



# **CITY OF WILDOMAR PLANNING COMMISSION AGENDA**

Commission Members:

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

---

## **REGULAR PLANNING COMMISSION MEETING OF WEDNESDAY, June 20, 2012 AT 7:00 P.M.**

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

**CALL TO ORDER - 7:00 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 May 16, 2012 Planning Commission meeting minutes.

## **2.0 PUBLIC HEARINGS:**

### **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).

### **RECOMMENDATION:**

Staff recommends the Planning Commission adopt PC Resolution No. 12-07 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. 12-02 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 REQUIRE A CONDITIONAL USE PERMIT FOR MINI-WAREHOUSE/SELF-STORAGE USES SUBJECT TO THE DEVELOPMENT STANDARDS OF SECTION 17.240.”**

**2.2 Zoning Ordinance Amendment No. 12-01:**

A City Initiated Zoning Ordinance Amendment amending Chapter 17.184 (Non-Conforming Structures and Uses).

**RECOMMENDATION:**

Staff recommends the Planning Commission adopt PC Resolution No. 12-06 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. 12-01 AMENDING CHAPTER 17.184 (NON-CONFORMING STRUCTURES AND USES) OF THE WILDOMAR ZONING ORDINANCE”**

**2.3 Parcel Map No. 35539 (Project 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).

**RECOMMENDATION:**

Staff recommends the Planning Commission adopt PC Resolution No. 12-10 entitled:

**“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA APPROVING A MINOR MODIFICATION TO THE CONDITIONS OF APPROVAL FOR PARCEL MAP NO. 35539 (PROJECT 08-0261) IN ACCORDANCE WITH CHAPTER 16.12.220 OF THE CITY OF WILDOMAR SUBDIVISION ORDINANCE.”**

**3.0 GENERAL BUSINESS ITEMS:**

There are no General Business Items for the agenda.

**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 City Attorney 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 of July 4, 2012.

#### **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:**

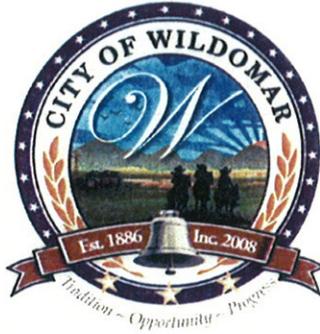
Items of business may be added to the agenda upon a motion adopted by a minimum 2/3 vote finding that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted. Items may be deleted from the agenda upon request of staff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

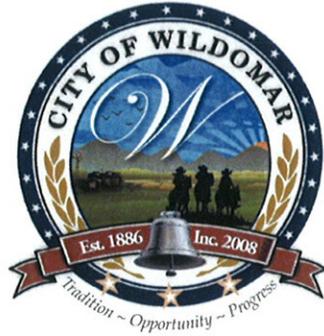
#### **POSTING STATEMENT:**

No later than Friday, June 15, 2012 (at least 72 hours before the meeting), 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.



# **AGENDA SECTION 1.0**

## **CONSENT CALENDAR ITEMS**



---

**CITY OF WILDOMAR**  
**OFFICIAL PLANNING COMMISSION MEETING MINUTES**  
**FROM THE REGULAR PLANNING COMMISSION MEETING**  
**OF MAY 16, 2012**

---

**CALL TO ORDER**

The regular meeting of the Wildomar Planning Commission was called to order by Planning Commission Chairman Dykstra 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  
Alfredo Garcia, Assistant Planner  
Steve Palmer, City Engineer

**FLAG SALUTE**

Commissioner Dykstra led the flag salute.

**PUBLIC COMMENTS**

None.

**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 January 18 and February 15, 2012 Planning Commission Minutes**

Commissioner Devine motioned to approve the January 18 and February 15, 2012 Planning Commission Minutes as submitted. Motioned seconded by Commissioner Langworthy. Motioned Carried, the following vote resulted:

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

**2.0 PUBLIC HEARINGS**

**2.1 Zoning Ordinance Amendment No. 12-01::**

A City Initiated Zoning Ordinance Amendment amending Chapter 17.184 (Non-Conforming Structures and Uses).

Director Bassi recommended the Planning Commission open the public hearing, take public comments and continue the item to the June 6, 2012 Planning Commission meeting.

Commissioner Devine asked Director Bassi for a brief explanation regarding staff recommendation regarding the continuance.

Director Bassi responded that staff needs to do more research to provide a complete report.

Commissioner Devine asked Director Bassi what the definition of a non-conforming structure is.

Director Bassi responded that a non-conforming structure as discussed in the report covers uses and structures.

Director Bassi further responded that the reason for this modification is because the changes to the next ordinance prohibiting self storages in the C1/CP zone per the direction of the Council will create non-conforming uses. With the existing facilities. Thus, staff has been working with the City Attorney amending the non confirm section to only address the self storage facilities.

Commissioner Devine commented that most likely there will be some "grand-fathered situations."

Director Bassi responded in the affirmative.

Chairman Smith open the public hearing.

With no further questions or discussion Chairman Smith asked for a motion. A motion was made by Commissioner Dykstra to continue Zoning Ordinance Amendment No. 12-01 to June 6, 2012. The motion seconded by Commissioner Devine. Motion carried 5 - 0, the following vote resulted:

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

**2.2 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).

Director Bassi recommended the Planning Commission open the public hearing, take public comments and continue the item to the June 6, 2012 Planning Commission meeting.

Commissioner Dykstra asked if this amendment was addressing the moratorium.

Director Bassi responded by indicating when staff brought the moratorium to Council, it addressed mini warehouses, self storage facilities and RV storage. Council directed staff not to do anything regarding RV storage, but directed staff that a CUP should be required for self storage facilities in industrial zones and prohibit self storage facilities in C-1/C-P zone.

Director Bassi further commented that the moratorium no longer expired January 13, 2012.

Commissioner Dykstra commented that when the Planning Commission first discussed the issue, that they wanted to prohibit the Storage facilities in the Rural Residential zone (RR zone) and it was understood that the City Council decided to allow them.

Director Bassi responded self storage facilities are not allowed in the RR zone, and that the council decided to keep RV as allowed use in the RR zone.

Commissioner Dykstra asked if RV storage was not being discussed under Zoning Ordinance Amendment 12-01.

Director Bassi responded in the affirmative.

Chairman Smith opened the public hearing.

With no further questions or discussion Chairman Smith asked for a motion. A motion was made by Commissioner Devine to continue Zoning Ordinance Amendment No. 12-02 to the June 16, 2012 the motion seconded by Commissioner Dykstra. Motion carried 5 - 0, the following vote resulted:

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

**2.3 General Plan Amendment No. 12-01:**

Planning Commission consideration and recommendation to the City Council of an amendment to the City of Wildomar General Plan adopting the 2006 – 2014 Housing Element.

Director Bassi made a brief presentation to the Planning Commission.

Chairman Smith opened the public hearing.

With no public questions or comments, Chairman Smith closed the public hearing.

With no further questions or discussion Chairman Smith asked for a motion. A motion was made by Commissioner Kazmier to adopt Planning Commission Resolution No. 12-08 The motion seconded by Commissioner Devine. Motion carried 5 - 0, the following vote resulted:

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

**3.0 General Business**

**3.1 Capital Improvement Program for 2012/13 – 2016/17:**

Planning Commission's Annual Review of the Public Works Department Capital Improvement Program for Fiscal Years 2012 – 2017.

City Engineer Steve Palmer made a brief presentation to the Planning Commission.

Commissioner Dykstra commented to City Engineer Palmer that he has been hearing a lot of complaints from the public regarding the City's road conditions and is pleased to know from the understanding of the presentation that the City will be able to have the power to be more aggressive in improving the current road situations.

City Engineer Palmer responded in the affirmative.

Chairman Smith commented that there was no numbers assigned to the road projects.

City Attorney Jex commented that the Planning Commission's role is to review the Capital Improvement Program and to make a recommendation to the City Council that the Capital Improvement Program is consistent with the General Plan.

Commissioner Devine commented that in 2005 the Riverside County Flood Control approved a project called Lateral C, which was approved and funded. Since then nothing has happened and he asked if that project was reflected in the capital improvements.

City Engineer Palmer responded that it is included in the CIP.

Chairman Smith asked if this project is a 5 year project and will this project be revisited every year.

City Engineer Palmer responded in the affirmative.

Commissioner Dykstra asked that was a Lateral C where it crosses Como Street and was part of the Capital Improvement program or is still a Floor Control Project.

City Engineer Palmer responded that it is a flood control project.

Commissioner Langworthy commented that she appreciates staff moving forward with the improvements.

Chairman Smith asked City Engineer Palmer to elaborate more on the traffic signal lights and how will they be cost effective.

City Engineer Palmer mentioned that the replacement of the LED lights will be cost effective and save energy as well it is entirely funded by grant monies.

Commissioner Langworthy commented she was pleased to hear that information.

Chairman Smith asked City Engineer Palmer for the status of the Sidewalk Improvement Program along David A . Brown Elementary school.

City Engineer Palmer responded that the project is moving forward and is under design.

With no further questions or discussion Chairman Smith asked for a motion. A motion was made by Commissioner Langworthy to adopt PC Resolution No. 12-09. The motion seconded by Commissioner Kazmier. Motion carried 5 - 0, the following vote resulted:

AYES: Dykstra, Kazmier, Langworthy, Smith, Devine

NOES:

ABSENT:

ABSTAIN:

### **Planning Directors Report.**

Director Bassi informed the Commission that staff will be having a community outreach meeting at the Elsinore High School regarding the Oak Creek Canyon residential project which will be sponsored by the developer. This meeting has been posted on the City's Website and notices were mailed to the surrounding property owners.

Director Bassi also informed the Commission that there have been a couple of Planning Director Hearings for approval on residential accessory structures this year.

Director Bassi asked the Commission in an effort to save cost, if they would entertain the idea of having only one Planning Commission a month and starting the meetings at 6:30 PM to be consistent with the City Council.

Commissioner Dykstra commented that he would endorse the idea.

Commissioner Langworthy commented if it would be a good idea to meet at the beginning of the month of the second meeting.

Director Bassi responded it would be beneficial that staff meets on the first meeting of the month.

The Commission agreed collectively to meet once a month (1st meeting of the month) and to begin the meetings at 6:30 PM.

Director Bassi stated the City Clerk will bring forth the changes for Council vote soon.

