applicant).

RECOMMENDATION:

Staff recommends the Planning Commission adopt PC Resolution No. 13-01 entitled:

“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA APPROVING A 5TH AND FINAL EXTENSION OF TIME FOR AN APPROVED 28-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION KNOWN AS TENTATIVE TRACT MAP NO. 29476 (PLANNING APPLICATION NO. 10-0077) LOCATED ON THE WEST SIDE OF DAVID LANE, NORTH OF VIA SARAH ON ROAD WITHIN THE CITY OF WILDOMAR (APN: 362-170-005 & 362-180-006).

2.2 **Zoning Ordinance Amendment No. 12-03:**

Planning Commission consideration of an amendment to Section 17.252 (Sign Regulations) to allow LED business identification signs for individual businesses on a single parcel within the C-1/C-P (General Commercial) and CPS (Scenic Highway Commercial) zones and for private schools and non-profit service organizations in all zones subject to specific design standards and regulations.

RECOMMENDATION:

Staff recommends the Planning Commission adopt PC Resolution No. 13-02 entitled:

“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA RECOMMENDING CITY COUNCIL ADOPTION OF A CATEGORICAL EXEMPTION PER SECTION 15062.B.3 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES, AND APPROVAL ZONING ORDINANCE AMENDMENT NO. 12-03 TO AMEND SECTION 17.252 (SIGN REGULATIONS) OF THE ZONING ORDINANCE REGARDING LED BUSINESS IDENTIFICATION SIGNS.”

3.0 GENERAL BUSINESS ITEMS:

3.1 Election of New Planning Commission Officers:

Planning Commission consideration to elect a new Chairperson and Vice-Chairperson for the 2013 calendar year in accordance with the City of Wildomar Planning Commission Bylaws.

PLANNING DIRECTOR'S REPORT

This item is reserved for the Planning Director to comment or report on items not on the agenda. No action by the Planning Commission is needed.

CITY ATTORNEY'S REPORT

This item is reserved for the Planning Director to comment or report on items not on the agenda. No action by the Planning Commission is needed.

PLANNING COMMISSION COMMUNICATIONS

This portion of the agenda is reserved for Planning Commission business, for the Planning Commission to make comments on items not on the agenda, and/or for the Planning Commission to request information from staff.

FUTURE AGENDA ITEMS

ADJOURNMENT

The City of Wildomar Planning Commission hereby adjourns to its next regularly scheduled Planning Commission meeting on February 6, 2013 beginning at 6:30 P.M.

RIGHT TO APPEAL:

Any decision of the Planning Commission may be appealed to the City Council provided the required appeal application and the \$964 filing fee is submitted to the City Clerk within ten (10) calendar days proceeding the Planning Commission's action on any given project.

REPORTS:

All agenda items and reports are available for review at Wildomar City Hall, 23873 Clinton Keith Road, Suite 201, Wildomar, California 92595. Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection at City Hall during regular business hours. If you wish to be added to the regular mailing list to receive a copy of the agenda, a request must be made through the Planning Department in writing or by e-mail.

ADDITIONS/DELETIONS:

Items of business may be added to the agenda upon a motion adopted by a minimum 2/3 vote finding that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted. Items may be deleted from the agenda upon request of staff or upon action of the Planning Commission.

ADA COMPLIANCE:

If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans With Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Planning Department either in person or by telephone at (951) 667-7751, no later than 10:00 A.M. on the day preceding the scheduled meeting.

POSTING STATEMENT:

No later than January 11, 2013, a true and correct copy of this agenda was posted at the three (3) designated places: 1) Wildomar City Hall, 23873 Clinton Keith Road; 2) United States Post Office, 21392 Palomar Street; and 3) Mission Trail Library, 34303 Mission Trail Road.

1.0 CONSENT CALENDAR



CITY OF WILDOMAR
OFFICIAL PLANNING COMMISSION MEETING MINUTES
FROM THE REGULAR PLANNING COMMISSION MEETING
OF JUNE 20, 2012

CALL TO ORDER

The regular meeting of the Wildomar Planning Commission was called to order by Planning Commission Chairman Smith at 7:00 P.M. at Wildomar City Hall, Council Chambers.

ROLL CALL

Present: Stan Smith, Chairman, Michael Kazmier, Vice-Chairman, Harv Dykstra, Commissioner Robert Devine, Commissioner, Veronica Langworthy, Commissioner

Absent: None.

Staff Present Matthew Bassi, Planning Director
Thomas Jex, City Attorney
Debbie Lee, City Clerk
Janet Morales, Office Administrative Assistant
Steve Palmer, City Engineer

FLAG SALUTE

Mr. George Taylor led the flag salute.

PUBLIC COMMENTS

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- Ms. Sharon Heil spoke and expressed concerns about particles being released into the air from the open bins of the business in the City of Wildomar and its health effect on residents.

APPROVAL OF AGENDA AS SUBMITTED

Planning Director Bassi asked Chairman Smith to consider moving Public Hearing Item 2.3 to the beginning of the public hearing agenda.

Chairman Smith asked the Commission for a motion regarding said request. Commissioner Devine motioned to approve the modification of the agenda by moving Public Hearing Item 2.3 to the beginning of the public hearing agenda. The motion was seconded by Commissioner Kazmier. Motioned Carried, the following vote resulted:

AYES: Devine, Dykstra, Kazmier, Langworthy, Smith
NOES:
ABSENT:
ABSTAIN:

1.0 CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the Commission, the public, or staff request specific items be removed from the Consent Calendar for discussion and/or separate action.

1.1 Approval of the May 16, 2012 Planning Commission meeting minutes.

Commissioner Devine motioned to approve the May 16, 2012 Planning Commission Minutes as submitted. Motioned was seconded by Commissioner Langworthy. Motioned Carried, the following vote resulted:

AYES: Devine, Dykstra, Kazmier, Langworthy, Smith
NOES:
ABSENT:
ABSTAIN:

2.0 PUBLIC HEARINGS

2.3 **Parcel Map No. 35539 (Planning Application No. 08-0261):** A request to delete Condition No. 50.PLANNING.3 requiring a Change of Zone prior to recordation of a 2-lot Parcel Map approved by the Riverside County Planning Commission on June 11, 2008 for the property located at 23160 Rancho Mirlo Road (APN: 380-160-015).

Director Bassi made a brief presentation to the Planning Commission regarding the proposed project.

Commissioner Langworthy asked for clarification concerning Condition No. 50.Planning4 from the Riverside County Planning Commission.

Director Bassi thanked Commissioner Langworthy for the acknowledging the condition and mentioned that the resolution should be changed to also reflect deletion of Condition No. 50.Planning.4 since it was a duplicate of Condition No. 50.PLANNING.3.

Chairman Smith opened the public hearing and asked for the applicant/property owner to come to the podium for comments/questions.

The Property Owner, Mr. Michael Fineburg, thanked City staff for their help in processing the proposed request to modify the conditions as presented, and had no further comments.

With no questions from the Commission, Chairman Smith closed the public hearing and asked for a motion to approve staff's recommendation with the modification as presented by Commissioner Langworthy to include the deletion of Condition No. 50.Planning.4. A motion was made by Commissioner Langworthy, and the was seconded by Commissioner Devine. Motion carried 5 - 0, the following vote resulted:

AYES: Dykstra, Kazmier, Langworthy, Smith, Devine
NOES:
ABSENT:
ABSTAIN:

- 2.1 **Zoning Ordinance Amendment No. 12-02:** A City Initiated Zoning Ordinance Amendment amending Chapter 17.72 (C-1/C-P Zone) to prohibit Mini-Warehouse/Self-Storage Facilities, and amending Chapters 17.96 (I-P Industrial-Park Zone), 17.100 (M-SC Manufacturing-Service Commercial Zone), 17.104 (M-M Manufacturing-Medium Zone) and 17.108 (M-H Manufacturing-Heavy Zone) to allow Mini-Warehouse/Self-Storage Facilities with a Conditional Use Permit subject to the development standards of Section 17.240 (Mini-Warehouses).

Chairman Smith recused himself from the discussion due to a potential conflict of interest, and Vice-Chairman Kazmier took over as acting Chair.

Director Bassi made a brief presentation to the Planning Commission regarding the proposed amendment.

Commissioner Devine asked Director Bassi for clarification that the Commissions recommendation for this evening is to disallow public storage in the commercial zones?

Director Bassi responded in the affirmative.

Commissioner Devine further commented that the Commission would be allowing the use of public storage in the industrial zones.

Director Bassi responded in the affirmative.

Commissioner Devine asked Director Bassi how many acres of industrial area does the City have?

Director Bassi responded that staff did not have that information for this meeting.

Commissioner Devine expressed his concerns with allowing self storage uses in the industrial zones because the City has limited vacant land zoned for industrial manufacturing businesses.

Director Bassi noted that the proposed amendment will require approval of a Conditional Use Permit for self-storage uses planned in the industrial zones which gives the Commission discretionary authority when reviewing these uses, and allows the Commission to deny self-storage uses if the findings for approval can not be made.

Commissioner Dykstra commented that he has noticed several in RV storage businesses throughout the residential zones, but was not aware of any being reviewed by the Commission.

Director Bassi responded that staff has not received any new applications for RV storage facilities since the moratorium was lifted in January 2012. He further commented that if these businesses are operating without proper City approval, then they are in violation and would be subject to Code Enforcement action.

Commissioner Dykstra commented that the City needs to do conformance zoning so the City knows what areas would allow for commercial, industrial and residential uses.

With no other questions, Vice-Chairman Kazmier opened the public hearing.

Ms. Sharon Heil commented that new public storage facilities should only be allowed in the industrial areas so the commercial zones can be developed for commercial and retail businesses.

With no other public comments, Vice-Chairman Kazmier closed the public hearing, and opened up for Commission discussion.

Commissioner Langworthy asked staff if RV storage businesses will be allowed in the Rural Residential zone with this amendment.

Director Bassi replied that RV storage was not part of the Zoning Ordinance Amendment No. 12-02.

Commissioner Devine asked Director Bassi when an amendment to regulate RV storage uses will come back for Commission consideration.

Director Bassi responded that there is nothing planned at this time as the City Council directed in staff in January 2012 to not include RV Storage with this amendment. However, if the Commission has concerns about RV storage uses, staff can convey this to the Council when they review the amendment.

Commissioner Dykstra commented that he recalls from the Commission's last discussion on this subject matter that RV storage uses would be prohibited in the residential and commercial zones, but allowed in the industrial zones similar to self-storage uses.

Director Bassi responded in the affirmative, but added that the Council directed staff not to include it and to evaluate the number of submittals over the ensuing months to see if there is an increase which could lead to another amendment to address RV storage.

Commissioner Langworthy commented that she agrees with Director Bassi's approach and also wanted to provide clarification that individual property owners in the residential zones are allowed to keep their own RV's on their property.

Director Bassi responded in the affirmative and added that property owners are allowed to have a personal RV on their property if it is properly screened and located outside of the front setback area.

With no further questions or discussion, Vice-Chairman Kazmier asked for a motion to adopt PC Resolution No. 12-07 recommending City Council approval of Zoning Ordinance Amendment No. 12-02. A motion was made by Commissioner Devine with the addendum for the Council to consider adding RV storage to the amendment. The motion was seconded by Commissioner Dykstra. Motion carried 4-0-1, with the following vote resulted:

AYES: Dykstra, Kazmier, Langworthy, Devine
NOES:
ABSENT:
ABSTAIN: Smith (recused)

2.2 **Zoning Ordinance Amendment No. 12-01:** A City Initiated Zoning Ordinance Amendment amending Chapter 17.184 regarding Non-Conforming Structures and Uses.

Director Bassi made a brief presentation to the Planning Commission regarding the proposed amendment.

Commissioner Devine asked why the amendment included a discussion on RV storage facilities.

Director Bassi responded that the information provided in the staff report regarding RV storage was for background purposes only and reiterated his previous statement regarding the Council's direction from January 2012 to leave out RV storage from the amendment. Commissioner Dykstra commented that he recalls the Commission discussing previously that RV and Boat storage should be prohibited in the residential and commercial zones and only allowed in the industrial zones through the Plot Plan process.

Commissioner Langworthy commented that she feels that the Commission has expressed their concerns on how RV storage should be handled in the City.

With no other questions for staff, Vice-Chairman Kazmier opened the public hearing.

With no public comments, Vice-Chairman Kazmier closed the public hearing and asked for a motion to adopt PC Resolution No. 12-06 recommending City Council approval of Zoning Ordinance Amendment No. 12-01. A motion was made by Commissioner Devine with the caveat that the Council report include the Commission's concerns about RV storage. The motion seconded by Commissioner Langworthy. Motion carried 4 -0 -1, the following vote resulted:

AYES: Dykstra, Kazmier, Langworthy, Devine
NOES:
ABSENT:
ABSTAIN: Smith (recused)

Chairman Smith returned to the dais.

3.0 General Business Items

No general business items for discussion.

Planning Directors Report

No items for discussion.

City Attorney's Report

No items for discussion.

Planning Commission Communications

Chairman Smith asked Director Bassi to convey to the Council the Commission's concerns about the RV storage uses.

Director Bassi responded in the affirmative.

Commissioner Langworthy asked Director Bassi to provide a status update to the Commission on the Waite Street Mobile Home Park project at its next meeting.

With no other communications, Chairman Smith adjourned the June 20, 2012 Planning Commission meeting at 8:06 P.M.