**City Attorney's Report:**

City Attorney made a brief presentation regarding the "Evaluating Greenhouse Gas Emissions as Part of California's Environmental Review Process:

Commissioner Langworthy commented who would be the experts in analyzing the substantial evidence from thresholds of significance.

City Attorney Jex responded that the Air Districts will be responsible.

Chairman Smith commented this information would become a part of CEQA.

City attorney Jex responded that it already is a part.

Planning Director Bassi commented that he will invite WRCOG to come to the next Planning Commission meeting and further talk about this subject matter.

City Attorney made a brief presentation regarding the update to the City's "Gift Rules".

**Planning Commission Communications:**

With no other questions or communications, Chairman Smith adjourned the May 16, 2012 Planning Commission meeting at 8:17 P.M.

---

Matthew C. Bassi  
Planning Director/Minutes Secretary



# **AGENDA SECTION 2.0**

## **PUBLIC HEARING ITEMS**

**CITY OF WILDOMAR – PLANNING COMMISSION**  
**Agenda Item # 2.1**  
**PUBLIC HEARING**  
**Meeting Date: June 20, 2012**

---

**TO:** Chairman and Members of the Planning Commission

**FROM:** Matthew C. Bassi, Planning Director

**SUBJECT: Zoning Ordinance Amendment No. 12-02:**

Planning Commission consideration of an amendment to the Zoning Ordinance amending Chapter 17.72 (C-1/C-P Zone) to prohibit Mini-Warehouse/Self-Storage uses; and amending Chapters 17.96 (I-P Industrial-Park Zone), 17.100 (M-SC Manufacturing-Service Commercial Zone), and 17.104 (M-M Manufacturing-Medium Zone) and 17.108 (M-H Manufacturing-Heavy Zone) to require a Conditional Use Permit for Mini-Warehouse/Self-Storage uses subject to the development standards of Section 17.240 (Mini-Warehouses).

---

**RECOMMENDATION**

Staff recommends the Planning Commission adopt PC Resolution No. 12-07 (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. 12-02 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 REQUIRE A CONDITIONAL USE PERMIT FOR MINI-WAREHOUSE/SELF-STORAGE USES SUBJECT TO THE DEVELOPMENT STANDARDS OF SECTION 17.240.”**

**BACKGROUND**

At the January 11, 2012 City Council meeting, the Planning Department presented an update to the City Council regarding the RV/Boat storage and Mini-warehouse moratorium. A copy of the briefing report is attached for Commission review

(Attachment B). The moratorium that had been in effect for the past two years expired on January 13, 2012. The expiration means that RV/Boat storage and Mini-warehouse uses are permitted under the current zoning regulations that existed at the time the moratorium went into effect.

In order to address this, staff sought direction from the City Council regarding a draft Ordinance that would accomplish four things related to these uses:

- 1) Prohibit RV/Boat storage uses in R-R zone C-1/C-P and C-P-S zones (currently allowed with approval of a Conditional Use Permit);
- 2) Require a Conditional Use Permit for RV/Boat storage uses in the I-P, M-SC, M-M and M-H zones (currently allowed with approval of a Plot Plan);
- 3) Prohibit Mini-warehouses/Self-storage uses in the C-1/C-P zone (currently allowed with approval of a Conditional Use Permit); and
- 4) Require a Conditional Use Permit for Mini-warehouse/Self-storage uses in the I-P, M-SC, M-M and M-H zones (currently allowed with approval of a Plot Plan).

## **DISCUSSION**

### **RV/Boat Storage Uses**

After discussing the four alternatives above, the Council gave direction to staff not to amend the Zoning Ordinance related to RV/Boat storage uses since there was not a pressing demand for these development applications. As an alternative, the Council directed staff to monitor the number of inquiries and application submittals over the ensuing months to gauge whether new application submittals were being made. It was decided by Council that, if staff were to receive new application submittals or numerous inquiries were being made, then at that time the Council could consider an amendment. As of the writing of this report, the Planning Department has not received any application submittals for RV/Boat storage uses.

### **Mini-warehouse/Self-storage Uses**

In addressing the question of whether to amend the Zoning Ordinance to address mini-warehouse/self-storage uses, the Council gave specific direction to staff to prepare an amendment that would regulate these uses differently from how they currently are regulated. Specifically, the Council wanted to prohibit mini-warehouse/self-storage uses in the C-1/C-P zone, and require a Conditional Use Permit in the I-P, M-SC, M-M and M-H zones. Under the current zoning regulations, mini-warehouse/self-storage uses require approval of a Conditional Use Permit in the C-1/C-P zone, and approval of a Plot Plan in the I-P, M-SC, M-M and M-H zones. The proposed amendment is provided for Commission consideration (refer to draft Council Ordinance - Exhibit 1 of Attachment A to this report).

In determining to prohibit mini-warehouse/self-storage uses in the C-1/C-P zones, staff referred to the General Plan for guidance. According to the General Plan (Land Use Element),

*"Commercial land uses are critical to the long term economic and fiscal stability of the City,...and commercial uses help to provide jobs for local residents..."*

Mini-warehouse/self-storage facilities, by their very nature, generate very little jobs for city residents or retail sales tax revenues. Further, as these uses are constructed in the C-1/C-P zone, they reduce the amount of available land for commercial retail uses, and similarly, reduce the number of parcels that can be targeted for economic development opportunities.

In determining to require a Conditional Use Permit for mini-warehouse/self-storage uses in the I-P, M-SC, M-M and M-H zones, staff again referred to the General Plan for guidance. According to the General Plan (Land Use Element),

*"One of the primary purposes of land use planning is to minimize the impacts certain uses have on adjacent areas...certain uses can have potentially adverse impacts upon adjacent residential neighborhoods, sensitive habitat areas and schools, etc."*

The benefit of requiring a Conditional Use Permit instead of a Plot Plan for these uses in the four industrial zones is that it gives the Planning Commission and City Council greater flexibility to condition operational aspects of a project (i.e., hours of operation, noise, etc.) that will help mitigate potential project impacts. Under a Plot Plan application, only site design (i.e., setbacks, height, landscaping, etc) and architectural design (visual aesthetics) can be conditioned. Further, the Conditional Use Permit process will create a greater opportunity for neighborhood/public input through the public hearing process.

The following is a summary of the proposed changes as outlined in the draft Ordinance.

- Section 17.72.010.C.9 "Mini-Warehouse structures" is hereby deleted in its entirety from the list of uses allowed by conditional use permit.
- Section 17.96.010.A of the City of Wildomar Zoning Ordinance is hereby amended to read as follows:  
*"A.1.g.ii, Industrial Warehousing and distribution, excluding mini-warehouses."*
- Section 17.96.010.B of the City of Wildomar Zoning Ordinance is hereby amended to add the mini-warehouses to the list of uses permitted by conditional use permit to read as follows:  
*"B.4, Mini-warehouses, subject to the development standards of Section 17.240 (Mini-warehouses)."*

- Section 17.100.020.B.1.m.v, Mini-warehouses, is hereby deleted in its entirety from the list of permitted uses.
- Section 17.100.020.C of the City of Wildomar Zoning Ordinance is hereby amended to add the mini-warehouses to the list of uses permitted by conditional use permit to read as follows:  
*“C.18, Mini-warehouses, subject to the development standards of Section 17.240 (Mini-warehouses).”*
- Section 17.104.020.B.1.n.vii, Mini-warehouses, is hereby deleted in its entirety from the list of permitted uses.
- Section 17.104.020.C of the City of Wildomar Zoning Ordinance is hereby amended to add the mini-warehouses to the list of uses permitted by conditional use permit to read as follows:  
*“C.22, Mini-warehouses, subject to the development standards of Section 17.240 (Mini-warehouses).”*
- Section 17.108.020.B.1.o.vi, Mini-warehouses, is hereby deleted in its entirety from the list of permitted uses.”
- Section 17.108.020.C of the City of Wildomar Zoning Ordinance is hereby amended to add the mini-warehouses to the list of uses permitted by conditional use permit to read as follows:  
*“C.18, Mini-warehouses, subject to the development standards of Section 17.240 (Mini-warehouses).”*
- Section 17.240.020.A “C-1/C-P zone with an approved conditional use permit” is hereby deleted in its entirety.
- Section 17.240.B of the City of Wildomar Zoning Ordinance is hereby amended to read as follows:  
*“B, I-P, M-SC, M-M AND M-H zones subject to the approval of a conditional use permit pursuant to Section 17.200 and the requirements and standards contained in this section.”*

#### Nonconforming Issues:

In preparing the proposed amendment, the Planning Department determined that approval of the amendment would result in the creation of nonconforming uses for existing and approved, but not yet constructed, mini-warehouse/self-storage facilities in the C-1/C-P and the four industrial zones. For example, any existing mini-warehouse/self-storage use, after adoption of the amendment, would be inconsistent with the new standards that prohibit these uses in the C-1/C-P zone and require a Conditional Use Permit in the I-P, M-SC, M-M and M-H zones.

There are a total five (5) mini-warehouse/self-storage facilities in the City that will be effected by the proposed amendment. Four self-storage facilities are existing and in operation, and one is approved but not yet built (i.e., Eagle Eye Self Storage). These facilities are identified below (refer to Attachment C for location map):

- Clinton Keith Self-Storage: M-SC zone (Elizabeth Lane and Clinton Keith Road);
- Eagle Eye Self-Storage: C-1/C-P zone (NEC of Bryant Avenue & Corydon Street);
- Bear Creek Self-Storage: C-1/C-P zone (Clinton Keith Road, west of Palomar St.);
- Bundy Canyon Super Storage: C-1/C-P zone (Bundy Canyon Road, east of I-15);
- SWS Self-Storage; C-1/C-P zone (Mission Trail, north of Bundy Canyon Road)

For the three (3) existing self-storage facilities in the C-1/C-P zone (and the one approved but not yet constructed), these businesses would legally be allowed to continue operations for a limited time period (see next paragraph), including maintenance upgrades, but they will not be allowed to expand. The nonconforming designation for the one (1) existing facility in the M-SC zone would allow for future expansion provided there is an application for a Conditional Use Permit. Any new self-storage facility proposal in the four industrial zones will require a CUP application.

Under the current nonconforming provisions (Section 17.184.040), a use that becomes nonconforming can only be maintained for a limited period of time and must cease operations, even if it is an existing structure. For commercial uses, like self-storage facilities, that time period is one (1) year. In strict terms, the three (3) existing self-storage facilities in the C-1/C-P zone would not be allowed to operate one year after adoption of Zoning Ordinance Amendment No. 12-02 prohibiting self-storage facilities in the C-1/C-P zone. The one (1) self-storage facility that is approved but not yet constructed would not be allowed to begin construction at all after adoption of Zoning Ordinance Amendment No. 12-02

In discussion with the City Attorney on this specific matter, it was concluded that the current provisions for nonconforming uses to cease operations after a limited time period is not practical, and possibly not even legal. Thus, to fix this problem, staff is recommending Section 17.184 be amended to create nonconforming provisions that are reasonable and consistent with typical provisions enforced by other city agencies. In general, the amendment proposes to include the following:

- Amend Section 17.184.020 to create two new definitions and additional language related to this section;
- Amend Section 17.184.040 by deleting the existing nonconforming time periods and replacing it with new language that allows nonconforming uses to continue operations;
- Amend Section 17.184.050 by repealing the entire section regarding amortization periods which will be covered by Section 17.184.040; and

- Amend Section 17.184.090 by repealing the entire section and replacing it with new language related to exceptions due to damages on nonconforming structures/uses.

Staff believes that the proposed amendment to the Nonconforming structures and uses section of the Zoning Ordinance is an equitable solution to addressing the nonconforming aspects created by Zoning Ordinance Amendment No. 12-02 related to Mini-warehouses/Self-storage facilities.

### **ENVIRONMENTAL ASSESSMENT**

A review of the potential environmental impacts was conducted for Zoning Ordinance Amendment No. 12-02. Based on this review, the Planning Department has determined that the proposed amendment (which provides for only text changes) to prohibit mini-warehouses/self-storage uses in the C-1/C-P (General Commercial) zone, and require a Conditional Use Permit in the I-P (Industrial-Park), M-SC Manufacturing-Service Commercial), M-M Manufacturing-Medium) and M-H Manufacturing-Heavy) zones subject to specific development standards outlined in Section 17.240 of the Zoning Ordinance has no potential to impact the environment.

Further, the proposed amendment does not alter the existing requirements that specific development projects must comply with the provisions of the California Environmental Quality Act. Therefore, the Zoning Ordinance Amendment No. 12-02 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 adoption of this CEQA Exemption to the City Council.

### **REQUIRED ZOA FINDINGS**

In accordance with the provisions of Section 17.290 of the Wildomar Zoning ordinance, the following finds are offered for Planning Commission consideration in recommending approval of Zoning Ordinance Amendment No. 12-02 to the City Council.

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

The proposed amendment is consistent with the City of Wildomar General Plan in that the amendment to prohibit mini-warehouse/self-storage uses in the C-1/C-P (General Commercial) zone will further the goal that states, "*Commercial land uses are critical to the long term economic and fiscal stability of the City,...and commercial uses help to provide jobs for local residents...*" Mini-warehouse/self-

storage facilities, by their very nature, generate very little jobs for city residents or retail sales tax revenues. Further, as these uses are constructed in the C-1/C-P zone, they reduce the amount of available land for commercial retail uses, and similarly, reduce the number of parcels that can be targeted for economic development opportunities.

In addition, the proposed amendment to require a Conditional Use Permit for mini-warehouse/self-storage uses in the I-P, M-SC, M-M and M-H zones is consistent with the City of Wildomar General Plan in that it will further the goal that reads, " *One of the primary purposes of land use planning is to minimize the impacts certain uses have on adjacent areas...certain uses can have potentially adverse impacts upon adjacent residential neighborhoods, sensitive habitat areas and schools, etc.*" The benefit of requiring a Conditional Use Permit for these uses is that it gives the Planning Commission and City Council greater flexibility to condition operational aspects of a project (i.e., hours of operation, noise, etc.) that will help mitigate potential project impacts.

Respectfully Submitted,

---

Matthew C. Bassi  
Planning Director

**ATTACHMENTS:**

- A. PC Resolution No. 12-07  
Exhibit 1 – Draft City Council Ordinance
- B. City Council Briefing Report (dated January 11, 2012)
- C. Location Maps for Existing Mini-warehouse/Self-storage Facilities

# **ATTACHMENT A**

**PC Resolution No. 12-07**

PC RESOLUTION NO. 12-07

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. 12-02 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 REQUIRE A CONDITIONAL USE PERMIT FOR MINI-WAREHOUSE/SELF-STORAGE USES SUBJECT TO THE DEVELOPMENT STANDARDS OF SECTION 17.240

**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. 12-02; and

**WHEREAS**, on February 4, 2012, the City published a legal notice in The Californian, a newspaper local circulation, notifying the public of the holding of a public hearing for the proposed Zoning Ordinance Amendment to be considered by the City of Wildomar Planning Commission; and

**WHEREAS**, on February 15, 2012, the City of Wildomar Planning Commission intended to hold the noticed public hearing at which time interested persons had an opportunity to testify in support of, or opposition to, the proposed Zoning Ordinance Amendment No. 12-02; however, the agenda item was pulled from the agenda and the Planning Commission did not take any action; and,

**WHEREAS**, on May 5, 2012, the City published a legal notice in The Californian, a newspaper local circulation, notifying the public of the holding of a public hearing for the proposed Zoning Ordinance Amendment to be considered by the City of Wildomar Planning Commission; and

**WHEREAS**, on May 16, 2012, the City of Wildomar Planning Commission held the noticed public hearing at which time interested persons had an opportunity to testify in support of, or opposition to, the proposed Zoning Ordinance Amendment No. 12-02, and at which the Planning Commission voted to continue the proposed Zoning Ordinance Amendment; and

**WHEREAS**, on June 6, 2012, the City of Wildomar Planning Commission meeting was cancelled.

**WHEREAS**, on June 9, 2012, the City published a legal notice in The Californian, a newspaper local circulation, notifying the public of the holding of a public hearing for

the proposed Zoning Ordinance Amendment to be considered by the City of Wildomar Planning Commission; and

**WHEREAS**, on June 20, 2012, 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, the proposed Zoning Ordinance Amendment No. 12-02, and at which the Planning Commission recommended City Council approval of Zoning Ordinance Amendment No. 12-02.

**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. 12-02. Based on this review, the Planning Commission has determined that the proposed amendment (which provides for only text changes) to prohibit mini-warehouses/self-storage uses in the C-1/C-P (General Commercial) zone, and require a Conditional Use Permit in the I-P (Industrial-Park), M-SC Manufacturing-Service Commercial), M-M Manufacturing-Medium) and M-H Manufacturing-Heavy) zones subject to specific development standards outlined in Section 17.240 of the Zoning Ordinance has no potential to impact the environment. Further, the proposed amendment does not alter the existing requirements that specific development projects must comply with the provisions of the California Environmental Quality Act. Therefore, the Zoning Ordinance Amendment No. 12-02 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 adoption of this CEQA Exemption to the City Council.

### **SECTION 2. REQUIRED ZOA FINDINGS.**

In accordance with the provisions of Section 17.290 of the Wildomar Zoning ordinance, the following finds are offered for Planning Commission consideration in recommending approval of Zoning Ordinance Amendment No. 12-02 to the City Council.

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

The proposed amendment is consistent with the City of Wildomar General Plan in that the amendment to prohibit mini-warehouse/self-storage uses in the C-1/C-P (General Commercial) zone will further the goal that states, "*Commercial land uses are critical to the long term economic and fiscal stability of the City,...and commercial uses help to provide jobs for local residents...*" Mini-

warehouse/self-storage facilities, by their very nature, generate very little jobs for city residents or retail sales tax revenues. Further, as these uses are constructed in the C-1/C-P zone, they reduce the amount of available land for commercial retail uses, and similarly, reduce the number of parcels that can be targeted for economic development opportunities.

In addition, the proposed amendment to require a Conditional Use Permit for mini-warehouse/self-storage uses in the I-P, M-SC, M-M and M-H zones is consistent with the City of Wildomar General Plan in that it will further the goal that reads, " *One of the primary purposes of land use planning is to minimize the impacts certain uses have on adjacent areas...certain uses can have potentially adverse impacts upon adjacent residential neighborhoods, sensitive habitat areas and schools, etc.*" The benefit of requiring a Conditional Use Permit for these uses is that it gives the Planning Commission and City Council greater flexibility to condition operational aspects of a project (i.e., hours of operation, noise, etc.) that will help mitigate potential project impacts.

### **SECTION 3. PLANNING COMMISSION ACTIONS.**

The Planning Commission hereby adopts Resolution No. 12-07 recommending the City Council take the following actions:

1. Notice of Exemption. That the City Council make a determination that Zoning Ordinance Amendment No. 12-02 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. 12-02.

**PASSED, APPROVED AND ADOPTED** this 20th day of June, 2012 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 ADOPTING AN EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER SECTION 15061(B)(3) OF CEQA AND APPROVAL OF ZONING ORDINANCE AMENDMENT NO. 12-02 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 REQUIRE A CONDITIONAL USE PERMIT FOR MINI-WAREHOUSE/SELF-STORAGE USES SUBJECT TO THE DEVELOPMENT STANDARDS OF SECTION 17.240

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. 12-02. Based on this review, the City Council has determined that the proposed amendment (which provides for only text changes) to prohibit mini-warehouses/self-storage uses in the C-1/C-P (General Commercial) zone, and require a Conditional Use Permit in the I-P (Industrial-Park), M-SC Manufacturing-Service Commercial), M-M Manufacturing-Medium) and M-H Manufacturing-Heavy) zones subject to specific development standards outlined in Section 17.240 of the Zoning Ordinance has no potential to impact the environment. Further, the proposed amendment does not alter the existing requirements that specific development projects must comply with the provisions of the California Environmental Quality Act. Therefore, the Zoning Ordinance Amendment No. 12-02 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 adoption of this CEQA Exemption to the City Council.

**SECTION 2. Required Zoning Ordinance Amendment Findings.**

In accordance with the provisions of Section 17.290 of the Wildomar Zoning ordinance, the following findings are offered for City Council consideration in recommending approval of Zoning Ordinance Amendment No. 12-02 to the City Council.