Matthew C. Bassi
Planning Director/Minutes Secretary

2.0 PUBLIC HEARINGS

CITY OF WILDOMAR – PLANNING COMMISSION
Agenda Item No. 2.1
PUBLIC HEARING
Meeting Date: January 16, 2013

TO: Chairman and Members of the Planning Commission

FROM: Matthew C. Bassi, Planning Director 

SUBJECT: **Tentative Tract Map No. 29476 (Extension of Time)**
Planning Commission consideration of the 5th and final Extension of Time for an approved Tentative Tract Map (TM 29476) for the subdivision of 39.63 acres for the future development of 28 single family residential dwelling units within the R-1 (One-Family dwelling) zone located on the west side of David Lane, north of Via Sarah (APN: 362-170-005 & 362-180-006). Requested by MDMG, Inc. (Project Representative) on behalf of Calprop Corporation (Applicant)

RECOMMENDATION:

The Planning Department recommends that the Planning Commission adopt PC Resolution No. 13-01 entitled (Attachment A):

“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA APPROVING A 5TH AND FINAL EXTENSION OF TIME TO DECEMBER 4, 2014 FOR AN APPROVED 28-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION KNOWN AS TENTATIVE TRACT MAP NO. 29476 (PLANNING APPLICATION NO. 10-0077) LOCATED ON THE WEST SIDE OF DAVID LANE, NORTH OF VIA SARAH ON ROAD WITHIN THE CITY OF WILDOMAR (APN: 362-170-005 & 362-180-042)”

BACKGROUND:

Tentative Tract Map No. 29476 was approved by the Riverside County Board of Supervisors on December 4, 2001 with a condition that the final tract map be recorded within three (3) years (i.e., December 4, 2004). The tract was approved to subdivide approximately 39 acres into 28 single family residential lots. The project site is located on the west side of David Lane and north of via Sarah (refer to Attachment B, Vicinity Map).

Since the tract map was first approved, the applicant has received approval of three (3) time extensions from the Riverside County Planning Commission. The first, second and third time extensions for Tentative Tract Map No. 29476 were approved on March 23, 2005, May 1, 2006 and January 19, 2007, respectively. The applicant did submit the official request for a 4th time extension (and paid the required fees) prior to the December 4, 2007 expiration date; however, the Riverside County Planning Department did not process the request. The County's failure to act on the 4th time extension resulted in the automatic approval (Gov. Code Sec. 66452.4; Bodega Bay Concerned Citizens v. County of Sonoma (2005) 125 Cal.App.4th 1061, 1073.)

Just after the city's incorporation, the California Legislature on July 15, 2008 passed Assembly Bill 1185 which granted a one-year automatic time extension for all approved tentative tract maps that were due to expire at that time. The following year on July 15, 2009, the California Legislature passed Assembly Bill 333 which granted a two-year automatic time extension for all approved tentative tract maps that were due to expire at that time. Finally, on July 15, 2011, the California Legislature passed Senate Bill 208 which granted another two-year automatic time extension for all approved tentative tract maps that were due to expire at that time. These three legislative bills in total granted 5 years worth of automatic time extensions.

Tentative Tract Map No. 29476 fell within the regulations of these legislative bills, and as a result, the newest expiration date to record the approved tentative tract map is now December 4, 2013. On October 31, 2012, however, the applicant decided to submit a request for the 5th and final time extension even though it was a year early. There is nothing prohibiting the Commission from reviewing the 5th time extension at this time. Given that financing to complete this tentative tract map and submit improvement plans, etc. is still difficult to obtain, the applicant has indicated that the time extension is needed to keep the tract map active for the until December 4, 2014.

DISCUSSION:

Tentative Tract Map No. 29476 was originally approved as a 28-lot single family residential subdivision consistent with the zoning and general plan requirements. Based on the approved project design, the subdivision remains in compliance with all current city ordinances and subdivision standards. The General Plan land use and Zoning designations for the project and surrounding properties are summarized in the following table.

ADJACENT ZONING, LAND USE AND APPLICABLE STANDARDS			
Location	Current Use	General Plan Land Use Designation	Zoning
Subject Property	Vacant	Medium Density Residential	R-1 (One Family Dwelling) & R-A (Residential Agriculture)
North	Residential	Rural Mountainous	R-R (Rural Residential)
South	Vacant	Medium Density Residential	R-5 (Open Area Combining)
East	Residential and Vacant	Medium Density Residential	R-1 (One Family Dwelling)
West	Residential	Low Density Residential	R-R (Rural Residential)

The Planning and Engineering Departments have reviewed the applicant's request for a 5th time extension to ensure compliance with current City standards and requirements. Based on this review, staff has determined that the current/approved tentative tract map remains in compliance and is in conformance with the City's Zoning and Subdivision ordinances, and supports the request for the time extension. If this extension of time is approved by the Commission, the applicant will have until December 4, 2014 to record the final tract map. If tract Map No. 29476 has not recorded prior to this date, the project will become null and void and the applicant will be required to submit and process a new Tentative Tract Map application.

ENVIRONMENTAL ASSESSMENT:

The Riverside County Board of Supervisors adopted a Mitigated Negative Declaration and Mitigation Monitoring Program for Tentative Tract Map No. 29476 on December 4, 2001 and a Notice of Determination was filed in accordance with CEQA requirements. There has been no legal challenge brought against the project or the environmental determination. The County Planning Commission reviewed the Initial Study previously approved for the project in light of applicant's submittal of the first, second and third time extensions for Tentative Tract Map No. 29476. Staff has determined that the fifth time extension requested for the tract map does not propose an increase in the density or a change in the project design, thus, the circumstances evaluated under the originally approved Mitigated Negative Declaration and Mitigation Monitoring Program remain the same.

As such, the current request for the 5th time extensions for Tentative Tract Map No. 29476, and any effects it may have on the environment, fall within the original scope and analysis under the previously approved Mitigated Negative Declaration and Mitigation Monitoring Program. Furthermore, based on the knowledge of the approved project and surrounding developments, the Planning Commission determines that there has been no change in circumstances for this project that would require additional analysis under CEQA guidelines. Finally, no information has been presented contrary to this determination nor has any information been submitted from which it could be fairly argued that the current fourth and fifth time extension for Tentative Tract Map No. 29476 does involve new significant effects on the environment or substantially increases the severity of a previously identified environmental effect. Therefore, the Planning Department recommends that the Planning Commission makes the following findings in accordance with CEQA Guidelines:

- a) The Extension of Time for Tentative Tract Map No. 29476 does not propose substantial changes to the project that would require major revisions to the existing Mitigated Negative Declaration and Mitigation Monitoring Program;
- b) No substantial changes have occurred in the circumstances under which Tentative Tract Map No. 29476 was approved that would require major revisions to the Mitigated Negative Declaration and Mitigation Monitoring Program; and
- c) No new information has been presented from which it may be fairly argued that Tentative Tract Map No 29476 may involve a new significant environmental effect, or a substantial increase in the severity of previously identified significant effects, or

demonstrating that a mitigation measure previously found to be infeasible is now feasible.

REQUIRED PROJECT FINDINGS

Pursuant to Title 16 (Subdivisions) of the Wildomar Municipal Code and the State Subdivision Map Act (SMA), and in light of the record before it, including the staff report dated January 16, 2013 and all evidence and testimony heard at the public hearing for said time extensions for Tentative Tract Map No. 29476, the Planning Commission hereby finds as follows.

Finding 1: The proposed map is consistent with the City of Wildomar General Plan and any applicable specific plan as specified in Government Code Section 65451.

Evidence: The General Plan land use designation for the project site is Medium Density Residential (MDR) which allows single family residential densities from 2 to 5 dwelling units per acre. The approved tentative tract map would allow for the development of 28 single family residential dwelling units on 39.43 acres which results in a project net density of 3.17 units per acre, which remains consistent with the density range permitted under the MDR land use designation. Further, the Land Use Element of the General Plan encourages the development of a variety of housing types, styles and densities that are accessible to and meet the needs of a range of lifestyles, physical abilities, and income levels. The proposed tract map, and subsequent residential development, remains consistent with this policy as it will provide single family residential homeownership opportunities compatible with the surrounding/existing neighborhoods and character. Considering these facts, the proposed 5th time extension for Tentative Tract Map No. 29476 continues to meet this finding.

Finding 2: The design or improvement of the proposed subdivision is consistent with the City's General Plan and any applicable specific plan.

Evidence: The proposed subdivision has been designed to meet City standards which provide for safe pedestrian and vehicular circulation, including emergency vehicle access. On-site improvements, such as streets, utilities, and drainage facilities will be constructed in conformance with City standards as conditioned. Further, the 39-acre project site is generally level except for some slopes on the west side of the property that will remain undeveloped. The project site is not located within a flood plain and no major geologic hazards have been reported on the site or other limited conditions that would render it unsuitable for residential development. Considering these facts, the proposed 5th time extension for Tentative Tract Map No. 29476 continues to meet this finding.

Finding 3: The site is physically suitable for the type and proposed density of development.

Evidence: The 39-acre project site is generally level except for some slopes on the west side of the property that will remain undeveloped. The subdivision has been designed to accommodate the development of 28 single family residential dwelling units in consideration of the shape and topography of the general area. The project as proposed has a density of 3.17 units per acre which complies with the density range allowed in the Land Use Element of the City's General Plan for the MDR land use designation. Considering these facts, the

proposed 5th time extension for Tentative Tract Map No. 29476 continues to meet this finding.

Finding 4: The design of the subdivision or proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Evidence: The design of the subdivision is in conformance with the City's General Plan, Zoning Ordinance, and Subdivision Ordinance, the construction of all units on the site has been conditioned to comply with all applicable City of Wildomar ordinances, codes, and standards including, but not limited to, the California Uniform Building Code, the City's Ordinances relating to stormwater runoff management and controls. The site is currently vacant and does not contain any significant vegetation or habitat for wildlife. There is no evidence that any endangered, threatened or listed species of plant or animal, or its habitat, is located on the site. There is no evidence that vernal pool complex, similar bodies of water, or conditions suitable for forming such bodies of water exist on the site. This determination is based on (site reference material or source). In addition, this project has been conditioned to comply with the environmental policies and regulations of the City of Wildomar and those of all local and regional governmental agencies having jurisdiction over the site. Considering these facts, the proposed 5th time extension for Tentative Tract Map No. 29476 continues to meet this finding.

Finding 5: The design of the subdivision or type of improvements is not likely to cause serious public health problems.

Evidence: The design of the subdivision is in conformance with the City's General Plan, Zoning Ordinance, and Subdivision Ordinance, the construction of all improvements on the site has been conditioned to comply with all applicable City of Wildomar ordinances, codes, and standards including, but not limited to, the California Uniform Building Code, the City's Ordinances relating to stormwater runoff management and controls. In addition, the design and construction of all improvements for the subdivision has been conditioned to be in conformance with adopted public works standards. The City's ordinances, codes, and standards have been created based on currently accepted standards and practices for the preservation of the public health, safety and welfare. Finally, the proposed street system throughout the subdivision will improve emergency vehicular access in the immediate area. Considering these facts, the proposed 5th time extension for Tentative Tract Map No. 29476 continues to meet this finding.

Finding 6: The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Evidence: No easements of record or easements established by judgment of a court of competent jurisdiction for public access across the site have been disclosed in a search of the title records for the site and the City does not otherwise have any constructive or actual knowledge of any such easements. Considering these facts, the proposed 5th time extension for Tentative Tract Map No. 29476 continues to meet this finding.

Tentative Tract Map No. 29476
EOT No. 4 & 5
January 16, 2013
Page 6

Respectfully Submitted,



Matthew C. Bassi
Planning Director

ATTACHMENTS:

- A. PC Resolution No. 13-01
Exhibit 1 – Conditions of Approval for TM 29476 (dated December 21, 2001)
- B. Vicinity Map
- C. Copy of the approved Tentative Tract Map No. 29476 (Under Separate Cover)

ATTACHMENT A

(PC Resolution No. 13-01)

PC RESOLUTION NO. 13-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA APPROVING A 5TH AND FINAL EXTENSION OF TIME TO DECEMBER 4, 2014 FOR AN APPROVED 28-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION KNOWN AS TENTATIVE TRACT MAP NO. 29476 (PLANNING APPLICATION NO. 10-0077) LOCATED ON THE WEST SIDE OF DAVID LANE, NORTH OF VIA SARAH ON ROAD WITHIN THE CITY OF WILDOMAR (APN: 362-170-005 & 362-180-006)

WHEREAS, Markham Development Management Group, on behalf of Calprop Corporation (Applicant) has submitted a request for a 5th time extension prior to the expiration date in accordance with the City of Wildomar Subdivision Ordinance (Title 16); and

WHEREAS, Tentative Tract Map No. 29476 was originally approved by the Riverside County Board of Supervisors on December 4, 2001 with an initial expiration of December 4, 2004; and

WHEREAS, the first, second and third time extensions for Tentative Tract Map No. 29476 (after meeting the required submittal deadlines for each time extension prior to its expiration) were approved by the Riverside County Planning Commission on March 23, 2005, May 1, 2006 and January 19, 2007, respectively; and

WHEREAS, an application for the fourth time extension for Tentative Tract Map No. 29476 was filed prior to the expiration date of said tentative tract map on November 27, 2007; which has become automatically approved per Gov. Code Sec. 66452.4; *Bodega Bay Concerned Citizens v. County of Sonoma* (2005) 125 Cal.App.4th 1061, 1073; and

WHEREAS, on July 15, 2008, July 15, 2009 and July 15, 2011, the State of California Legislature adopted SB 1185, AB 333 and SB 208, respectively, granting automatic time extensions totaling five (5) years for all approved tentative tract maps that were due to expire during these periods;

WHEREAS, Tentative Tract Map No. 29476 met the requirements for an automatic time extensions as outlined in SB 1185, AB 333 and SB 208 that extended the expiration date for said tract map to December 4, 2012; and

WHEREAS, the applicant submitted a request for the 5th time extension on October 31, 2012 prior to the expiration of Tentative Tract Map No. 29476 requesting a final time extension for said tract map; and

WHEREAS, January 2, 2013, the City sent a notice of public hearing to all property owners within a 600-foot radius of the boundaries of Tentative Tract Map No. 29476, and on January 4, 2013, the City published a legal notice of public hearing in "The Californian," a newspaper of local circulation, regarding the holding of a public hearing for the requested time extension for said tract map; and

WHEREAS, on January 16, 2013, the Wildomar Planning Commission held the noticed public hearing at which time interested persons and surrounding property owners had an

opportunity to testify in support of, or opposition to, the requested time extensions for Tentative Tract Map No. 29476.

NOW THEREFORE, the Planning Commission of the City of Wildomar, California does hereby resolve, determine and order as follows:

SECTION 1. ENVIRONMENTAL DETERMINATION.

The Riverside County Board of Supervisors adopted a Mitigated Negative Declaration and Mitigation Monitoring Program for Tentative Tract Map No. 29476 on December 4, 2001 and a Notice of Determination was filed in accordance with CEQA requirements. There has been no legal challenge brought against the project or the environmental determination. The County Planning Commission reviewed the Initial Study previously approved for the project in light of applicant's submittal of the first, second and third time extensions for Tentative Tract Map No. 29476. The Wildomar Planning Commission had determined that the fifth time extension requested for the tract map does not propose an increase in the density or a change in the project design, thus, the circumstances evaluated under the originally approved Mitigated Negative Declaration and Mitigation Monitoring Program remain the same. As such, the current request for a time extension for Tentative Tract Map No. 29476, and any effects it may have on the environment, fall within the original scope and analysis under the previously approved Mitigated Negative Declaration and Mitigation Monitoring Program. Furthermore, based on the knowledge of the approved project and surrounding developments, the Planning Commission determines that there has been no change in circumstances for this project that would require additional analysis under CEQA guidelines. Finally, the Planning Commission has not been presented with any information contrary to this determination nor has any information been submitted from which it could be fairly argued that the current fourth and fifth time extension for Tentative Tract Map No. 29476 does involve new significant effects on the environment or substantially increases the severity of a previously identified environmental effect. Therefore, the Planning Commission makes the following findings in accordance with CEQA Guidelines:

- a) The Extension of Time for Tentative Tract Map No. 29476 does not propose substantial changes to the project that would require major revisions to the existing Mitigated Negative Declaration and Mitigation Monitoring Program;
- b) No substantial changes have occurred in the circumstances under which Tentative Tract Map No. 29476 was approved that would require major revisions to the Mitigated Negative Declaration and Mitigation Monitoring Program; and
- c) No new information has been presented from which it may be fairly argued that Tentative Tract Map No 29476 may involve a new significant environmental effect, or a substantial increase in the severity of previously identified significant effects, or demonstrating that a mitigation measure previously found to be infeasible is now feasible.

SECTION 2. REQUIRED PROJECT FINDINGS.

Pursuant to Title 16 (Subdivisions) of the Wildomar Municipal Code and the State Subdivision Map Act (SMA), and in light of the record before it, including the staff report dated January 16, 2013 and all evidence and testimony heard at the public hearing for said time extension for Tentative Tract Map No. 29476, the Planning Commission hereby finds as follows.

Finding 1: The proposed map is consistent with the City of Wildomar General Plan and any applicable specific plan as specified in Government Code Section 65451.

Evidence: The General Plan land use designation for the project site is Medium Density Residential (MDR) which allows single family residential densities from 2 to 5 dwelling units per acre. The approved tentative tract map would allow for the development of 28 single family residential dwelling units on 39.43 acres which results in a project net density of 3.17 units per acre, which remains consistent with the density range permitted under the MDR land use designation. Further, the Land Use Element of the General Plan encourages the development of a variety of housing types, styles and densities that are accessible to and meet the needs of a range of lifestyles, physical abilities, and income levels. The proposed tract map, and subsequent residential development, remains consistent with this policy as it will provide single family residential homeownership opportunities compatible with the surrounding/existing neighborhoods and character. Considering these facts, the proposed 5th time extension for Tentative Tract Map No. 29476 continues to meet this finding.

Finding 2: The design or improvement of the proposed subdivision is consistent with the City's General Plan and any applicable specific plan.

Evidence: The proposed subdivision has been designed to meet City standards which provide for safe pedestrian and vehicular circulation, including emergency vehicle access. On-site improvements, such as streets, utilities, and drainage facilities will be constructed in conformance with City standards as conditioned. Further, the 39-acre project site is generally level except for some slopes on the west side of the property that will remain undeveloped. The project site is not located within a flood plain and no major geologic hazards have been reported on the site or other limited conditions that would render it unsuitable for residential development. Considering these facts, the proposed 5th time extension for Tentative Tract Map No. 29476 continues to meet this finding.

Finding 3: The site is physically suitable for the type and proposed density of development.

Evidence: The 39-acre project site is generally level except for some slopes on the west side of the property that will remain undeveloped. The subdivision has been designed to accommodate the development of 28 single family residential dwelling units in consideration of the shape and topography of the general area. The project as proposed has a density of 3.17 units per acre which complies with the density range allowed in the Land Use Element of the City's General Plan for the MDR land use designation. Considering these facts, the proposed 5th time extension for Tentative Tract Map No. 29476 continues to meet this finding.

Finding 4: The design of the subdivision or proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Evidence: The design of the subdivision is in conformance with the City's General Plan, Zoning Ordinance, and Subdivision Ordinance, the construction of all units on the site has been conditioned to comply with all applicable City of Wildomar ordinances, codes, and standards including, but not limited to, the California Uniform Building Code, the City's Ordinances relating to stormwater runoff management and controls. The site is currently vacant and does not contain any significant vegetation or habitat for wildlife. There is no evidence that any endangered, threatened or listed species of plant or animal, or its habitat,

is located on the site. There is no evidence that vernal pool complex, similar bodies of water, or conditions suitable for forming such bodies of water exist on the site. This determination is based on (site reference material or source). In addition, this project has been conditioned to comply with the environmental policies and regulations of the City of Wildomar and those of all local and regional governmental agencies having jurisdiction over the site. Considering these facts, the proposed 5th time extension for Tentative Tract Map No. 29476 continues to meet this finding.

Finding 5: The design of the subdivision or type of improvements is not likely to cause serious public health problems.

Evidence: The design of the subdivision is in conformance with the City's General Plan, Zoning Ordinance, and Subdivision Ordinance, the construction of all improvements on the site has been conditioned to comply with all applicable City of Wildomar ordinances, codes, and standards including, but not limited to, the California Uniform Building Code, the City's Ordinances relating to stormwater runoff management and controls. In addition, the design and construction of all improvements for the subdivision has been conditioned to be in conformance with adopted public works standards. The City's ordinances, codes, and standards have been created based on currently accepted standards and practices for the preservation of the public health, safety and welfare. Finally, the proposed street system throughout the subdivision will improve emergency vehicular access in the immediate area. Considering these facts, the proposed 5th time extension for Tentative Tract Map No. 29476 continues to meet this finding.

Finding 6: The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Evidence: No easements of record or easements established by judgment of a court of competent jurisdiction for public access across the site have been disclosed in a search of the title records for the site and the City does not otherwise have any constructive or actual knowledge of any such easements. Considering these facts, the proposed 5th time extension for Tentative Tract Map No. 29476 continues to meet this finding.

SECTION 3. PLANNING COMMISSION ACTIONS.

A. Approval of Extension of Time. The request for a 5th Extension of Time for Tentative Tract Map No. 29476 is hereby approved subject to the Conditions of Approval approved by the Riverside County Board of Supervisors dated December 4, 2001, attached hereto and incorporated herein by reference as Exhibit 1.

PASSED, APPROVED AND ADOPTED this 16th day of January, 2013 by the following vote:

AYES.

NOES:

ABSENT:

ABSTAINED:

Stan Smith
Planning Commission Chairman

ATTEST:

Matthew C. Bassi
Planning Director/Minutes Secretary

APPROVED AS TO FORM:

Thomas Jex, City Attorney

EXHIBIT 1
(Conditions of Approval – Dated December 4, 2001)

TRACT MAP Tract #: TR29476

Parcel: 362-180-006

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1 MAP - DEFINITIONS INEFFECT

The words identified in the following list that appear in all capitals in the attached conditions of Tentative Tract Map No. 29476 shall be henceforth defined as follows:

TENTATIVE MAP = Tentative Tract Map No. 29476 Amended No. 2, dated 3/21/01.

FINAL MAP = Final Map or Parcel Map for the TENTATIVE MAP whether recorded in whole or in phases.

10. EVERY. 2 MAP - PROJECT DESCRIPTION INEFFECT

The subdivision hereby permitted is to divide 8.82 acres into 28 one-family residential lots with minimum lot size of 7,200 square feet and a remainder parcel of 30.81 square feet.

10. EVERY. 3 MAP - HOLD HARMLESS INEFFECT

The subdivider or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside (COUNTY), its agents, officers, or employees from any claim, action, or proceeding against the COUNTY, its agents, officers, or employees to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the TENTATIVE MAP NO. 29476 which action is brought within the time period provided for in California Government Code, Section 66499.37. The COUNTY will promptly notify the subdivider of any such claim, action, or proceeding against the COUNTY and will cooperate fully in the defense. If the COUNTY fails to promptly notify the subdivider of any such claim, action, or proceeding or fails to cooperate fully in the defense, the subdivider shall not, thereafter, be responsible to defend, indemnify, or hold harmless the COUNTY.

BS GRADE DEPARTMENT

10.BS GRADE. 1 MAP-GIN INTRODUCTION INEFFECT

Improvement such as grading, filling, over excavation and recompaction, and base or paving which require a grading

APPROVED
DEC 14 2001
BY BOARD OF SUPERVISORS

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10. GENERAL CONDITIONS

10.BS GRADE. 1 MAP-GIN INTRODUCTION (cont.) INEFFECT

permit are subject to the included Building and Safety Grading Division conditions of approval.

10.BS GRADE. 2 MAP-G1.2 OBEY ALL GDG REGS INEFFECT

All grading shall conform to the Uniform Building Code, Ordinance 457, and all other relevant laws, rules and regulations governing grading in Riverside County and prior to commencing any grading which includes 50 or more cubic yards, the applicant shall obtain a grading permit from the Building & Safety Department.

10.BS GRADE. 3 MAP-G1.3 DISTURBS NEED G/PMT INEFFECT

Ordinance 457 requires a grading permit prior to clearing, grubbing or any top soil disturbances related to construction grading.

10.BS GRADE. 4 MAP-G1.6 DUST CONTROL INEFFECT

All necessary measures to control dust shall be implemented by the developer during grading.

10.BS GRADE. 5 MAP-G2.5 2:1 MAX SLOPE RATIO INEFFECT

Grade slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise approved.

10.BS GRADE. 6 MAP-G2.6 SLOPE STABILTY ANLY INEFFECT

A slope stability report shall be submitted and approved by the County Geologist for all proposed cut or fill slopes steeper than 2:1 (horizontal to vertical) or over 30 feet in vertical height - unless addressed in a previous report.

10.BS GRADE. 7 MAP-G2.8 MINIMUM DRNAGE GRAD INEFFECT

Minimum drainage grade shall be 1% except on portland cement concrete where 0.35% shall be the minimum.

10.BS GRADE. 8 MAP-G2.9 DRNAGE & TERRACING INEFFECT

Provide drainage facilities and terracing in conformance with the Uniform Building Code's chapter on "Excavation and Grading."

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10. GENERAL CONDITIONS

10.BS GRADE. 9 MAP-G2.10 SLOPE SETBACKS INEFFECT

Observe slope setbacks from buildings and property lines per the Uniform Building Code - as amended by Ordinance 457.

FIRE DEPARTMENT

10.FIRE. 1 MAP-#50-BLUE DOT REFLECTORS INEFFECT

Blue retroreflective pavement markers shall be mounted on private streets, public streets and driveways to indicate location of fire hydrants. Prior to installation, placement of markers must be approved by the Riverside County Fire Department.

10.FIRE. 2 MAP-#16-HYDRANT/SPACING INEFFECT

Schedule A fire protection approved standard fire hydrants, (6"x4"x2 1/2") located one at each street intersection and spaced no more than 330 feet apart in any direction, with no portion of any lot frontage more than 165 feet from a hydrant. Minimum fire flow shall be 1000 GPM for 2 hour duration at 20 PSI.

FLOOD RI DEPARTMENT

10.FLOOD RI. 10 MAP NUISANCE TYPE RUNOFF INEFFECT

Except for nuisance nature local runoff which may traverse portions of the property, the project is considered free from ordinary storm flood hazard. However, a storm of unusual magnitude could cause some damage. New construction should comply with all applicable ordinances.

10.FLOOD RI. 11 MAP WELL DEFINED WATERCOURSES INEFFECT

The topography of the area consists of well defined ridges and natural watercourses which traverse the property. There is adequate area outside of the natural watercourses for building sites. The natural watercourses should be kept free of buildings and obstructions in order to maintain the natural drainage patterns of the area.

10.FLOOD RI. 15 MAP FLOOD HAZARD RPT INEFFECT

Tentative Tract Map 29476 is a proposal to subdivide 39.68 gross acres into 28 single-family residential lots in the

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10. GENERAL CONDITIONS

10.FLOOD RI. 15

MAP FLOOD HAZARD RPT (cont.)

INEFFECT

Rancho California zoning area. The project site is located immediately east of the intersection at La Estrella Street and Jeramar Lane.

Except for nuisance nature local runoff that may traverse portions of the property, the project is considered free from ordinary storm flood hazard. However, a storm of unusual magnitude could cause some damage. New construction should comply with all applicable ordinances.

The topography of the area consists of well-defined ridges and natural watercourses that traverse the property. There is adequate area outside of the natural watercourses for building sites. The natural watercourses should be kept free of buildings and obstructions in order to maintain the natural drainage patterns of the area.

PLANNING DEPARTMENT

10.PLANNING. 1

MAP - MAP ACT COMPLIANCE

INEFFECT

The land division shall comply with the State of California Subdivision Map Act and to all requirements of County Ordinance No. 460, Schedule "A", unless modified by the conditions listed herein.

10.PLANNING. 2

MAP - FEES FOR REVIEW

INEFFECT

Any subsequent review/approvals required by the conditions of approval, including but not limited to grading or building plan review or review of any mitigation monitoring requirement, shall be reviewed on an hourly basis, or other appropriate fee, as listed in County Ordinance No. 671. Each submittal shall be accompanied with a letter clearly indicating which condition or conditions the submittal is intended to comply with.

10.PLANNING. 5

MAP- LANDSCAPE MAINTENANCE

INEFFECT

The land divider, or any successor-in-interest to the land divider, shall be responsible for maintenance and upkeep of all slopes, landscaped areas and irrigation systems within the land division until such time as those operations are the responsibility of the individual home owners, a homeowners association, or any other successor-in-interest.