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

The proposed amendment is consistent with the City of Wildomar General Plan in that the amendment to prohibit mini-warehouse/self-storage uses in the C-

1/C-P (General Commercial) zone will further the goal that states, “Commercial land uses are critical to the long term economic and fiscal stability of the City,...and commercial uses help to provide jobs for local residents...” Mini-warehouse/self-storage facilities, by their very nature, generate very little jobs for city residents or retail sales tax revenues. Further, as these uses are constructed in the C-1/C-P zone, they reduce the amount of available land for commercial retail uses, and similarly, reduce the number of parcels that can be targeted for economic development opportunities.

In addition, the proposed amendment to require a Conditional Use Permit for mini-warehouse/self-storage uses in the I-P, M-SC, M-M and M-H zones is consistent with the City of Wildomar General Plan in that it will further the goal that reads, “One of the primary purposes of land use planning is to minimize the impacts certain uses have on adjacent areas...certain uses can have potentially adverse impacts upon adjacent residential neighborhoods, sensitive habitat areas and schools, etc.” The benefit of requiring a Conditional Use Permit for these uses is that it gives the Planning Commission and City Council greater flexibility to condition operational aspects of a project (i.e., hours of operation, noise, etc.) that will help mitigate potential project impacts.

**SECTION 3:           Amendment to the Zoning Ordinance**

*Section 17.72.010.C.9 “Mini-Warehouse structures” is hereby deleted in its entirety from the list of uses allowed by conditional use permit.*

**SECTION 4:           Amendment to the Zoning Ordinance**

Section 17.96.010.A of the City of Wildomar Zoning Ordinance is hereby amended to read as follows:

*“A.1.g.ii, Industrial Warehousing and distribution, excluding mini-warehouses.”*

**SECTION 5:           Amendment to the Zoning Ordinance**

Section 17.96.010.B of the City of Wildomar Zoning Ordinance is hereby amended to add the mini-warehouses to the list of uses permitted by conditional use permit to read as follows:

*“B.4, Mini-warehouses, subject to the development standards of Section 17.240 (Mini-warehouses).”*

**SECTION 6:           Amendment to the Zoning Ordinance**

*“Section 17.100.020.B.1.m.v, Mini-warehouses, is hereby deleted in its entirety from the list of permitted uses.”*

**SECTION 7:           Amendment to the Zoning Ordinance**

Section 17.100.020.C of the City of Wildomar Zoning Ordinance is hereby amended to add the mini-warehouses to the list of uses permitted by conditional use permit to read as follows:

*“C.18, Mini-warehouses, subject to the development standards of Section 17.240 (Mini-warehouses).”*

**SECTION 8:           Amendment to the Zoning Ordinance**

*“Section 17.104.020.B.1.n.vii, Mini-warehouses, is hereby deleted in its entirety from the list of permitted uses.”*

**SECTION 9: Amendment to the Zoning Ordinance**

Section 17.104.020.C of the City of Wildomar Zoning Ordinance is hereby amended to add the mini-warehouses to the list of uses permitted by conditional use permit to read as follows:

*“C.22, Mini-warehouses, subject to the development standards of Section 17.240 (Mini-warehouses).”*

**SECTION 10:         Amendment to the Zoning Ordinance**

*“Section 17.108.020.B.1.o.vi, Mini-warehouses, is hereby deleted in its entirety from the list of permitted uses.”*

**SECTION 11:         Amendment to the Zoning Ordinance**

Section 17.108.020.C of the City of Wildomar Zoning Ordinance is hereby amended to add the mini-warehouses to the list of uses permitted by conditional use permit to read as follows:

*“C.18, Mini-warehouses, subject to the development standards of Section 17.240 (Mini-warehouses).”*

**SECTION 12:         Amendment to the Zoning Ordinance**

*Section 17.240.020.A “C-1/C-P zone with an approved conditional use permit” is hereby deleted in its entirety.*

**SECTION 13:         Amendment to the Zoning Ordinance**

Section 17.240.B of the City of Wildomar Zoning Ordinance is hereby amended to read as follows:

*B, I-P, M-SC, M-M AND M-H zones subject to the approval of a conditional use permit pursuant to Section 17.200 and the requirements and standards contained in this section.*

**SECTION 14.            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 15.            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 16.            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 \_\_\_\_\_, 2012.

\_\_\_\_\_  
Ben J. Benoit  
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 \_\_\_\_\_, 2012, and had its second reading at the regular meeting of the Wildomar City Council on the \_\_\_\_ day of \_\_\_\_\_, 2012, and was passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Debbie A. Lee, City Clerk

# **ATTACHMENT B**

(City Council Briefing Memo – dated January 11, 2012)

**TO:** Mayor and City Council Members

**FROM:** Matthew C. Bassi, Planning Director

**SUBJECT:** City Council Update on RV/Boat Storage and /Mini-Warehouse Moratorium: - City Council briefing on the current moratorium related to boat storage, recreational vehicle storage, self-storage facilities and mini-warehouse uses in commercial and residential zones.

### STAFF REPORT

#### RECOMMENDATION:

That the City Council discuss the current moratorium related to boat storage, recreational vehicle storage, self-storage facilities and mini-warehouse uses in commercial and residential zones, and provide staff with direction on whether to proceed with a Zoning Ordinance Amendment.

#### BACKGROUND/ANALYSIS:

On December 8, 2010, the City Council adopted Ordinance No. 58 extending the existing urgency ordinance moratorium for one-year on the review and processing of development applications related to the establishment land uses related to boat storage, recreational vehicle storage, self-storage facilities and mini-warehouses in the Rural Residential (R-R), General Commercial (C-1/C-P) and Scenic Highway Commercial (C-P-S) zones. The Council's action did not affect these uses in the Manufacturing Service Commercial (M-SC), Industrial Park (I-P), Manufacturing Medium (M-M), and Manufacturing Heavy (M-H) zones.

The current one-year moratorium extension, which represents the final extension, will expire on January 13, 2012. At that time, the Planning Department will legally be required to accept land use development applications for boat storage, recreational vehicle storage, self-storage facilities and/or mini-warehouses. Since a zoning ordinance amendment has not been adopted as originally envisioned, these land uses will fall under the current provisions of the R-R, C-1/C-P and CPS zones.

Currently, recreational vehicle trailer and boat storage uses require a Conditional Use Permit application when proposed in the R-R and C-P-S zones, and a Plot Plan application in the C-1/C-P zone. In the I-P zone, these uses are permitted with a Plot Plan application provided they are located in an enclosed building. In the M-SC, M-M

and M-H zones, these uses are permitted with a Plot Plan application and are not restricted to enclosed buildings. Further, there are no special development standards for these uses related to screening walls, lighting, parking, gates, roofing and landscaping, however, there are standards related to setbacks and building height.

Mini-warehouse & self-storage uses require a Conditional Use Permit application in the C-1/C-P zone and a Plot Plan application in the I-P, M-SC, M-M and M-H zones. They are prohibited in the R-R and C-P-S zones. As outlined in Section 17.240 of the Zoning Ordinance, mini-warehouses and self-storage uses have specific development standards related to screening walls, lighting, parking, gates, roofing and landscaping.

The primary issue resulting in the moratorium being adopted was that staff had received numerous inquiries regarding development applications. Further, there was a concern whether recreational vehicle trailer and boat storage uses are appropriate in the R-R, C-1/C-P and C-P-S zones. The R-R zone is primarily intended as a residential zone but does allow a wide-variety of other uses. The C-1/C-P and C-P-S zones are primarily intended for commercial retail uses. In all three zones, these uses do not generate much general fund revenue for the City.

Now that the moratorium is due to expire on January 13, 2012, staff has once again begun to receive inquiries about these uses. Recently, staff was in a position to prepare a zoning ordinance amendment that would propose prohibiting recreational vehicle trailer and boat storage uses in R-R, C-1/C-P and C-P-S zones (for the reasons stated in the above paragraph), and allow them via a Conditional Use Permit only in the I-P, M-SC, M-M and M-H zones. The amendment also proposed prohibiting mini-warehouses and self-storage facilities from locating in the C-1/C-P zone (currently allowed via a Conditional Use Permit) and requiring a Conditional Use Permit in the I-P, M-SC, M-M and M-H zones (currently allowed via a Plot Plan).

This amendment was presented to the Council's Economic Development subcommittee a few weeks ago. The Subcommittee raised some concern about the amendment as proposed by staff because, if approved, it could result in existing uses becoming "legal non-conforming" uses. Based on this, staff was directed to prepare a briefing report for the Council so the issue could be discussed at a public meeting.

Staff is requesting Council discussion on this item and formal direction on whether to prepare a zoning ordinance amendment as proposed to the Subcommittee, a variation of the proposed amendment or to let the current moratorium expire. If there is no direction to prepare the amendment for Planning Commission and City Council consideration, then the Planning Department will follow the current zoning ordinance provisions as discussed above. If there is direction to bring forth a zoning ordinance amendment, staff can bring that forward to the Planning Commission in February 2012 and Council in March 2012.

**STAFF RECOMMENDATION**

That the City Council discuss the current moratorium related to boat storage, recreational vehicle storage, self-storage facilities and mini-warehouse uses in commercial and residential zones, and provide staff with direction on whether to proceed with a Zoning Ordinance Amendment.

Submitted by:

Approved by:

---

Matthew C. Bassi  
Planning Director

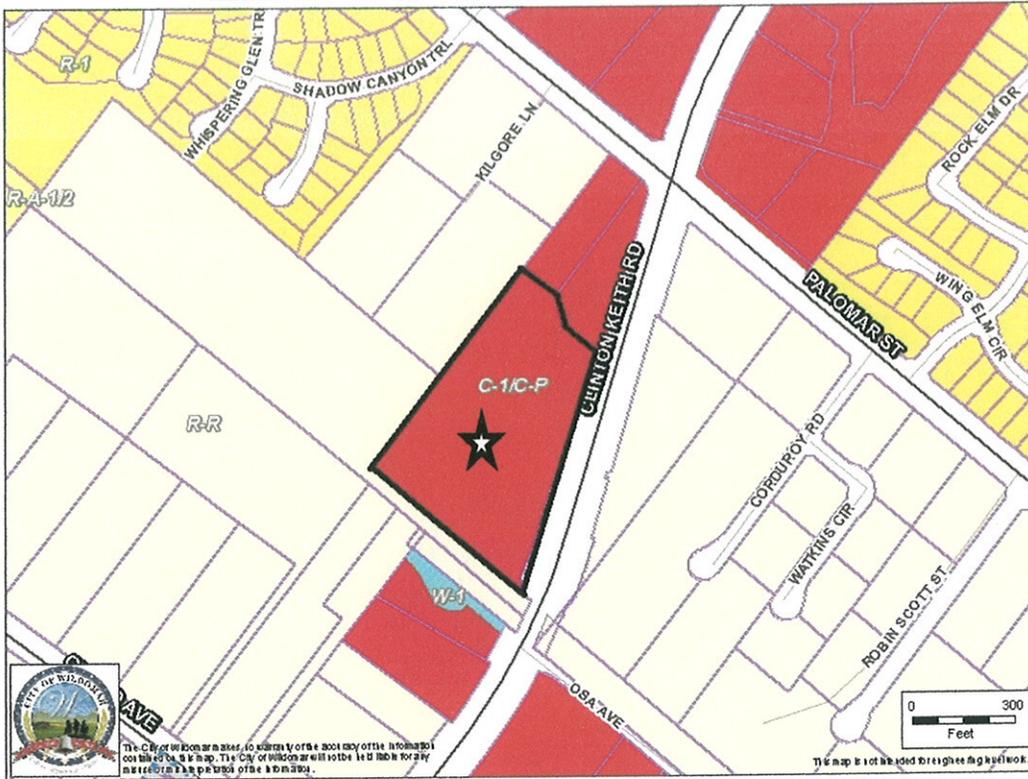
---

Frank Oviedo  
City Manager

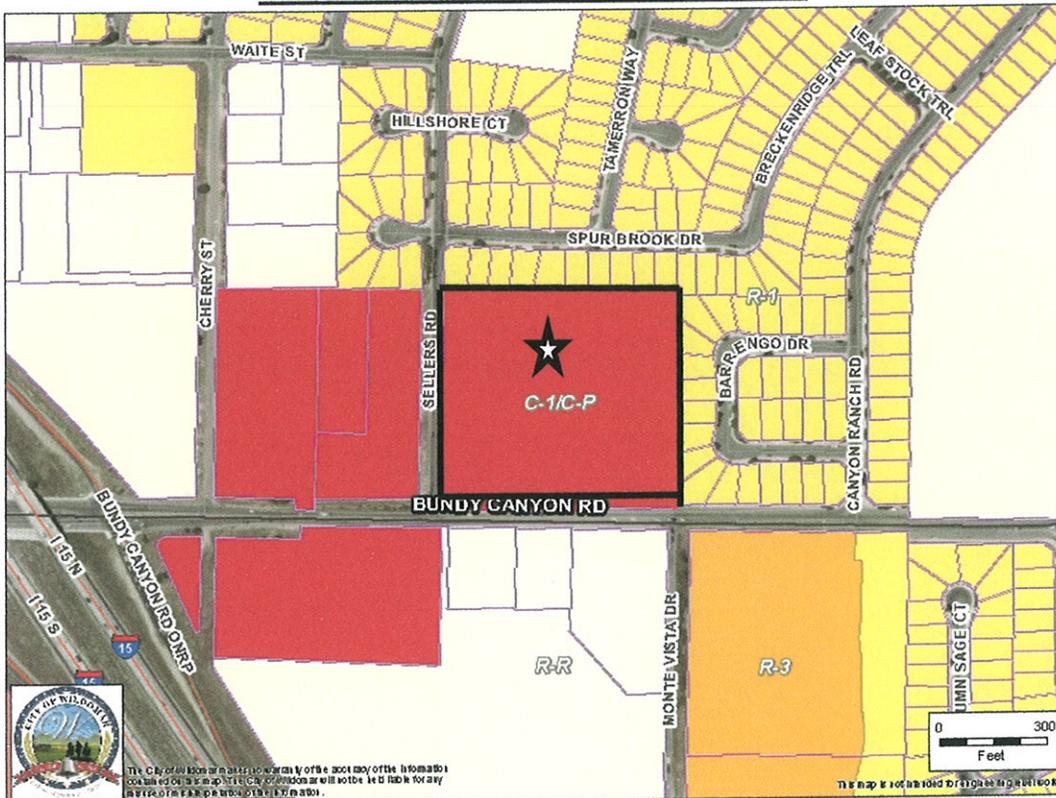
# **ATTACHMENT C**

**Location Maps for Existing Mini-warehouse/Self-storage Facilities**

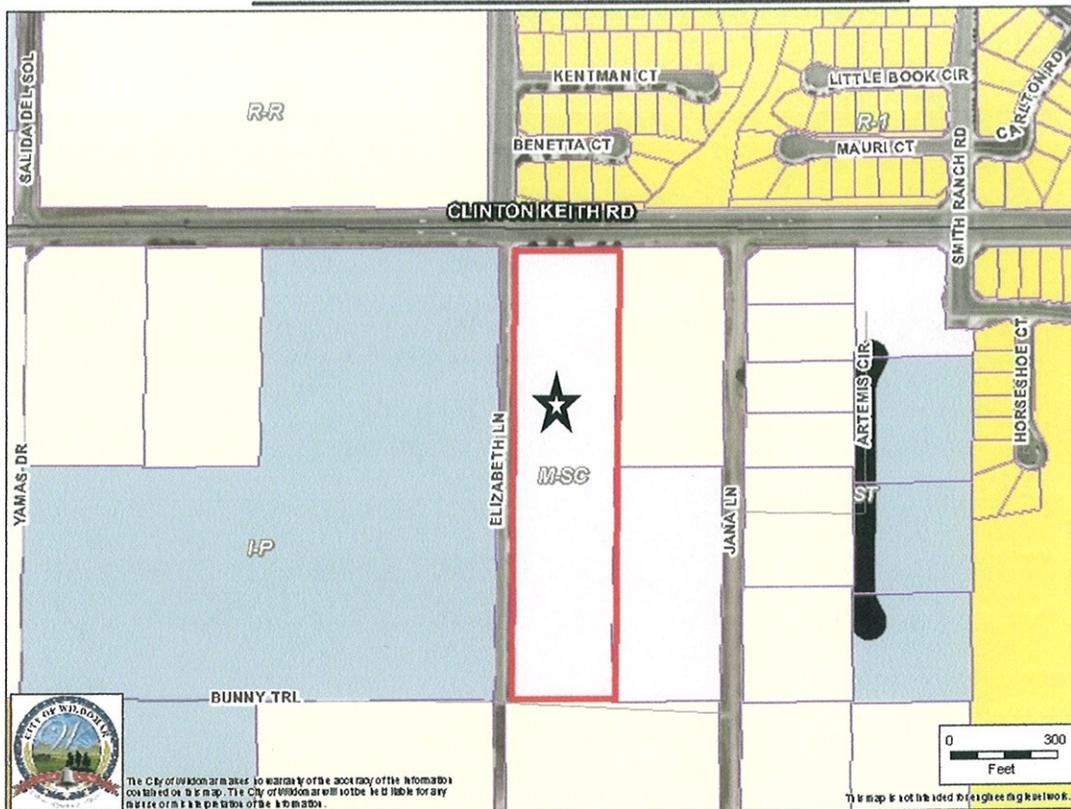
## BEAR CREEK SELF STORAGE FACILITY



## BUNDY CANYON SUPER STORAGE



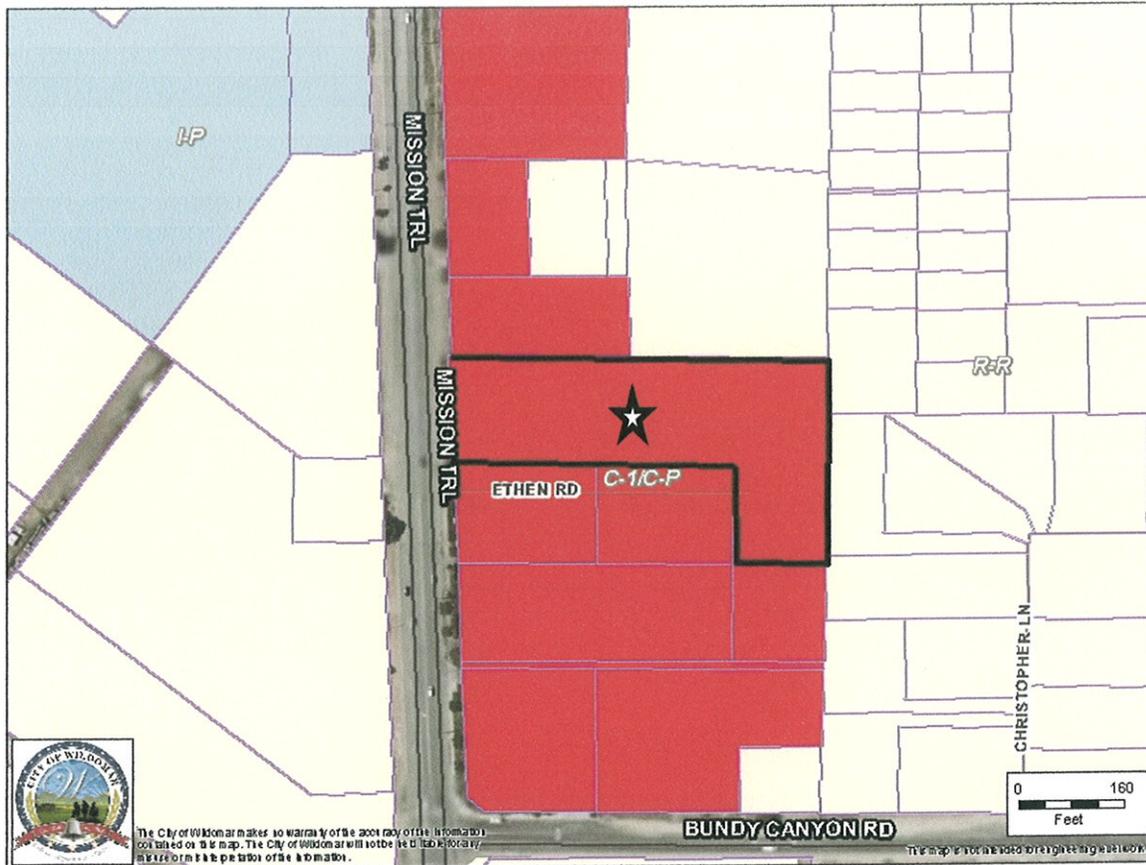
## CLINTON KEITH SELF STORAGE FACILITY



## EAGLE EYE SELF STORAGE FACILITY



# SWS SELF STORAGE FACILITY



**CITY OF WILDOMAR – PLANNING COMMISSION**  
**Agenda Item # 2.2**  
**PUBLIC HEARING**  
**Meeting Date: June 20, 2012**

---

**TO:** Chairman and Members of the Planning Commission

**FROM:** Matthew C. Bassi, Planning Director

**SUBJECT: Zoning Ordinance Amendment No. 12-01:**  
Planning Commission consideration of an amendment to the Wildomar Zoning Ordinance amending Chapter 17.184 related to Nonconforming Structures and Uses.