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10. GENERAL CONDITIONS

10.PLANNING. 8 MAP- PRESERVE NATIVE TREES INEFFECT

The existing native specimen trees on the subject property identified for preservation on Exhibit E shall remain undisturbed. Where they cannot be preserved they shall be relocated or replaced with specimen trees as approved by the Planning Director.

10.PLANNING. 9 MAP - ZONING STANDARDS INEFFECT

Lots created by this TENTATIVE MAP shall be in conformance with the development standards of the R-1 and R-5 zones.

10.PLANNING. 10 MAP - 90 DAYS TO PROTEST INEFFECT

The project applicant has 90 days from the date of approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the imposition of any and all fees, dedications, reservations and/or other exactions imposed on this project as a result of the approval or conditional approval of this project.

10.PLANNING. 11 MAP- ORD 810 OPN SPACE FEE INEFFECT

In accordance with Riverside County Ordinance No. 810, to assist in providing revenue to acquire and preserve open space and habitat, an Interim Open Space Mitigation Fee shall be paid for each residential unit to be constructed within a residential tract/parcel map in Western Riverside County.

10.PLANNING. 12 USE - LIGHTING HOODED/DIRECTED INEFFECT

Any outside lighting shall be hooded and directed so as not to shine directly upon adjoining property or public rights-of-way.

TRANS DEPARTMENT

10.TRANS. 1 MAP - DRAINAGE 1 INEFFECT

The land divider shall protect downstream properties from damages caused by alteration of the drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities including enlarging existing facilities and/or by securing a drainage easement. All drainage easements shall be shown on the final map and noted as follows: "Drainage Easement

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10. GENERAL CONDITIONS

10.TRANS. 1 MAP - DRAINAGE 1 (cont.) INEFFECT

- no building, obstructions, or encroachments by landfills are allowed". The protection shall be as approved by the Transportation Department.

10.TRANS. 2 MAP - DRAINAGE 2 INEFFECT

The land divider shall accept and properly dispose of all off-site drainage flowing onto or through the site. In the event the Transportation Department permits the use of streets for drainage purposes, the provisions of Article XI of Ordinance No. 460 will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, the subdivider shall provide adequate drainage facilities and/or appropriate easements as approved by the Transportation Department.

10.TRANS. 7 MAP - STD INTRO 2 (ORD 460/461) INEFFECT

With respect to the conditions of approval for the referenced tentative land division map, the Transportation Department recommends that the land divider provide all street improvements, street improvement plans and/or road dedications set forth herein in accordance with Ordinance 460 and Riverside County Road Improvement Standards (Ordinance 461). It is understood that the tentative map correctly shows acceptable centerline elevations, all existing easements, traveled ways, and drainage courses with appropriate Q's, and that their omission or unacceptability may require the map to be resubmitted for further consideration. These Ordinances and all conditions of approval are essential parts and a requirement occurring in ONE is as binding as though occurring in all. All questions regarding the true meaning of the conditions shall be referred to the Transportation Department.

10.TRANS. 8 MAP - INSTALLATION REQUIREMENT INEFFECT

Electrical power, telephone or other communication, street lighting, and cable television lines shall be placed underground.

10.TRANS. 9 MAP - TS/EXEMPT INEFFECT

The Transportation Department has not required a traffic study for the subject project. It has been determined that the project is exempt from traffic study requirements.

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20. PRIOR TO A CERTAIN DATE

PLANNING DEPARTMENT

20.PLANNING. 2 MAP - EXPIRATION DATE

INEFFECT

The conditionally approved TENTATIVE MAP shall expire three years after the County of Riverside Board of Supervisors original approval date, unless extended as provided by County Ordinance No. 460. Action on a minor change and/or revised map request shall not extend the time limits of the originally approved TENTATIVE MAP. A Land Management System (LMS) hold shall be placed on the TENTATIVE MAP, and a LMS hold shall be placed on any subsequent minor change or revised map, which shall be set to take effect on the expiration date. The LMS hold effective date shall be extended in accordance with any permitted extensions of time. The LMS hold shall be downgraded to a LMS notice upon recordation of the the first phase of the TENTATIVE MAP. The LMS hold or notice shall remain in effect until the recordation of the final phase of the TENTATIVE MAP. If the TENTATIVE MAP expires before the recordation of the final phase the LMS hold or notice shall remain in effect and no further FINAL MAP recordation shall be permitted.

40. PRIOR TO PHASING (UNITIZATION)

PLANNING DEPARTMENT

40.PLANNING. 1 MAP - CONCEPTUAL PHASE GRADING

INEFFECT

Prior to the approval of an application for a division into units or phasing plan for the TENTATIVE MAP, a conceptual grading plan covering the entire TENTATIVE MAP shall be submitted to the County Planning Department for review and approval. The conceptual grading plan shall comply with the following:

A. Techniques which will be used to prevent erosion and sedimentation during and after the grading process shall be depicted or documented.

B. Approximate time frames for grading and areas which may be graded during the higher probability rain months of January through March shall be identified.

C. Preliminary pad and roadway elevations shall be depicted.

D. Areas where temporary grading occurs on any phase other

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40. PRIOR TO PHASING (UNITIZATION)

40.PLANNING. 1 MAP - CONCEPTUAL PHASE GRADING (cont.) INEFFECT

than the one being graded for development at a particular time shall be identified.

The approved conceptual grading plan shall be provided to the Building and Safety Grading Division and shall be used as a guideline for subsequent detailed grading plans for individual units or phases of the TENTATIVE MAP.

40.PLANNING. 3 MAP - LOT ACCESS/UNIT PLANS INEFFECT

Any proposed division into units or phasing of the TENTATIVE MAP shall provide for adequate vehicular access to all lots in each unit or phase, and shall substantially conform to the intent and purpose of the land division approval. No approval for any number of units or phases is given by this TENTATIVE MAP and its conditions of approval, except as provided by Section 8.3 (Division into Units) of Ordinance No. 460.

TRANS DEPARTMENT

40.TRANS. 1 MAP - OFF-SITE PHASE INEFFECT

Should the applicant choose to phase any portion of this project, said applicant shall provide off-site access roads to County maintained roads as approved by the Transportation Department.

50. PRIOR TO MAP RECORDATION

E HEALTH DEPARTMENT

50.E HEALTH. 1 MAP - WATER PLAN INEFFECT

A water system shall have plans and specifications approved by the water company and the Department of Environmental Health.

50.E HEALTH. 2 MAP - MONEY INEFFECT

Financial arrangements (securities posted) must be made for the water improvement plans and be approved by County Counsel.

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09:57

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50. PRIOR TO MAP RECORDATION

50.E HEALTH. 3 MAP - SEWER PLAN - COUNTY INEFFECT

A sewer system shall have mylar plans and specifications as approved by the District, the County Survey Department and the Department of Environmental Health.

50.E HEALTH. 4 MAP - ANNEX FINALIZED INEFFECT

Annexation proceedings must be finalized with the applicable purveyor for sanitation service.

FIRE DEPARTMENT

50.FIRE. 1 MAP-#7-ECS-HAZ FIRE AREA INEFFECT

Ecs map must be stamped by the Riverside County Surveyor with the following note: The land division is located in the "Hazardous Fire Area" of Riverside County as shown on a map on file with the Clerk of the Board of Supervisors. Any building constructed on lots created by this land division shall comply with the special construction provisions contained in Riverside County Ordinance 787.

50.FIRE. 2 MAP-#43-ECS-ROOFING MATERIAL INEFFECT

Ecs map must be stamped by the Riverside County Surveyor with the following note: All buildings shall be constructed with class A material as per the California Building Code.

50.FIRE. 3 MAP-#004-ECS-FUEL MODIFICATION INEFFECT

ECS map must be stamped by the Riverside County Surveyor with the following note: Prior to the issuance of a grading permit, the developer shall prepare and submit to the fire department for approval a fire protection/vegetation management that should include but not limited to the following items: a) Fuel modification to reduce fire loading. b) Appropriate fire breaks according to fuel load, slope and terrain. c) Non flammable walls along common boundaries between rear yards and open space. d) Emergency vehicle access into open space areas shall be provided at intervals not to exceed 1500'. e) A homeowner's association or appropriate district shall be responsible for maintenance of all fire protection measures within the open space areas.

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50. PRIOR TO MAP RECORDATION

50.FIRE. 3 MAP-#004-ECS-FUEL MODIFICATION (cont.) INEFFECT

NOTE: REFERENCE REMAINDER LOT ADJACENT TO RESIDENTIAL LOTS

50.FIRE. 4 MAP-#46-WATER PLANS INEFFECT

The applicant or developer shall furnish one copy of the water system plans to the Fire Department for review. Plans shall be signed by a registered civil engineer, containing a Fire Department approval signature block, and shall conform to hydrant type, location, spacing and minimum fire flow. Once plans are signed by the local water company, the originals shall be presented to the Fire Department for signature.

50.FIRE. 5 MAP-#53-ECS-WTR PRIOR/COMBUS INEFFECT

Ecs map must be stamped by the Riverside County Surveyor with the following note: The required water system, including fire hydrants, shall be installed and accepted by the appropriate water agency prior to any combustible building material placed on an individual lot.

50.FIRE. 6 MAP-#9-MITIGATION UNIT/LOT INEFFECT

The applicant of developer shall deposit with the Riverside County Fire Department, a check of money order in the sum of \$400.00 per lot/unit as mitigation for fire protection impacts.

50.FIRE. 7 MAP-#47-SECONDARY ACCESS INEFFECT

In the interest of Public Safety, the project shall provide an Alternate or Secondary Access(s) as stated in the Transportation Department Conditions. Said Alternate or Secondary Access(s) shall have concurrence and approval of both the Transportation Department and the Riverside County Fire Department.

FLOOD RI DEPARTMENT

50.FLOOD RI. 3 MAP SUBMIT ECS & FINAL MAP INEFFECT

A copy of the environmental constraint sheet and the final map shall be submitted to the District for review and approval. All submittals shall be date stamped by the engineer and include the appropriate plan check fee.

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09:57

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50. PRIOR TO MAP RECORDATION

50.FLOOD RI. 17 MAP ADP FEE

INEFFECT

A notice of drainage fees shall be placed on the environmental constraint sheet and final map. The exact wording of the note shall be as follows:

NOTICE OF DRAINAGE FEES

Notice is hereby given that this property is located in the Murrieta Creek/Murrieta Valley Area Drainage Plan which was adopted by the Board of Supervisors of the County of Riverside pursuant to Section 10.25 of Ordinance 460 and Section 66483, et seq, of the Government Code and that said property is subject to fees for said drainage area.

Notice is further given that, pursuant to Section 10.25 of Ordinance 460, payment of the drainage fees shall be paid to the Riverside County Flood Control and Water Conservation District at the time of issuance of the grading or building permit for said parcels, whichever occurs first, and that the owner of each parcel, at the time of issuance of either the grading or building permit, shall pay the fee required at the rate in effect at the time of issuance of the actual permit.

PARKS DEPARTMENT

50.PARKS. 1 MAP - TRAIL EASEMENT

INEFFECT

Prior to the recordation of the final map the applicant shall offer for dedication an easement for recreational trail purposes. The proposed easement shall be reviewed and approved by the Riverside County Regional Park and Open-Space District prior to dedication and shall be as shown on the Southwest Area Plan.

PLANNING DEPARTMENT

50.PLANNING. 3 MAP - PREPARE A FINAL MAP

INEFFECT

After the approval of the TENTATIVE MAP and prior to the expiration of said map, the land divider shall cause the real property included within the TENTATIVE MAP, or any part thereof, to be surveyed and a FINAL MAP thereof prepared in accordance with the current County Transportation Department - Survey Division requirements, the conditionally approved TENTATIVE MAP, and in accordance with Article IX of County Ordinance No. 460.

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50. PRIOR TO MAP RECORDATION

50.PLANNING. 4 MAP - SURVEYOR CHECK LIST

INEFFECT

The County Transportation Department - Survey Division shall review any FINAL MAP and ensure compliance with the following:

- A. All lots on the FINAL MAP shall be in substantial conformance with the approved TENTATIVE MAP relative to size and configuration.
- B. All lots on the FINAL MAP shall have a minimum lot size of 7200 square feet net.
- C. All lot sizes and dimensions on the FINAL MAP shall be in conformance with the development standards of the R-1 zone, and with the Comprehensive General Plan.
- D. All lots on the FINAL MAP shall comply with the length to width ratios, as established by Section 3.8.C. of County Ordinance No. 460.
- E. All knuckle or cul-de-sac lots shall have a minimum of 35 feet of frontage measured at the front lot line.
- F. The common open space area(s) shall be shown as a numbered lot(s) on the FINAL MAP.

50.PLANNING. 6 MAP - REQUIRED CHANGE OF ZONE

DELETED

The land divider shall file an application for a change of zone with the County Planning Department. No FINAL MAP shall be permitted to record unless and until this change of zone has been approved and adopted by the Board of Supervisors and is effective.

(Deleted at Planning Commission on July 25, 2001)

50.PLANNING. 9 MAP - QUIMBY FEES

INEFFECT

The subdivider shall submit to the County Planning Department - Development Review Division a duly and completely executed agreement with the Riverside Parks and Recreation District which demonstrates to the satisfaction of the County that the land divider has provided for the payment of parks and recreation fees and/or dedication of land for the TENTATIVE MAP in accordance with Section 10.35 of County Ordinance No. 460.

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50. PRIOR TO MAP RECORDATION

50.PLANNING. 12 MAP- OAK TREE ESMNT (1) DELETED

The land divider shall submit a copy of the final draft conservation easement (for the dedication and management by a private or public land conservancy for the purpose of reducing and mitigating impacts to oak trees and all other existing biological resources) to the County Planning Department for review and approval. Upon determination of its substantial conformance with the negotiated, unexecuted draft easement document, and the approved Environmental Constraint Exhibit, the Department shall then record said conservation easement. One copy of the recorded document shall be retained for the Planning Department's records and one copy shall be provided to the County Transportation Department - Survey Division. This condition shall be considered satisfied if Condition No. 60.PLANNING.13 has been complied with.

(Deleted by Planning Commission on July 25, 2001)

50.PLANNING. 13 MAP - CCOC FOR REMNDR PARCEL INEFFECT

Prior to the recordation of the FINAL MAP, the land divider shall file an application for a Conditional Certificate of Land Division Compliance (CCOC) with the County Planning Department for review and approval, for the "Remainder Parcel" or any parcel shown as "NOT A PART", as delineated on the approved TENTATIVE MAP. Any FINAL MAP containing such a parcel shall not be permitted to record until the Planning Department determines that the CCOC will be suitable for recordation within sixty (60) days of the recordation of the FINAL MAP.

50.PLANNING. 15 MAP - FINAL MAP PREPARER INEFFECT

The FINAL MAP shall be prepared by a licensed land surveyor or registered civil engineer.

50.PLANNING. 16 MAP - ECS SHALL BE PREPARED INEFFECT

The land divider shall prepare an Environmental Constraints Sheet (ECS) in accordance with Section 2.2. E. & F. of County Ordinance No. 460, which shall be submitted as part of the plan check review of the FINAL MAP.

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50. PRIOR TO MAP RECORDATION

50.PLANNING. 17 MAP- ECS AFFECTED LOTS INEFFECT

The following note shall be placed on the FINAL MAP:
"Environmental Constraint Sheet affecting this map is on file in the County of Riverside Transportation Department - Survey Division, in E.C.S. Book ____, Page ____.

50.PLANNING. 19 MAP - ECS EXHIBIT INEFFECT

The constrained areas shall conform to the approved Exhibit E, Environmental Constraints Exhibit, and shall be mapped and labeled on the Environmental Constraint Sheet to the satisfaction of the Planning Department.

50.PLANNING. 22 MAP- ECS NOTE ARCHAEOLOGICAL INEFFECT

The following Environmental Constraints note shall be placed on the ECS:

"County Archaeological Report was prepared for this property on February 28, 2001 by Jean Keller and is on file at the County of Riverside Planning Department. The property is [not] subject to surface alteration restrictions based on the results of the report."

50.PLANNING. 23 MAP- ECS NOTE BIOLOGICAL INEFFECT

The following Environmental Constraints note shall be placed on the ECS:

"County Biological Report No. PD-B-1921 was prepared for this property on May 30, 2000 by Principe and Associates and is on file at the County of Riverside Planning Department. "County Biological Report No. PD-B 1922 was prepared for this property on May 30, 2000 by Principe and Associates and is on file at the County of Riverside Planning Department. The property is not subject to biological resources restrictions based on the results of the report."

50.PLANNING. 24 MAP- ECS NOTE PALEONTOLOGIC INEFFECT

The following Environmental Constraints Note shall be placed on the ECS:

County Paleontological Report No. PD-P-____ was prepared for this property on ____ by ____ and is on file at the County of Riverside Planning Department.

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50. PRIOR TO MAP RECORDATION

50.PLANNING. 25 MAP - ECS NOTE MAP CONSTRAINT INEFFECT

The following Environmental Constraints Note shall be placed on the ECS:

"No permits allowing any grading, construction, or surface alterations shall be issued which effect the delineated constraint areas without further investigation and/or mitigation as directed by the County of Riverside Planning Department. This constraint affects lots as shown on the Environmental Constraints Sheet."

50.PLANNING. 31 MAP - FEE BALANCE INEFFECT

Prior to recordation, the Planning Department shall determine if the deposit based fees for the TENTATIVE MAP are in a negative balance. If so, any unpaid fees shall be paid by the land divider and/or the land divider's successor-in-interest.

50.PLANNING. 32 MAP- LOTS MEET R-1 STANDARDS INEFFECT

The final map shall show Lots 2, 3, 4 being redesigned so that the minimum 7, 2000 square footage per lot standard stipulated in the One-Family Dwelling (R-1) zone has been met. The area covered by Lots 1, 2, 3, 4, 5 is large enough to meet the requirement of 7, 2000 square foot per lot. The redesign will be accomplished by moving the property lines of Lots 1, 2, 3, 4, 5 to meet the minimum square foot standard and by reducing the square footage of lots 1 and 5.

50.PLANNING. 33 MAP - ECS NOTE MT PALOMAR LIGH INEFFECT

The following Environmental Constraints Note shall be placed on the ECS:

"This property is subject to lighting restrictions as required by County Ordinance No. 655, which are intended to reduce the effects of night lighting on the Mount Palomar Observatory. All proposed outdoor lighting systems shall be in conformance with County Ordinance No. 655."

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50. PRIOR TO MAP RECORDATION

TRANS DEPARTMENT

50.TRANS. 1 MAP - R & B B D INEFFECT

Prior to the recordation of the final map, or any phase thereof, the project proponent shall pay fees in accordance with Zone A of the SWAP Road and Bridge Benefit District.

Should the project proponent choose to defer the time of payment, a written request shall be submitted to the County, deferring said payment to the time of issuance of a building permit. Fees which are deferred shall be based upon the fee schedule in effect at the time of issuance of the permit.

50.TRANS. 2 MAP - DEDICATIONS INEFFECT

'A' and 'B' Streets shall be improved within the dedicated right-of-way in accordance with County Standard No. 106, Section A. (32'/50')

La Estrella Road shall be improved within the dedicated right-of-way in accordance with County Standard No. 102. (64'/88')

50.TRANS. 4 MAP - IMP PLANS INEFFECT

Improvement plans for the required improvements must be prepared and shall be based upon a design profile extending a minimum of 300 feet beyond the project boundaries at a grade and alignment as approved by the Riverside County Transportation Department. Completion of road improvements does not imply acceptance for maintenance by County.

50.TRANS. 5 MAP - PART-WIDTH INEFFECT

David Lane shall be improved with 32 feet of asphalt concrete pavement within a 45' part-width dedicated right-of-way in accordance with County Standard No. 104, Section A. (20'/30')

50.TRANS. 6 MAP - OFF-SITE INFO INEFFECT

The off-site rights-of-way required for said access road(s) shall be accepted to vest title in the name of the public if not already accepted.

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50. PRIOR TO MAP RECORDATION

50.TRANS. 9 MAP - OFF-SITE ACCESS INEFFECT

The landowner/developer shall provide/acquire sufficient public off-site rights-of-way to provide for two* paved access roads to a paved and maintained road. Said access roads shall be constructed in accordance with County Standard No. 106, Section B (32'/60') at a grade and alignment as approved by the Transportation Department. Should the applicant fail to provide/acquire said off-site right-of-way, the map shall be returned for redesign. The applicant will be required to provide the appropriate environmental clearances for said off-site improvements prior to recordation or the signature of any street improvement plans.

Said off-site access road shall be the southeasterly extension of La Estrella Road to Clinton Keith Road.

Said off-site access road shall be the southerly extension of David Lane to Via Sarah and the southerly extension of Via Sarah to Cornucopia Way and the southerly extension of Cornucopia Way to Clinton Keith Road.

50.TRANS. 11 MAP - EASEMENT INEFFECT

Any easement not owned by a public utility, public entity or subsidiary, not relocated or eliminated prior to final map approval, shall be delineated on the final map in addition to having the name of the easement holder, and the nature of their interests, shown on the map.

50.TRANS. 12 MAP - ACCESS RESTRICTION INEFFECT

Lot access shall be restricted on La Estrella Road and so noted on the final map.

50.TRANS. 13 MAP - STRIPING PLAN INEFFECT

A signing and striping plan is required for this project. The applicant shall be responsible for any additional paving and/or striping removal caused by the striping plan. Traffic signing and striping shall be performed by County forces with all incurred costs borne by the applicant, unless otherwise approved by the County Traffic Engineer.

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50. PRIOR TO MAP RECORDATION

50.TRANS. 14 MAP - STREET NAME SIGN INEFFECT

The land divider shall install street name sign(s) in accordance with County Standard No. 816 as directed by the Transportation Department.

50.TRANS. 17 MAP - LANDSCAPING STD INEFFECT

Any landscaping within public road rights-of-way shall comply with Transportation Department standards and require approval by the Transportation Department and assurance of continuing maintenance through the establishment of a landscape maintenance district/maintenance agreement or similar mechanism as approved by the Transportation Department. Landscape plans shall be submitted on standard County Plan sheet format (24" x 36"). Landscape plans shall be submitted with the street improvement plans and shall depict ONLY such landscaping, irrigation and related facilities as are to be placed within the public road rights-of-way.

50.TRANS. 18 MAP - LANDSCAPING G.P. INEFFECT

The applicant shall comply with the parkway landscaping requirements of Ordinance 499 for all General Plan Circulation Element roads. Landscaping shall be installed along La Estrella Road, and shall be maintained by annexation into a County Service Area and/or Assessment District or enter into a continuous agreement. Landscaping plans shall be submitted with the street improvement plans for approval.

50.TRANS. 19 MAP - ASSESSMENT DIST INEFFECT

Should this project lie within any assessment/benefit district, the applicant shall, prior to recordation, make application for and pay for their reapportionment of the assessments or pay the unit fees in the benefit district unless said fees are deferred to building permit.

50.TRANS. 21 MAP - STREET LIGHT INEFFECT

Install street lights along the streets associated with the development in accordance with the standards of County Ordinances 460 and 461 and County procedures. For specific case requirements, contact the Riverside County Transportation Department, Traffic Project Development Section. The County Service Area (CSA) Administrator

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50. PRIOR TO MAP RECORDATION

50.TRANS. 21 MAP - STREET LIGHT (cont.) INEFFECT

determines whether the development is within an existing assessment district. If not, the landowner shall file an application with LAFCO for annexation into or creation of a County Service Area pursuant to Governmental Code Section 56000. PRIOR TO RECORDATION, the landowner shall receive and provide a Certificate of Completion from LAFCO.

50.TRANS. 22 MAP - SOILS 2 INEFFECT

The developer/owner shall submit a preliminary soils and pavement investigation report addressing the construction requirements within the road right-of-way.

50.TRANS. 23 MAP - INTERSECTION/50' TANGENT INEFFECT

All centerline intersections shall be at 90 degrees, plus or minus 5 degrees, with a minimum 50' tangent, measured from flowline/curbface or as approved by the Transportation Planning and Development Review Division Engineer.

60. PRIOR TO GRADING PRMT ISSUANCE

B&S DEPARTMENT

60.B&S. 1 GP* - TEMPLATE INEFFECT

*** No Text Exists For This Condition ***

BS GRADE DEPARTMENT

60.BS GRADE. 1 MAP-G1.4 NPDES/SWPPP INEFFECT

Prior to issuance of any grading or construction permits - whichever comes first - the applicant shall provide the Building and Safety Department evidence of compliance with the following: EFFECTIVE OCTOBER 1, 1992, OWNER OPERATORS OF CONSTRUCTION PROJECTS ARE REQUIRED TO COMPLY WITH THE N.P.D.E.S.' (National Pollutant Discharge Elimination System) REQUIREMENT TO OBTAIN A CONSTRUCTION PERMIT FROM THE STATE WATER RESOURCE CONTROL BOARD (SWRCB).

THE CONSTRUCTION PERMIT REQUIREMENT APPLIES TO CONSTRUCTION SITES OF FIVE ACRES AND LARGER OR SITES OR LESS THAN FIVE ACRES IF THE CONSTRUCTION ACTIVITY IS PART OF A LARGER COMMON PLAN OF DEVELOPMENT OR SALE. THE OWNER OPERATOR CAN COMPLY BY SUBMITTING A NOTICE OF INTENT (NOI), DEVELOP AND

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60. PRIOR TO GRADING PRMT ISSUANCE

60.BS GRADE. 1 MAP-G1.4 NPDES/SWPPP (cont.) INEFFECT

IMPLEMENT A STORM WATER POLLUTION PREVENTION PLAN (SWPPP), AND A MONITORING PROGRAM AND REPORTING PLAN FOR THE CONSTRUCTION SITE. FOR ADDITIONAL INFORMATION AND TO OBTAIN A COPY OF THE NPDES STATE CONSTRUCTION PERMIT CONTACT THE SWRCB AT (916) 657-1146.

AT THE TIME THE COUNTY ADOPTS, AS PART OF ANY ORDINANCE, REGULATIONS SPECIFIC TO N.P.D.E.S., THIS PROJECT (OR SUBDIVISION) SHALL COMPLY WITH THEM.

60.BS GRADE. 2 MAP-G2.1 GRADING BONDS INEFFECT

Grading in excess of 199 cubic yards will require performance security to be posted with the Building and Safety Department. Single Family Dwelling units graded one lot per permit and proposing to grade less than 5,000 cubic yards are exempt.

60.BS GRADE. 3 MAP-G2.2 IMPORT / EXPORT INEFFECT

In instances where a grading plan involves import or export, prior to obtaining a grading permit, the applicant shall have obtained approval for the import/export location from the Building and Safety Department. Additionally, if either location was not previously approved by an Environmental Assessment, prior to issuing a grading permit a Grading Environmental Assessment shall be submitted to the Planning Director for review and comment and to the Building and Safety Department Director for approval.

60.BS GRADE. 4 MAP-G2.3SLOPE EROS CL PLAN INEFFECT

Erosion control- landscape plans, required for manufactured slopes greater than 3 feet in vertical height, are to be signed by a registered landscape architect and bonded per the requirements of Ordinance 457, see form 284-47.

60.BS GRADE. 5 MAP-G2.4GEOTECH/SOILS RPTS INEFFECT

Geotechnical soils reports, required in order to obtain a grading permit, shall be submitted to the Building and Safety Department's Grading Division for review and approval prior to issuance of a grading permit.

All grading shall be in conformance with the recommendations of the geotechnical/soils reports as

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60. PRIOR TO GRADING PRMT ISSUANCE

60.BS GRADE. 5 MAP-G2.4GEOTECH/SOILS RPTS (cont.) INEFFECT

approved by Riverside County.*

*The geotechnical/soils, compaction and inspection reports will be reviewed in accordance with the RIVERSIDE COUNTY GEOTECHNICAL GUIDELINES FOR REVIEW OF GEOTECHNICAL AND GEOLOGIC REPORTS.