---

**RECOMMENDATION:**

Staff recommends the Planning Commission adopt PC Resolution No. 12-06 (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. 12-01 AMENDING CHAPTER 17.184 (NONCONFORMING STRUCTURES AND USES)”**

**BACKGROUND**

At the January 11, 2012 City Council meeting, the Planning Department presented an update to the City Council regarding the RV/Boat storage and Mini-warehouse moratorium. A copy of the briefing report is provided with the staff report for Zoning ordinance Amendment No. 12-02 (refer to Attachment B of that report). The moratorium that had been in effect for the past two years expired on January 13, 2012. The expiration means that RV/Boat storage and Mini-warehouse uses are permitted under the current zoning regulations that existed at the time the moratorium went into effect.

In order to address this, staff sought direction from the City Council regarding a draft Ordinance that would accomplish four things related to these uses:

- 1) Prohibit RV/Boat storage uses in R-R zone C-1/C-P and C-P-S zones (currently allowed with approval of a Conditional Use Permit);
- 2) Require a Conditional Use Permit for RV/Boat storage uses in the I-P, M-SC, M-M and M-H zones (currently allowed with approval of a Plot Plan);

- 3) Prohibit Mini-warehouses/Self-storage uses in the C-1/C-P zone (currently allowed with approval of a Conditional Use Permit); and
- 4) Require a Conditional Use Permit for Mini-warehouse/Self-storage uses in the I-P, M-SC, M-M and M-H zones (currently allowed with approval of a Plot Plan).

## **DISCUSSION**

### **Mini-warehouse/Self-storage Uses**

As outlined in the staff report for Zoning Ordinance Amendment No. 12-02, in addressing the question of whether to amend the Zoning Ordinance to address mini-warehouse/self-storage uses, the Council gave specific direction to staff to prepare an amendment that would regulate these uses differently from how they currently are regulated. Specifically, the Council wanted to prohibit mini-warehouse/self-storage uses in the C-1/C-P zone, and require a Conditional Use Permit in the I-P, M-SC, M-M and M-H zones. Under the current zoning regulations, mini-warehouse/self-storage uses require approval of a Conditional Use Permit in the C-1/C-P zone, and approval of a Plot Plan in the I-P, M-SC, M-M and M-H zones. The proposed amendment is provided for Commission consideration (refer to draft Council Ordinance - Exhibit 1 of Attachment A of the report for ZOA 12-02).

The benefit of requiring a Conditional Use Permit instead of a Plot Plan for these uses in the four industrial zones is that it gives the Planning Commission and City Council greater flexibility to condition operational aspects of a project (i.e., hours of operation, noise, etc.) that will help mitigate potential project impacts. Under a Plot Plan application, only site design (i.e., setbacks, height, landscaping, etc) and architectural design (visual aesthetics) can be conditioned. Further, the Conditional Use Permit process will create a greater opportunity for neighborhood/public input through the public hearing process.

### **Nonconforming Issues:**

In preparing the proposed amendment, the Planning Department determined that approval of the amendment would result in the creation of nonconforming uses for existing and approved, but not yet constructed, mini-warehouse/self-storage facilities in the C-1/C-P and the four industrial zones. For example, any existing mini-warehouse/self-storage use, after adoption of the amendment, would be inconsistent with the new standards that prohibit these uses in the C-1/C-P zone and require a Conditional Use Permit in the I-P, M-SC, M-M and M-H zones.

There are a total five (5) mini-warehouse/self-storage facilities in the City that will be effected by the proposed amendment. Four self-storage facilities are existing and in operation, and one is approved but not yet built (i.e., Eagle Eye Self Storage). These facilities are identified below (refer to Attachment C for location map):

- Clinton Keith Self-Storage: M-SC zone (Elizabeth Lane and Clinton Keith Road);
- Eagle Eye Self-Storage: C-1/C-P zone (NEC of Bryant Avenue & Corydon Street);
- Bear Creek Self-Storage: C-1/C-P zone (Clinton Keith Road, west of Palomar St.);
- Bundy Canyon Super Storage: C-1/C-P zone (Bundy Canyon Road, east of I-15);
- SWS Self-Storage; C-1/C-P zone (Mission Trail, north of Bundy Canyon Road)

For the three (3) existing self-storage facilities in the C-1/C-P zone (and the one approved but not yet constructed), these businesses would legally be allowed to continue operations for a limited time period (see next paragraph), including maintenance upgrades, but they will not be allowed to expand. The nonconforming designation for the one (1) existing facility in the M-SC zone would allow for future expansion provided there is an application for a Conditional Use Permit. Any new self-storage facility proposal in the four industrial zones will require a CUP application.

Under the current nonconforming provisions (Section 17.184.040), a use that becomes nonconforming can only be maintained for a limited period of time and must cease operations, even if it is an existing structure. For commercial uses, like self-storage facilities, that time period is one (1) year. In strict terms, the three (3) existing self-storage facilities in the C-1/C-P zone would not be allowed to operate one year after adoption of Zoning Ordinance Amendment No. 12-02 prohibiting self-storage facilities in the C-1/C-P zone. The one (1) self-storage facility that is approved but not yet constructed would not be allowed to begin construction at all after adoption of Zoning Ordinance Amendment No. 12-02

In discussion with the City Attorney on this specific matter, it was concluded that the current provisions for nonconforming uses to cease operations after a limited time period is not practical, and possibly not even legal. Thus, to fix this problem, staff is recommending Section 17.184 be amended to create nonconforming provisions that are reasonable and consistent with typical provisions enforced by other city agencies. In general, the amendment proposes to include the following:

- Amend Section 17.184.020 to create two new definitions and additional language related to this section;
- Amend Section 17.184.040 by deleting the existing nonconforming time periods and replacing it with new language that allows nonconforming uses to continue operations;
- Amend Section 17.184.050 by repealing the entire section regarding amortization periods which will be covered by Section 17.184.040; and
- Amend Section 17.184.090 by repealing the entire section and replacing it with new language related to exceptions due to damages on nonconforming structures/uses.

Staff believes that the proposed amendment to the Nonconforming structures and uses section of the Zoning Ordinance is an equitable solution to addressing the nonconforming aspects created by Zoning Ordinance Amendment No. 12-02 related to Mini-warehouses/Self-storage facilities.

### **ENVIRONMENTAL ASSESSMENT**

A review of the potential environmental impacts was conducted for Zoning Ordinance Amendment No. 12-01. Based on this review, the Planning Department has determined that the proposed amendment (which provides for only text changes) to modify the provisions of the Nonconforming Uses and Structures regulations has no potential to impact the environment. Further, the proposed amendment does not alter the existing requirements that specific development projects must comply with the provisions of the California Environmental Quality Act.

Therefore, the Zoning Ordinance Amendment No. 12-01 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 adoption of this CEQA Exemption to the City Council.

Respectfully Submitted,

---

Matthew C. Bassi  
Planning Director

### **ATTACHMENTS:**

- A. PC Resolution No. 12-06  
Exhibit 1 – Draft City Council Ordinance
- B. Location Maps of Existing/Approved Self-Storage Facilities

# **ATTACHMENT A**

**PC Resolution No. 12-06**

PC RESOLUTION NO. 12-06

**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. 12-01 AMENDING CHAPTER 17.184  
(NONCONFORMING STRUCTURES AND USES)**

**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. 12-01; and

**WHEREAS**, on May 5, 2012, the City published a legal notice in The Californian, a newspaper local circulation, notifying the public of the holding of a public hearing for the proposed Zoning Ordinance Amendment to be considered by the City of Wildomar Planning Commission; and

**WHEREAS**, on May 16, 2012, the City of Wildomar Planning Commission held the noticed public hearing at which time interested persons had an opportunity to testify in support of, or opposition to, the proposed Zoning Ordinance Amendment No. 12-02, and at which the Planning Commission voted to continue the proposed Zoning Ordinance Amendment; and

**WHEREAS**, on June 6, 2012, the City of Wildomar Planning Commission meeting was cancelled.

**WHEREAS**, on June 9, 2012, the City published a legal notice in The Californian, a newspaper local circulation, notifying the public of the holding of a public hearing for the proposed Zoning Ordinance Amendment to be considered by the City of Wildomar Planning Commission; and

**WHEREAS**, on June 20, 2012, 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, the proposed Zoning Ordinance Amendment No. 12-02, and at which the Planning Commission recommended City Council approval of Zoning Ordinance Amendment No. 12-02.

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

**SECTION 1. ENVIRONMENTAL DETERMINATION.**

The Planning Commission hereby recommends that the City Council find and determine that approval of the proposed Zoning Ordinance Amendment No. 12-01 modifying Chapter 17.184 (Nonconforming Structures and Uses) has no potential to

impact the environment. Further, that the proposed Zoning Ordinance Amendment does not alter the existing requirements that specific development projects must comply with the provisions of the California Environmental Quality Act. Therefore, the proposed Zoning Ordinance Amendment is 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.

## **SECTION 2. REQUIRED ZOA FINDINGS.**

In accordance with the provisions of Section 17.290 of the Wildomar Zoning ordinance, the following finds are offered for Planning Commission consideration in recommending approval of Zoning Ordinance Amendment No. 12-02 to the City Council.

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

The proposed amendment to the Zoning Ordinance is consistent with the City of Wildomar General Plan, as the revision to revise the nonconforming provisions related to structures and uses will not impact the City's ability to further the goals of the General Plan to encourage development opportunities for mini-warehouses, and similar uses. Further, the proposed amendment will further the goals of the General Plan to protect the health, safety and welfare of the citizens of Wildomar. In addition, the amendment will allow existing mini-warehouse/self-storage uses to continue operations and provide a needed service to the community.