60.BS GRADE. 6 MAP-G2.7DRNAGE DESIGN Q100 INEFFECT

All drainage facilities shall be designed n accordance with the Riverside County Flood Control & Water District's letter regarding this application, or if not specifically addressed in their letter, to accommodate 100 year storm flows.

60.BS GRADE. 9 MAP-G2.14OFFSITE GDG ONUS INEFFECT

Prior to the issuance of a grading permit, it shall be the sole responsibility of the owner/applicant to obtain any and all proposed or required easements and/or permissions necessary to perform the grading herein proposed.

FIRE DEPARTMENT

60.FIRE. 1 MAP-#004 FUEL MODIFICATION INEFFECT

Prior to the issuance of a grading permit, the developer shall prepare and submit to the fire department for approval a fire protection/vegetation management that should include but not limited to the following items:

- a) fuel modification to reduce fire loading
- b) appropriate fire breaks according to fuel load, slope and terrain.
- c) non flammable walls along common boundaries between rear yards and open space.
- d) emergency vehicle access into open space areas shall be provided at intervals not to exceed 1500 feet
- e) a homeowner's association or appropriate district shall be responsible for maintenance of all fire protection measures within open space areas.

NOTE: REFERENCE REMAINDER LOT ADJACENT TO RESIDENTIAL LOTS

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60. PRIOR TO GRADING .PRMT ISSUANCE

FLOOD RI DEPARTMENT

60.FLOOD RI. 9 MAP ADP FEE INEFFECT

Tentative Tract Map 29476 is located within the limits of the Murrieta Creek/Murrieta Valley Area Drainage Plan for which drainage fees have been adopted.

Drainage fees shall be paid to the District at the time of the issuance of grading permits for the approved parcels or at the time of issuance of building permits if no grading permits are issued for the parcels and may be paid, at the option of the land owner, in pro rata amounts. The amount of the drainage fee required to be paid shall be the amount that is in effect for the particular Area Drainage Plan at the time of issuance of the grading permits or issuance of the building permits if grading permits are not issued.

PLANNING DEPARTMENT

60.PLANNING. 3 MAP - SLOPE STABILITY REPORT INEFFECT

The developer shall cause a Slope Stability Report to be submitted to the County Engineering Geologist. This report may be included as a part of a preliminary geotechnical report for the project site. Upon approval, the Geologist shall provide written clearance to the County Department of Building and Safety - Grading Division.

60.PLANNING. 4 MAP - PALEONTOLOGIST REQUIRED INEFFECT

The land divider/permit holder shall retain a qualified paleontologist for consultation and comment on the proposed grading with respect to potential paleontological impacts. The developer shall submit the name, telephone number and address of the retained, qualified paleontologist to the Planning Department and the Department of Building and Safety. The paleontologist shall submit in writing to the Planning Department - Development Review Division the results of the initial consultation, and the paleontologist shall include details of the fossil recovery plan, if recovery was deemed necessary. Should the paleontologist find the potential is high for impact to significant resources, a pre-grade meeting between the paleontologist and the excavation and grading contractor shall be arranged. When necessary, in

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60. PRIOR TO GRADING .PRMT ISSUANCE

60.PLANNING. 4 MAP - PALEONTOLOGIST REQUIRED (cont.) INEFFECT

the professional opinion of the retained paleontologist (and/or as determined by the Planning Director), the paleontologist or representative shall have the authority to monitor actively all project related grading and construction and shall have the authority to temporarily divert, redirect, or halt grading activity to allow recovery of paleontological resources.

60.PLANNING. 5 MAP - FUEL MODIFICATION PLAN INEFFECT

The developer shall submit a Fuel Modification Plan and/or Wildlife Fire Hazard Reduction Plan incorporating native, drought tolerant, and fire resistant plant species to the County Fire Department and the County Planning Department - Development Review Division for review and approval. The plans shall be certified by a landscape architect and coordinated with subdivision landscaping plans and any required biological mitigation measures as necessary.

60.PLANNING. 7 MAP- IDENTIFY SPECIMEN TREES INEFFECT

The land divider/permit holder shall cause grading plans to be prepared for the subject site which identify those existing native trees which are to be preserved, as identified on the TENTATIVE MAP. Those trees not identified for preservation are to be replaced with specimen trees as approved by the Planning Director. Replacement trees and retained trees shall be noted on approved landscaping plans.

60.PLANNING. 9 MAP - HILLSIDE DEV. STANDARDS INEFFECT

The land divider/permit holder shall cause grading plans to be prepared which conform to the Hillside Development Standards: all cut and/or fill slopes, or individual combinations thereof, which exceed ten feet in vertical height shall be modified by an appropriate combination of a special terracing (benching) plan, increase slope ratio (i.e., 3:1), retaining walls, and/or slope planting combined with irrigation.

60.PLANNING. 10 MAP - SLOPE GRADING TECHNIQUES INEFFECT

The land divider/permit holder shall cause grading plans to be prepared which show all cut slopes located adjacent to ungraded natural terrain and exceed ten (10) feet in

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 10 MAP - SLOPE GRADING TECHNIQUES (cont.) INEFFECT

vertical height to be contour-graded incorporating the following grading techniques:

1. The angle of the graded slope shall be gradually adjusted to the angle of the natural terrain.

2. Angular forms shall be discouraged. The graded form shall reflect the natural rounded terrain.

3. The toes and tops of slopes shall be rounded with curves with radii designed in proportion to the total height of the slopes where drainage and stability permit such rounding.

4. Where cut and/or fill slopes exceed 300 feet in horizontal length, the horizontal contours of the slope shall be curved in a continuous, undulating fashion.

60.PLANNING. 13 MAP - OAK TREE PRESERVATION INEFFECT

The following tree preservation guidelines shall be incorporated in the project's approved grading, building, and landscaping plans:

1. No construction activities or placement of structures shall occur within the protected zone of any oak tree or oak woodland, except as provided herein. The protected zone is defined as a circle whose center is within the base of an oak tree, the radius of which is equal to an oak tree's height or ten (10) feet, whichever is greater. Where the outermost edge of an oak tree's drip line (the outermost edge of a tree's canopy) extends beyond this radius, that portion of the drip line shall also be included as part of that tree's protected zone. Protected zones do not apply to dead or dying oak trees, unless the tree's condition appears to be the result of human activity that indicates an intent to kill the tree.

2. Landscaping, trenching, or irrigation systems shall not be installed within the existing protected zone of any oak tree or oak woodlands, unless recommended by a qualified biologist.

3. Land uses that would cause excessive soil compaction within the protected zone of any individual oak tree shall be avoided. No recreational trails are

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 13 MAP - OAK TREE PRESERVATION (cont.) INEFFECT

permitted within the drip line of any individual oak tree.

4. Manufactured cut slopes shall not begin their downward cut within the protected zone of any individual oak tree, except as provided in these guidelines.

5. Manufactured fill slopes shall not extend within the protected zone, except as provided in these guidelines.

6. On-site retaining walls, if required, shall be designed to protect the root system of any individual oak tree by preserving the natural grade within the protected zone.

7. Redirection of surface runoff which results in increased soil moisture for an extended period of time within the drip line area of any individual oak tree shall be avoided. If unavoidable, a drainage system shall be designed to maintain the previous amount of soil moisture.

8. Sedimentation and siltation shall be controlled to avoid filling around the base of oak trees.

9. Redirection of surface runoff which results in decreased soil moisture for an extended period of time within the drip line area shall be avoided. If unavoidable, an irrigation system shall be designed to maintain the previous amount of soil moisture.

10. A construction zone at the interface with a protected zone shall be clearly delineated on the site in order to avoid impacts from construction operations and also to prevent the storage or parking of equipment outside the construction zone.

11. Dead or dying oak trees are necessary for the excavation of nest cavities by woodpeckers. Twelve species of birds use nest cavities. It is important to the health of the habitat to retain dead and dying oak trees that are not a hazard to humans. Such oak trees shall be retained in place unless determined to pose a health or safety hazard in which case they shall be discarded at an approved on-site location identified by the consulting biologist for habitat enhancement.

12. On-site to on-site, or on-site to off-site

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 13 MAP - OAK TREE PRESERVATION (cont.) (cont.) INEFFECT

relocation of oak trees will not constitute mitigation and is considered the same as removal for the purposes of these guidelines.

13. Replacement of oak trees with plantings of saplings or acorns is not required by these guidelines; however, replacement plantings may be used in addition to these guidelines when they are required by another agency or when it is determined to be biologically sound and appropriate to do so.

60.PLANNING. 15 MAP - SECTION 1601/1603 PERMIT INEFFECT

Should any grading or construction be proposed within or along the banks of any natural watercourse or wetland located either on-site or on any required off-site improvement areas, the land divider/permit holder shall provide written notification to the County Planning Department that the appropriate California Department of Fish and Game notification pursuant to Sections 1601/1603 of the California Fish and Game Code has taken place. Or, the land divider shall obtain an "Agreement Regarding Proposed Stream or Lake Alteration" (Section 1601/1603 Permit). Copies of any agreement shall be submitted with the notification.

60.PLANNING. 16 MAP - SECTION 404 PERMIT INEFFECT

Should any grading or construction be proposed within or alongside the banks of the watercourse or wetland, the land divider/permit holder shall provide written notification to the County Planning Department that the alteration of any watercourse or wetland, located either on-site or on any required off-site improvement areas, complies with the U.S. Army Corp of Engineers Nationwide Permit Conditions. Or, the land divider shall obtain a permit under Section 404 of the Clean Water Act. Copies of any agreements shall be submitted along with the notification.

60.PLANNING. 18 MAP- OAK TREE EASMNT (2) INEFFECT

The land divider/permit holder shall submit a copy of the final draft conservation easement (for the dedication and management by a private or public land conservancy for the purposes of reducing and mitigating impacts to oak trees and all other existing biological resources) to the County

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60. PRIOR TO GRADING .PRMT ISSUANCE

60.PLANNING. 18 MAP- OAK TREE EASMNT (2) (cont.)

INEFFECT

Planning Department - Development Review Division for review and approval. Upon determination of its substantial conformance with the negotiated, unexecuted draft document, the Department shall then record said conservation easement. One copy of the recorded document shall be retained for Planning Department records and one copy shall be provided to the County Transportation Department - Survey Division. This condition shall be considered satisfied if Condition No. 50.PLANNING. 12 has been complied with.

60.PLANNING. 19 MAP- SKR FEE CONDITION

INEFFECT

Prior to the issuance of a grading permit, the land divider/permit holder shall comply with the provisions of Riverside County Ordinance No. 663, which generally requires the payment of the appropriate fee set forth in that ordinance. The amount of the fee required to be paid may vary depending upon a variety of factors, including the type of development application submitted and the applicability of any fee reduction or exemption provisions contained in Riverside County Ordinance No. 663. Said fee shall be calculated on the approved development project which is anticipated to be 8.82 gross acres in accordance with the TENTATIVE MAP. If the development is subsequently revised, this acreage amount may be modified in order to reflect the revised development project acreage amount. In the event Riverside County Ordinance No. 663 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 663 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

60.PLANNING. 20 MAP - FEE BALANCE

INEFFECT

Prior to issuance of grading permits, the Planning Department shall determine if the deposit based fees are in a negative balance. If so, any outstanding fees shall be paid by the applicant/developer.

60.PLANNING. 21 MAP- GRADING & BRUSHING AREA

INEFFECT

The land divider/permit holder shall cause grading plans to be prepared which restricts grading and brushing to public or private access roads, driveways, pad sites, leach

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 21 MAP- GRADING & BRUSHING AREA (cont.) INEFFECT

fields, existing agricultural areas, and fuel modification zones, as identified on the TENTATIVE MAP.

80. PRIOR TO BLDG PRMT ISSUANCE

BS GRADE DEPARTMENT

80.BS GRADE. 1 MAP-G3.1NO B/PMT W/O G/PMT INEFFECT

Prior to issuance of any building permit, the property owner shall obtain a grading permit and/or approval to construct from the Grading Divisin of the Building and Safety Department.

FIRE DEPARTMENT

80.FIRE. 1 MAP-#50A-TRACT FIRE HYDRANT INEFFECT

Prior to the release of your installation, site prep and/or building permits from Building and Safety, the fire hydrant system must be installed per the Environmental Contrait Sheet Map that was filed with the Riverside County Surveyor's Office. Verification of the fire hydrant installation will need to be given to the Riverside County Fire Department. Contact the fire department for verification guidelines.

FLOOD RI DEPARTMENT

80.FLOOD RI. 3 MAP ADP FEE INEFFECT

Tentative Tract Map 29476 is located within the limits of the Murrieta Creek/Murrieta Valley Area Drainage Plan for which drainage fees have been adopted.

Drainage fees shall be paid to the District at the time of the issuance of grading permits for the approved parcels or at the time of issuance of building permits if no grading permits are issued for the parcels and may be paid, at the option of the land owner, in pro rata amounts. The amount of the drainage fee required to be paid shall be the amount that is in effect for the particular Area Drainage Plan at the time of issuance of the grading permits or issuance of the building permits if grading permits are not issued.

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80. PRIOR TO BLDG PRMT ISSUANCE

PLANNING DEPARTMENT

80.PLANNING. 2 MAP - ROOF MOUNTED EQUIPMENT INEFFECT

Roof-mounted mechanical equipment shall not be permitted within the subdivision, however, solar equipment or any other energy saving devices shall be permitted with County Planning Department approval.

80.PLANNING. 4 MAP - SIDE YARD SETBACKS INEFFECT

All street side yard setbacks shall be a minimum of ten (10) feet.

80.PLANNING. 5 MAP - FRONT YARD LANDSCAPING INEFFECT

All front yards shall be provided with landscaping and automatic irrigation, as defined by County Ordinance No. 348.

80.PLANNING. 6 MAP - UNDERGROUND UTILITIES INEFFECT

All utility extensions within a lot shall be placed underground.

80.PLANNING. 8 MAP - NO CROSS LOT DRAINAGE INEFFECT

Lots shall be graded to drain to the street with no cross lot drainage permitted. Drainage shall be indicated on the Final Plan of Development.

80.PLANNING. 21 MAP - SCHOOL MITIGATION INEFFECT

Impacts to the Elsinore Valley Unified School District will be mitigated in accordance with California State law.

80.PLANNING. 22 MAP - SUBMIT BUILDING PLANS INEFFECT

The land divider/permit holder shall cause building plans to be submitted to the TLMA - Land Use Division for review by the County Department of Building and Safety - Plan Check Division. Said plans shall be in conformance with the TENTATIVE MAP.

80.PLANNING. 23 MAP - FEE BALANCE INEFFECT

Prior to issuance of building permits, the Planning Department shall determine if the deposit based fees are

TRACT MAP Tract #: TR29476

Parcel: 362-180-006

80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 23. MAP - FEE BALANCE (cont.) INEFFECT

in a negative balance. If so, any outstanding fees shall be paid by the applicant/developer.

80.PLANNING. 25 MAP - ACOUSTICAL STUDY INEFFECT

The land divider/permit holder shall cause an acoustical study to be performed by an acoustical engineer to establish appropriate mitigation measures that shall be applied to individual dwelling units within the subdivision to reduce the first and second story ambient interior and exterior levels to 45 Ldn and 65 Ldn, respectively. The study shall be submitted, along with the appropriate fee, to the County Environmental Health Department - Industrial Hygiene Division for review and approval. The approved mitigation measures, if any, shall be forwarded from the Environmental Health Department to the County Department of Building and Safety and the County Planning Department for implementation into the final building plans.

TRANS DEPARTMENT

80.TRANS. 1 MAP - GARAGE DOORS INEFFECT

Garage door setbacks for all residential zones shall be 24 feet for a conventional door or 20 feet for a roll-up door, measured from the back of the sidewalk to the face of garage door or the face of the curb if no sidewalk is required, or 20 feet from the street right-of-way, whichever setback is greater.

90. PRIOR TO BLDG FINAL INSPECTION

BS GRADE DEPARTMENT

90.BS GRADE. 1 MAP-G4.1E-CL 4:1 OR STEEPER INEFFECT

Plant and irrigate all manufactured slopes steeper than a 4:1 (horizontal to vertical) ratio and 3 feet or greater in vertical height with grass or ground cover; slopes 15 feet or greater in vertical height shall be planted with additional shrubs or trees as approved by the Building & Safety Department's Erosion Control Specialist.

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90. PRIOR TO BLDG FINAL INSPECTION

90.BS GRADE. 2 MAP-G4.2 1/2"/FT/3FT MIN INEFFECT

Finish grade shall be sloped to provide proper drainage away from all exterior foundation walls. The slope shall be not less than one-half inch per foot for a distance of not less than 3 feet from any point of exterior foundation. Drainage swales shall not be less than 1 1/2 inches deeper than the adjacent finish grade at the foundation.

PLANNING DEPARTMENT

90.PLANNING. 1 MAP- BLOCK WALL ANTIGRAFFITI INEFFECT

The land divider/permit holder shall construct a six (6) high decorative block wall as indicated on EXHIBIT "W." The required wall shall be subject to the approval of the County Department of Building and Safety. An anti-graffiti coating shall be provided on all block walls, and written verification from the developer shall be provided to both the TLMA - Land Use Division, and the Development Review Division.

90.PLANNING. 5 MAP - LANDSCAPING COMPLIANCE INEFFECT

The land divider/permit holder's landscape architect or the party responsible for preparing the landscape and irrigation plans shall provide a Compliance Letter to the County Planning Department and the County Department of Building and Safety stating that the landscap and irrigation system has been installed in compliance with the approved landscaping and irrigation plans.

90.PLANNING. 7 MAP - CONCRETE DRIVEWAYS INEFFECT

The land divider/permit holder shall cause all driveways to be constructed of cement concrete.

90.PLANNING. 8 MAP - FENCING COMPLIANCE INEFFECT

Fencing shall be provided throughout the subdivision in accordance with the approved final site development plans.

90.PLANNING. 13 MAP- SKR FEE CONDITION INEFFECT

Prior to the issuance of a certificate of occupancy, or upon building permit final inspection, whichever comes first, the land divider/permit holder shall comply with the provisions of Riverside County Ordinance No. 663, which

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90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 13 MAP- SKR FEE CONDITION (cont.) INEFFECT

generally requires the payment of the appropriate fee set forth in that ordinance. The amount of the fee required to be paid may vary, depending upon a variety of factors, including the type of development application submitted and the applicability of any fee reduction or exemption provisions contained in Riverside County Ordinance No. 663. Said fee shall be calculated on the approved development project which is anticipated to be 8.82 acres (gross) in accordance with TENTATIVE MAP. If the development is subsequently revised, this acreage amount may be modified in order to reflect the revised development project acreage amount. In the event Riverside County Ordinance No. 663 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 663 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

90.PLANNING. 14 MAP - FENCE TREATMENT INEFFECT

All wood fencing shall be treated with heavy oil stain to match the natural shade to prevent bleaching from irrigation spray.

TRANS DEPARTMENT

90.TRANS. 1 MAP - 80% COMPLETION INEFFECT

Occupancy releases will not be issued to Building and Safety for any lot exceeding 80% of the total recorded residential lots within any map or phase of map prior to completion of the following improvements:

- a) Primary and Alternate (secondary) access roads shall be completed and paved to finish grade according to the limits indicated in the improvement plans and as noted elsewhere in these conditions.
- b) Interior roads shall be completed and paved to finish grade according to the limits indicated in the improvement plans and as noted elsewhere in these conditions. All curbs, gutters, sidewalks and driveway approaches shall be installed.

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90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 1 MAP - 80% COMPLETION (cont.) INEFFECT

- c) Storm drains and flood control facilities shall be completed according to the improvement plans and as noted elsewhere in these conditions. Written confirmation of acceptance for use by the Flood Control District, if applicable, is required.
- d) Water system, including fire hydrants, shall be installed and operational, according to the improvement plans and as noted elsewhere in these conditions. All water valves shall be raised to pavement finished grade. Written confirmation of acceptance from water purveyor is required.
- e) Sewer system shall be installed and operational, according to the improvement plans and as noted elsewhere in these conditions. All sewer manholes shall be raised to pavement finished grade. Written confirmation of acceptance from sewer purveyor is required.

90.TRANS. 2 MAP - TS MIT FEE/RESI-D.U. INEFFECT

In accordance with Riverside County Ordinance No. 748, this project shall be responsible for Signal Mitigation Program fees in effect at the time of final inspection.

Said fee shall be based upon the following criteria:

Residential Single Family/per dwelling unit

ATTACHMENT B
(Vicinity Map)



ATTACHMENT C

(Full Size Tentative Tract Map No. 29476 - Under Separate Cover)

ATTACHMENT B

(Vicinity Map)



ATTACHMENT C

(Full Size Tentative Tract Map No. 29476 - Under Separate Cover)

CITY OF WILDOMAR – PLANNING COMMISSION

Agenda Item # 2.2

PUBLIC HEARING

Meeting Date: January 16, 2013

TO: Chairman and Members of the Planning Commission

FROM: Matthew C. Bassi, Planning Director 
Jeff Beiswenger, Senior Project Manager, PMC

SUBJECT: Zoning Ordinance Amendment No. 13-01:
Planning Commission consideration of an amendment to the Wildomar Zoning Ordinance amending Chapter 17.252 (Sign Regulations) related to electronic message signs for individual businesses, private schools and non-profit service club organizations.

RECOMMENDATION

Staff recommends the Planning Commission adopt PC Resolution No. 13-02 (Attachment A) entitled:

“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA RECOMMENDING CITY COUNCIL ADOPTION OF AN EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER SECTION 15061(B)(3) OF CEQA AND APPROVAL OF ZONING ORDINANCE AMENDMENT NO. 13-01 AMENDING CHAPTER 17.252 (SIGN REGULATIONS) RELATED TO ELECTRONIC MESSAGE SIGNS FOR INDIVIDUAL BUSINESSES, PRIVATE SCHOOLS AND NON-PROFIT SERVICE CLUB ORGANIZATIONS.”

BACKGROUND

At its June 13, 2012 meeting, the City Council approved a budget and directed the Planning Department's request to prepare a zoning ordinance amendment that would allow electronic message signs for individual businesses, private schools and non-profit service club organizations. The amendment was to be narrow in focus but adequate to accommodate the needs of individual business, private schools and non-profit service club organizations. The existing sign regulations do not include provisions that would allow for electronic message signs to be installed or control the brightness and other external impacts if they are installed. The proposed sign ordinance amendment on tonight's agenda reflects the Council's direction. The specific details and provisions of the amendment are outlined in Exhibit 1 of Attachment A of this report.

DISCUSSION

Several recent innovations to sign technology have taken place, such as the expanded use of LED's, to make electronic signs more cost effective and readily available. These new lighting, electrical, and mechanical technologies create the necessity to update the City's sign

regulations to adapt to the new technologies. The following are a few of the new sign types that would be allowed as part of the proposed amendment. Definitions for all of these sign types are included in the amendment.

- Permitted electronic message signs.
Electronic signs are comprised of liquid crystal diodes (LCD) or other types of digital illumination. These display text messages and/or images. This sign type is proposed to be used only as a freestanding business identification "monument style" sign. The new provisions would allow two types of electronic message signs:
 1. Electronic changeable copy signs. These are signs that only display electronic static text information.
 2. Electronic graphic display signs. This sign type displays electronic, static images, static graphics or static pictures, with or without text information.
- Prohibited sign types.
The new code language would prohibit certain types of electronic or mechanical signs that have moving parts, flashing lights, moving images or video that could be distracting. These include:
 1. Multi-vision sign. This mechanical sign is composed of a series of vertical or horizontal slats or cylinder that produce different images when the slats or cylinders are rotated.
 2. Video display sign. This sign type is prohibited since it changes its message frequently, flashes light and/or has motion imagery.
- Exempt signs. Small time and temperature signs are exempt from the regulations.

The proposed sign ordinance amendment will also contain specific development standards to ensure that a distracting and potentially unsafe visual environment is not created. The permitted types of electronic message signs would require a Minor Plot Plan approval (prior to the issuance of any building and electrical permits) and are only allowed within commercial zoning districts (C-1/C-P and CPS zones) for individual businesses on a single parcel of land, and within any zone for private schools and non-profit service organizations. The following limits are proposed for electronic message components:

- A maximum of one electronic message sign allowed per street frontage.
- An electronic message sign is limited to a maximum sign area of 50 square feet per face (single or double-faced sign).
- No more than 50% of the total sign area can be allocated to the electronic display portion of the sign.
- Electronic message signs are limited to a maximum height of 15 feet.
- The electronic message sign is required to be at least 100 feet from a residential zone.

The proposed sign regulations will also apply a curfew or “dark period” to ensure that signs do not remain illuminated overnight. This has been proposed as a means to comply with the existing and proposed Light Pollution Ordinance amendment that will be reviewed by the City Council in February 2013. As written, all electronic signs would need to be turned-off at 10:00 P.M. Brightness, particularly at night is also a key consideration that is addressed by this amendment update.

For example, signs would need to be dimmed to 200 NIT's at night and are limited to 5,000 NIT during the day. Increases are permitted up to 7,000 NIT's in cases where direct sunlight (e.g. during sunset hours) may conflict with the visibility of the signs, since it could be washed out by direct glare from sunlight that shines at a low angle. Light intensities of electronic signs are measured in terms of NIT's. A NIT describes a metric unit of luminance and is defined as candela per square meter (cd/m²). The unit is based on the candela, the modern metric unit of luminous intensity. This quantifies surface brightness, or the amount of light an object gives off. To ensure that the amount of NIT's is less after sundown a dimmer control is required to change to the lower nighttime brightness setting.

Staff believes that the proposed sign ordinance amendment is consistent with the direction provided by City Council that would allow for electronic message signs for individual businesses and private schools/non-profit service club organizations. In addition, staff believes that the proposed standards will allow adequate signage that meets new technologies without negatively impacting surrounding businesses or impacting the “dark sky” provisions of the current and/or proposed Light Pollution ordinance.

ENVIRONMENTAL ASSESSMENT

A review of the potential environmental impacts was conducted for Zoning Ordinance Amendment No. 13-01. Based on this review, the Planning Department has determined that the adoption of the proposed amendment (which provides for only text changes) related to electronic message signs for individual businesses, private schools and non-profit service club organizations has no potential to impact the environment. Further, California Environmental Quality Act (CEQA) Guideline 15311 provides that the construction or replacement of on-premise signs are Categorically Exempt from CEQA review. Therefore, Zoning Ordinance Amendment No. 13-01 meets the criteria to be exempt from CEQA pursuant to Section 15061(b)(3) which states “that if an activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.” Staff is recommending that the Planning Commission recommend City Council adoption of this CEQA Exemption for Zoning Ordinance Amendment No. 13-01.

REQUIRED ZOA FINDINGS

In accordance with the provisions of the Wildomar Zoning Ordinance, the following finding is offered for Planning Commission consideration in recommending approval of Zoning Ordinance Amendment No. 13-01 to the City Council.

- A. The proposed amendment is consistent with the City of Wildomar General Plan and Zoning Ordinance.

The proposed amendment is consistent with the City of Wildomar General Plan and Zoning Ordinance in that the proposed amendment to allow electronic message signs for individual businesses, will provide for enhanced business identification for individual commercial businesses that can increase economic opportunities. The amendment will also allow private schools and non-profit service club organizations enhanced identification and the opportunity to advertise community events that can benefit the citizens of Wildomar. Further, the proposed provisions/regulations in the amendment will ensure that electronic message signs will be constructed and used in a manner that will maintain safety and aesthetics.

Respectfully Submitted,



Matthew C. Bassi
Planning Director

ATTACHMENTS:

- A. PC Resolution No. 13-02
Exhibit 1 – Draft City Council Ordinance

ATTACHMENT A

PC Resolution No. 13-02

PC RESOLUTION NO. 13-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA RECOMMENDING CITY COUNCIL ADOPTION OF AN EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER SECTION 15061(B)(3) OF CEQA AND APPROVAL OF ZONING ORDINANCE AMENDMENT NO. 13-01 AMENDING CHAPTER 17.252 (SIGN REGULATIONS) RELATED TO ELECTRONIC MESSAGE SIGNS FOR INDIVIDUAL BUSINESSES, PRIVATE SCHOOLS AND NON-PROFIT SERVICE CLUB ORGANIZATIONS.

WHEREAS, the City of Wildomar Planning Commission has the authority in accordance with the provisions of the Wildomar Zoning Ordinance to take action on the proposed Zoning Ordinance Amendment No. 13-01; and

WHEREAS, the Planning Commission desires to protect and preserve the visual quality of residential and commercial areas of the City and to avoid unnecessary distractions to motorists from brightly lit electronic signs; and

WHEREAS, the Planning Commission understands there is a business and community need to allow for modern signage techniques, including, but not limited to, LED type business identification signs; and

WHEREAS, on January 5, 2013, the City published a legal notice in "The Californian," a newspaper local circulation, notifying the public of the holding of a public hearing for Zoning Ordinance Amendment No. 13-01 that would be considered by the City of Wildomar Planning Commission; and

WHEREAS, on January 16, 2013, the City of Wildomar Planning Commission held a noticed public hearing at which time interested persons had an opportunity to testify in support of, or opposition to, Zoning Ordinance Amendment No. 13-01, and at which time the Planning Commission recommended City Council approval of Zoning Ordinance Amendment No. 13-01.

NOW THEREFORE, the Planning Commission of the City of Wildomar, California does hereby resolve, determine and order as follows:

SECTION 1. ENVIRONMENTAL DETERMINATION.

A review of the potential environmental impacts was conducted for Zoning Ordinance Amendment No. 13-01. Based on this review, the Planning Department has determined that the adoption of the proposed amendment (which provides for only text changes) related to electronic message signs for individual businesses, private schools and non-profit service club organizations has no potential to impact the environment. Further, California Environmental Quality Act (CEQA) Guideline 15311 provides that the construction or replacement of on-premise signs are Categorically Exempt from CEQA review. Therefore, Zoning Ordinance Amendment No. 13-01 meets the criteria to be exempt from CEQA pursuant to Section 15061(b)(3) which states "that if an activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." Staff is

recommending that the Planning Commission recommend City Council adoption of this CEQA Exemption for Zoning Ordinance Amendment No. 13-01.

SECTION 2. REQUIRED ZOA FINDINGS.

In accordance with the provisions of the Wildomar Zoning Ordinance, the following finding is offered for Planning Commission consideration in recommending approval of Zoning Ordinance Amendment No. 13-01 to the City Council.

- A. The proposed amendment is consistent with the City of Wildomar General Plan and Zoning Ordinance.

The proposed amendment is consistent with the City of Wildomar General Plan and Zoning Ordinance in that the proposed amendment to allow electronic message signs for individual businesses, will provide for enhanced business identification for individual commercial businesses that can increase economic opportunities. The amendment will also allow private schools and non-profit service club organizations enhanced business identification and the opportunity to advertise community events that can benefit the citizens of Wildomar. Further, the proposed provisions/regulations in the amendment will ensure that electronic message signs will be constructed and used in a manner that will maintain safety and aesthetics.

SECTION 3. PLANNING COMMISSION ACTIONS.

The Planning Commission hereby adopts Resolution No. 13-02 recommending the City Council take the following actions:

1. Notice of Exemption. That the City Council make a determination that Zoning Ordinance Amendment No. 13-01 is exempt from environmental review in accordance with Section 15061(b)(3) of the CEQA Guidelines and direct the Planning Director to file a Notice of Exemption with the Riverside County Clerk; and
2. Adopt an Ordinance. That the City Council adopt an Ordinance, attached hereto and incorporated herein by reference as Exhibit 1, approving Zoning Ordinance Amendment No. 13-01.

PASSED, APPROVED AND ADOPTED this 16th day of January, 2013 by the following vote:

AYES.

NOES:

ABSENT:

ABSTAINED:

Stan Smith
Planning Commission Chairman

ATTEST:

Matthew C. Bassi
Planning Director/Minutes Secretary

APPROVED AS TO FORM:

Thomas Jex, City Attorney

EXHIBIT 1

Draft City Council Ordinance

ORDINANCE NO. ____

A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA ADOPTION OF AN EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER SECTION 15061(B)(3) OF CEQA AND APPROVAL OF ZONING ORDINANCE AMENDMENT NO. 13-01 AMENDING CHAPTER 17.252 (SIGN REGULATIONS) RELATED TO ELECTRONIC MESSAGE SIGNS FOR INDIVIDUAL BUSINESSES, PRIVATE SCHOOLS AND NON-PROFIT SERVICE CLUB ORGANIZATIONS.

THE WILDOMAR CITY COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1: Environmental Determination.

A review of the potential environmental impacts was conducted for Zoning Ordinance Amendment No. 13-01. Based on this review, the Planning Department has determined that the adoption of the proposed amendment (which provides for only text changes) related to electronic message signs for individual businesses, private schools and non-profit service club organizations has no potential to impact the environment. Further, California Environmental Quality Act (CEQA) Guideline 15311 provides that the construction or replacement of on-premise signs are Categorical Exempt from CEQA review. Therefore, Zoning Ordinance Amendment No. 13-01 meets the criteria to be exempt from CEQA pursuant to Section 15061(b)(3) which states "that if an activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." Staff is recommending that the Planning Commission recommend City Council adoption of this CEQA Exemption for Zoning Ordinance Amendment No. 13-01.

SECTION 2. Required Zoning Ordinance Amendment Findings.

In accordance with the provisions of the Wildomar Zoning Ordinance, the following finding is offered for Planning Commission consideration in recommending approval of Zoning Ordinance Amendment No. 13-01 to the City Council.

- A. The proposed amendment is consistent with the City of Wildomar General Plan and Zoning Ordinance.

The proposed amendment is consistent with the City of Wildomar General Plan and Zoning Ordinance in that the proposed amendment to allow electronic message signs for individual businesses, will provide for enhanced business identification for individual commercial businesses that can increase economic opportunities. The amendment will also allow private schools and non-profit service club organizations enhanced identification and the opportunity to advertise community events that can benefit the citizens of Wildomar. Further, the proposed provisions/regulations in the amendment will ensure that electronic message signs will be constructed and used in a manner that will maintain safety and aesthetics.

SECTION 3: Amendment to the Zoning Ordinance

Section 17.252.020 (Definitions) of the City of Wildomar Zoning Ordinance is hereby amended to add the following definitions as follows:

Changeable Copy Sign, Electronic. A sign, or portion thereof that displays electronic, static text information, defined by a small number of matrix elements using different combination of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or dissolve modes. Electronic changeable copy signs include computer programmable, micro processor controlled electronic or digital displays.

Electronic Graphic Display Sign. A sign or portion thereof that displays electronic, static images, static graphics or static pictures, with or without text information, defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or dissolve modes. Electronic graphic display signs include computer programmable, microprocessor controlled electronic or digital displays.

Electronic Message Sign. An electronic sign, typically comprising a liquid crystal diode (LCD), light emitting diode (LED), plasma, or other digital illuminated sign that displays one or more messages. An electronic message sign is different from an illuminated sign in that the illumination of the display creates the message, rather than illumination illuminating the message.

Multi-vision Sign. A sign composed in whole or in part of a series of vertical or horizontal slats or cylinder that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image and when properly functioning allows on a single sign structure the display at any given time one or two or more images.

Time/Temperature Sign. An electronic or mechanical device that shows time and/or temperature but contains no business identification or advertising.

Video Display Sign. A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression or frames which give the illusion of motion, including but not limited to the illusion of moving objects, moving patterns or bands or light, or expanding or contracting shapes, not including electronic changeable copy signs.

SECTION 4: Amendment to the Zoning Ordinance

Section 17.252.040.E (On-Site Signage Along Scenic Corridors Designated Within the Eastern Coachella Valley and Western Coachella Valley Community Plans) is hereby deleted in its entirety.

SECTION 5: Amendment to the Zoning Ordinance

17.252.040.E, a new section, is hereby added to Section 17.252.040 (On-Site Advertising Structures and Signs) to read as follows:

E. Electronic Message Sign Regulations.

1. Intent. It is the intent of this section to establish regulations for electronic message signs to ensure that they are generally consistent with other signage types located

on the parcel and do not create a distracting and potentially unsafe visual environment.

2. Permitted Electronic Message Signs. Electronic Changeable Copy Signs and Electronic Graphic Display Signs may be permitted in the following situations subject to the approval of a Minor Plot Plan by the Planning Director prior to the issuance of any building or electrical permit:
 - a. Within the C-1/C-P and CPS zones as a freestanding sign for individual businesses on a single parcel of land.
 - b. In any zone as a freestanding sign for a private school or non-profit service club organizations located on a single parcel of land.
3. Prohibited Electronic Message Signs. Multi-vision Signs and Video Display Signs are prohibited within all Wildomar zoning districts.
4. Exempt Electronic Message Signs. Time and temperature displays that are smaller than 12 square feet in sign area are exempt from the requirements of this Section 17.252.040(E).
5. Development Standards. The following standards shall apply to all Electronic Message Signs permitted under Section 17.252.040(E)(2).
 - a. A maximum of one (1) electronic message sign is allowed per street frontage and can only be included as part of a freestanding commercial sign.
 - b. An electronic message sign is limited to a maximum sign area of 50 square feet per face. Electronic message signs may be single or double faced.
 - c. No more than 50% of the total sign area can be allocated to the electronic message portion of the sign.
 - d. Freestanding commercial signs which include an electronic message signs are limited to a maximum height of 15 feet.
 - e. The electronic message sign must be an on-site sign.
 - f. When proposed, a monument base for the proposed electronic message sign shall be constructed of materials that are consistent with the materials of the building for the business. The monument base shall be included in the total sign height.
 - g. The electronic message sign shall be located no closer than 100 feet from an abutting residential zone district boundary, and shall not produce any glare into an adjacent residence.
 - h. Audio speakers are prohibited.
 - i. The Additional Standards for Electronic Message Signs set forth in the table below shall apply. With respect to the dark periods, the subject sign must be

turned off at the times listed in the table or when the business activities cease on the property, whichever is later.

**Table 17.252.040.E-1
Additional Standards for Electronic Message Signs**

Sign Type	Description	Text Limit	Minimum Duration	Brightness (NITs¹) Day/Night²	Dark Period (off / on)
Electronic Changeable Copy	Text only – no picture or movement (e.g. no scrolling)	15 words	10 seconds	5,000 ³ / 200	10 P.M. to 6 A.M.
Electronic Graphic Display	Images and text (scrolling of text permitted)	No limit	20 seconds	5,000 ³ / 200	10 P.M. to 6 A.M.

1. NIT is a term used to describe a metric unit of luminance. It is defined as candela per square meter (cd/m²). The unit is based on the candela, the modern metric unit of luminous intensity. This quantifies surface brightness, or the amount of light an object gives off.
2. Dimmer control required to change to the lower nighttime brightness setting upon sunset. A change to the higher brightness setting is not permitted until after sunrise.
3. As part of the minor plot plan process, the Planning Director may approve an increase in sign brightness up to a maximum of 7,500 NITs during periods of low sun (e.g., sunset) to allow sign text and graphics to be clearly seen when affected by direct sunlight.

SECTION 6. Effective Date of the Ordinance.

This Ordinance shall take effect and be in full force and operation thirty (30) days after its second reading and adoption.

SECTION 7. Severability.

If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 8. City Clerk Action

The City Clerk is authorized and directed to cause this Ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation and circulated within the City in accordance with Government Code Section 36933(a) or, to cause this Ordinance to be published in the manner required by law using the alternative summary and pasting procedure authorized under Government Code Section 39633(c).

ENACTED AND ADOPTED this ____ day of _____, 2013.

Tim Walker
Mayor

APPROVED AS TO FORM:

ATTEST:

Thomas D. Jex
City Attorney

Debbie A. Lee, CMC
City Clerk

State of California)
County of Riverside)
City of Wildomar)

I, Debbie A. Lee, City Clerk of the City of Wildomar, do hereby certify that the foregoing Ordinance was introduced and first read on the ____ day of _____, 2013, and had its second reading at the regular meeting of the Wildomar City Council on the ____ day of _____, 2013, and was passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Debbie A. Lee, City Clerk

3.0 GENERAL BUSINESS ITEMS

CITY OF WILDOMAR – PLANNING COMMISSION
Agenda Item # 3.1
GENERAL BUSINESS
Meeting Date: January 16, 2013

TO: Chairman and Members of the Planning Commission

FROM: Matthew C. Bassi, Planning Director 

SUBJECT: **Election of Officers for Calendar Year 2013:**

Action by the Planning Commission to elect a new Chairperson and Vice-Chairperson for the 2013 calendar year.

RECOMMENDATION:

The Planning Department recommends the Planning Commission elect a new Chairperson and Vice-Chairperson in accordance with Section 2 of the Planning Commission bylaws.

DISCUSSION:

In accordance with Section 2 of the Commission bylaws, election of a new Chairperson and Vice-Chairperson shall occur at the first regular meeting of the Planning Commission in December of each year. As the Commission meeting of December 5, 2012 was cancelled, the Planning Department is now requesting the Commission move forward with this action at tonight's meeting. The Chair and Vice-Chair can serve more than one term and there is no right of succession, nor a minimum time of service as a Planning Commissioner.

It is recommended that Chairperson Stan Smith take the lead on this action by first requesting a nomination for the new Chairperson and then taking a vote of the Commissioners. Second, by requesting a nomination for the new Vice-Chairperson and then taking a vote of the Commissioners.

The new Chairperson and Vice-Chairperson will then reside at the next regularly scheduled Planning Commission meeting scheduled for February 6, 2013.

Submitted by:



Matthew C. Bassi
Planning Director