## **SECTION 3. PLANNING COMMISSION ACTIONS.**

The Planning Commission recommends the City Council take the following actions:

1. Notice of Exemption. That the City Council make a determination that Zoning Ordinance Amendment No. 12-01 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 within five days of the adoption of the Ordinance.
2. Adopt an Ordinance. That the City Council adopt an Ordinance approving Zoning Ordinance Amendment No. 12-01 attached hereto and incorporated herein by reference as Exhibit 1.

**PASSED, APPROVED AND ADOPTED** this 20th day of June, 2012 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 ADOPTING AN EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER SECTION 15061(B)(3) OF CEQA AND APPROVING ZONING ORDINANCE AMENDMENT NO. 12-01 AMENDING CHAPTER 17.184 (NONCONFORMING STRUCTURES AND USES)”

THE WILDOMAR CITY COUNCIL DOES ORDAIN AS FOLLOWS:

**SECTION 1: Environmental Findings.**

The City Council hereby finds and determines that approval of the proposed Zoning Ordinance Amendment No. 12-01 modifying Chapter 17.184 (Nonconforming Structures and Uses) has no potential to impact the environment. Further, that the proposed Zoning Ordinance Amendment does not alter the existing requirements that specific development projects must comply with the provisions of the California Environmental Quality Act. Therefore, the proposed Zoning Ordinance Amendment is 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.

**SECTION 2. General Plan Consistency Findings.**

In accordance with the provisions of Section 17.290 of the Wildomar Zoning ordinance, the following finds are offered for Planning Commission consideration in recommending approval of Zoning Ordinance Amendment No. 12-01 to the City Council.

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

The proposed amendment to the Zoning Ordinance is consistent with the City of Wildomar General Plan, as the revision to revise the nonconforming provisions related to structures and uses will not impact the City's ability to further the goals of the General Plan to encourage development opportunities for mini-warehouses, and similar uses. Further, the proposed amendment will further the goals of the General Plan to protect the health, safety and welfare of the citizens of Wildomar. In addition, the amendment will allow existing mini-warehouse/self-storage uses to continue operations and provide a needed service to the community.

**SECTION 3:           Amendment to the Zoning Ordinance**

Section 17.184.020 of Chapter 17.184 of the Wildomar Municipal Code is hereby repealed and replaced to read in its entirety as follows:

"Section 17.184.020           Generally and Definitions

A.     The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section:

1)     "Nonconforming Use" is any lawfully established use that, due to an amendment to the Zoning Code adopted subsequent to the establishment of the use, does not comply with all of the zoning regulations applicable to the use.

2)     "Nonconforming Structure" is any lawfully established structure or portion thereof that, due to an amendment to the Zoning Code adopted subsequent to the establishment of the structure, does not comply with all of the zoning regulations applicable to the structure.

B.     Any nonconforming structure or nonconforming use may be continued and maintained as provided in this chapter.

C.     The following structures and uses shall be deemed nonconforming:

1)     Any structure, the construction of which is incomplete at the time an amendment is adopted making the structure nonconforming, if:

a.     A building permit has been legally issued for the structure; and,

b.     Substantial construction has been performed on the site before the amendment making such structure nonconforming is adopted; and,

c.     The structure is completed in accordance with the plans and specifications upon which the building permit was issued.

2)     Any use that is not yet established but for which an unexpired use permit or plot plan was approved prior to the adoption of an amendment to the zoning code making such use nonconforming, so long as the use is established and maintained in accordance with any conditions of approval upon which the use permit or plot plan was approved."

**SECTION 4:           Amendment to the Zoning Ordinance**

Section 17.184.040 of Chapter 17.184 of the Wildomar Municipal Code is hereby repealed and replaced to read in its entirety as follows:

"17.184.040 Continuation of Nonconforming Structures or Uses

Except as otherwise provided in this chapter, each and every nonconforming use or structure may continue to be utilized and maintained, provided that there is no alteration, addition, enlargement or intensification to any such use or structure."

**SECTION 5:           Amendment to the Zoning Ordinance**

Section 17.184.050 of Chapter 17.184 of the Wildomar Municipal Code is hereby repealed in its entirety.

**SECTION 6:           Amendment to the Zoning Ordinance**

Section 17.184.090 of Chapter 17.184 of the Wildomar Municipal Code is hereby repealed and replaced to read in its entirety.

"17.184.090 Exceptions.

A.     The provisions of this chapter shall not prevent the reconstruction, repairing, rebuilding or replacement and continued use of any nonconforming structure that is damaged by fire, explosion or acts of God.

B.     Routine maintenance and minor repairs may be performed on a nonconforming structure provided that the maintenance and repairs do not increase any nonconformity."

**SECTION 7. 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 8. 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 9. 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 \_\_\_\_\_, 2012.

\_\_\_\_\_  
Ben J. Benoit  
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 \_\_\_\_\_, 2012, and had its second reading at the regular meeting of the Wildomar City Council on the \_\_\_\_ day of \_\_\_\_\_, 2012, and was passed by the following vote:

AYES:

NOES:

ABSTAIN:

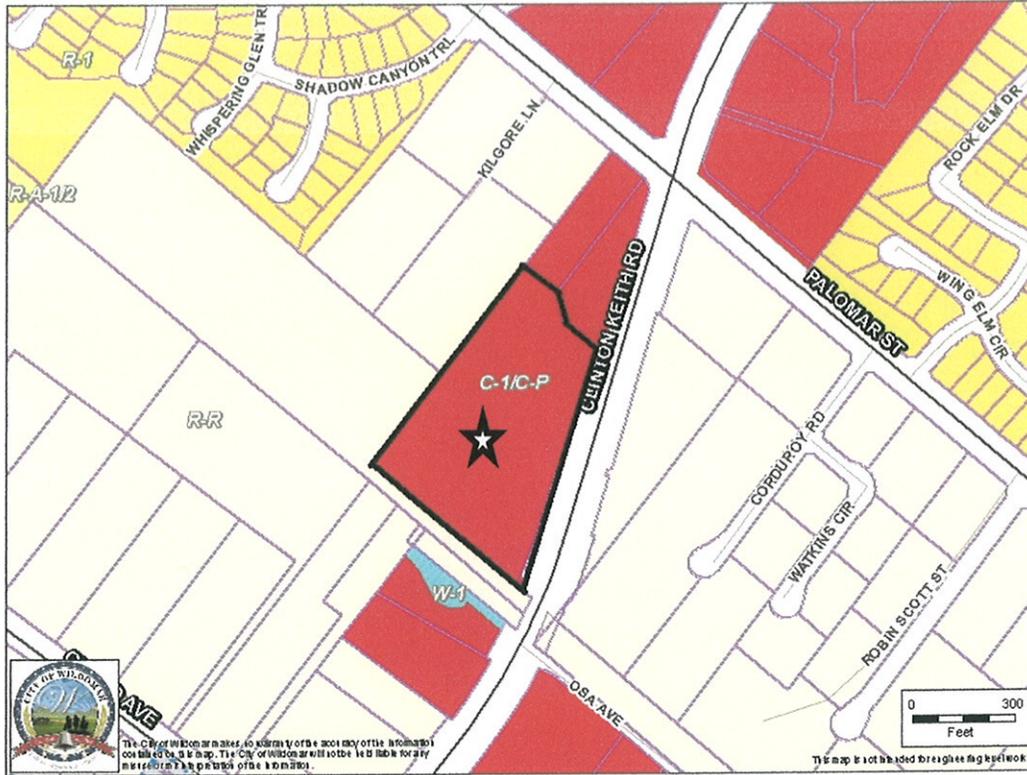
ABSENT:

\_\_\_\_\_  
Debbie A. Lee, City Clerk

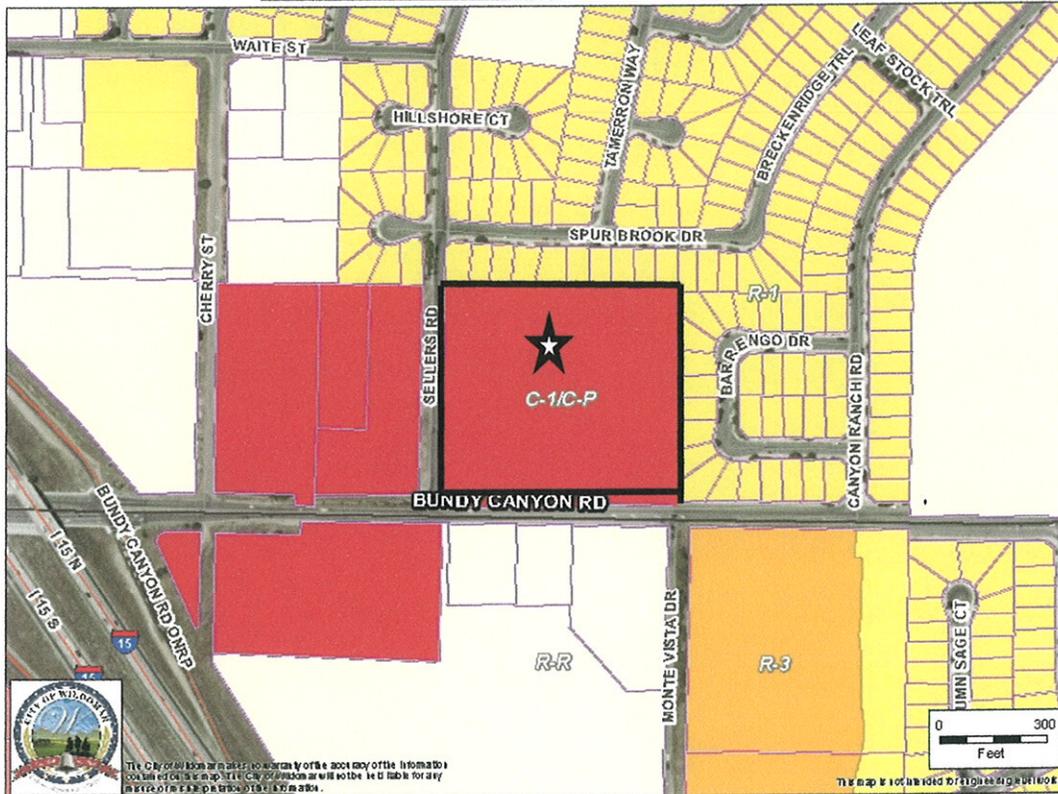
# **ATTACHMENT B**

**Location Maps of Self Storage Facilities**

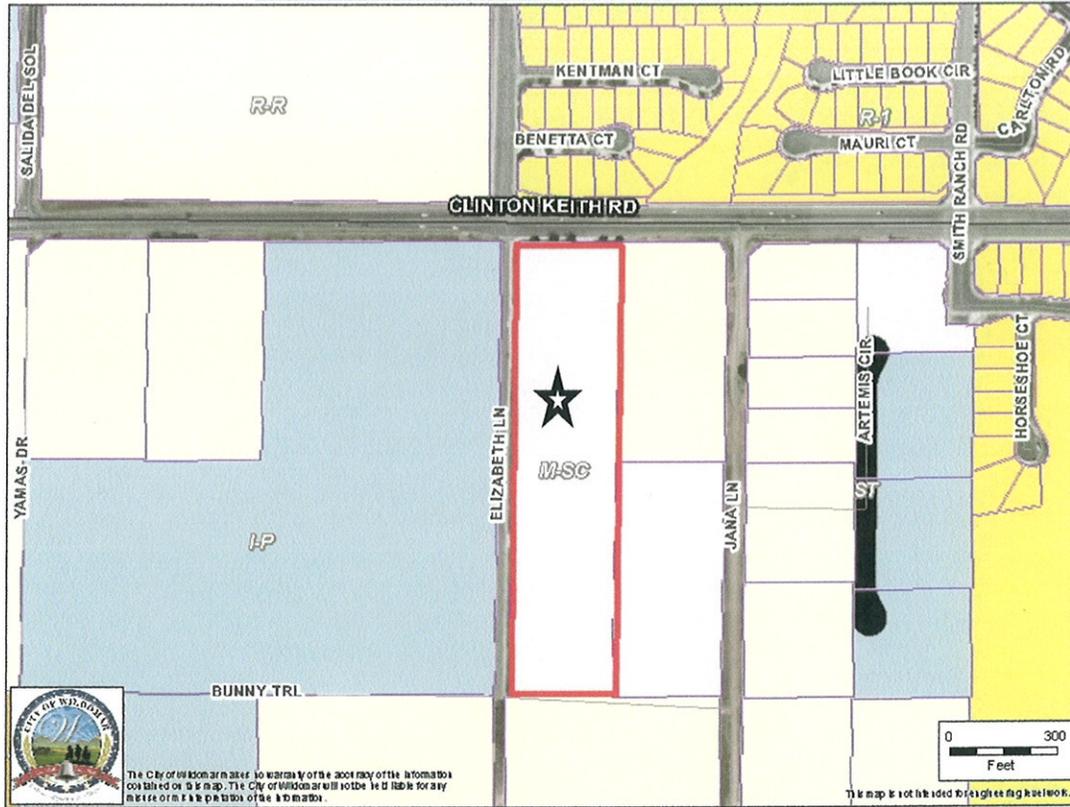
## BEAR CREEK SELF STORAGE FACILITY



## BUNDY CANYON SUPER STORAGE



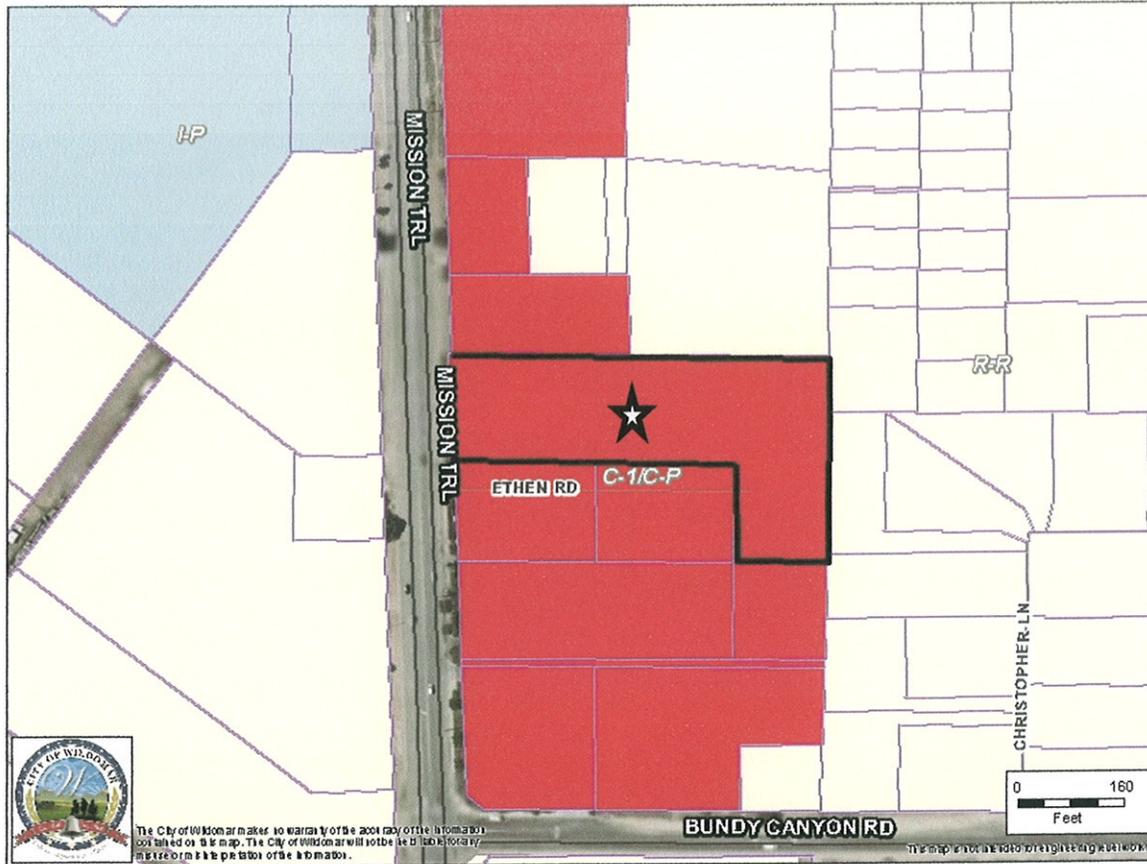
## CLINTON KEITH SELF STORAGE FACILITY



## EAGLE EYE SELF STORAGE FACILITY



# SWS SELF STORAGE FACILITY



**CITY OF WILDOMAR – PLANNING COMMISSION**

**Agenda Item # 2.3**

**PUBLIC HEARING**

**Meeting Date: June 20, 2012**

---

**TO:** Chairman and Members of the Planning Commission

**FROM:** Matthew C. Bassi, Planning Director 

**SUBJECT:** Parcel Map No. 35539 (Planning Application No. 08-0261):  
Planning Commission consideration of a request to delete “Condition No. 50.PLANNING.3” requiring the approval of a change of zone prior to final recordation of Parcel Map No. 35539 approved by the Riverside County Planning Commission on June 11, 2008 for a two-lot single family residential subdivision located on 4.0 acres in the R-R (Rural Residential) zone (APN: 380-160-015).

---

**RECOMMENDATION:**

The Planning Department recommends the Planning Commission adopt PC Resolution No. 12-10 (Attachment A) entitled:

**“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA APPROVING A REQUEST TO DELETE “CONDITION NO. 50.PLANNING.3” REQUIRING THE APPROVAL OF A CHANGE OF ZONE PRIOR TO FINAL RECORDATION OF PARCEL MAP NO. 35539 FOR AN APPROVED TWO-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION ON 4.0 ACRES IN THE R-R (RURAL RESIDENTIAL) ZONE LOCATED AT 23160 RANCHO MIRLO ROAD (APN: 380-160-015)”**

**BACKGROUND**

The following outlines the background/history of this project:

- Parcel Map No. 35539, Change of Zone No. 7525 and Lot Line Adjustment No. 5268 was originally submitted to the Riverside County Planning Department for review and processing on May 31, 2007.
- The parcel map was proposed to subdivide the 4-acre parcel into two lots for future single family residential development. The change of zone was requested to change the zoning from R-R (Rural Residential) to R-R-2 (Rural Residential, 2-acre minimum lot size) for the project site. The lot line adjustment was needed to create a four-acre parcel to accommodate the two-lot parcel map, and was formally approved by the County on April 16, 2008.

- On June 11, 2008, the Riverside County Planning Commission approved Parcel Map No. 35539 to subdivide the four-acre parcel into two lots (2 acres each) for future single family residential subdivision.
- One of the approved conditions (Condition No. 50.PLANNING.3) required approval of Change of Zone No. 7525 by the Board of Supervisors prior to recordation of the final parcel map. At the same meeting, the County Planning Commission recommended Board approval of the proposed Change of Zone (CZ 7525).
- Shortly after the County Commission's action on the Parcel Map and Change of Zone, the City of Wildomar incorporated and the project file was transferred to the City of Wildomar for final processing.
- To comply with "Condition No. 50.PLANNING.3," the Planning Department scheduled the change of zone for City Council review on January 13, 2010.
- On January 13, 2010, the City Council reviewed and approved the first reading of a Change of Zone request (CZ 7525; Planning Application No. 08-0261) from R-R (Rural Residential) to R-R-2 (Rural Residential – 2 acre minimum) for the project site.
- The second reading was tentatively scheduled for the February 10, 2010 City Council meeting; however, the applicant had an outstanding deposit account balance that was required to be paid before Council action on the second reading. Thus, the second reading has never taken place.
- The applicant recently (May 2012) paid off the outstanding account balance and deposited additional funds to finalize the change of zone and schedule the second reading for City Council review.

## **DISCUSSION**

The original request was to change the zoning from R-R (Rural Residential) to R-R-2 (Rural Residential, 2-acre minimum lot size). In researching the history, the Planning Department, in consultation with the City Attorney, has determined that this R-R-2 designation does not exist in Wildomar's Zoning Ordinance or General Plan. Staff has attempted to consult with the County Planning Department to get a clarification on why the change of zone was processed with the R-R-2 designation; however, as of the date of this report we have not been successful.

Regardless, the General Plan land use designation for the property is Estate Density Residential (EDR), which allows single family residential development on large parcels of two (2) to five (5) acres. The current zoning designation for the property is R-R (Rural Residential) which also allows single family residential development on parcels

that are at least one-half acre in size. Density for any residential project is determined by the General Plan, while the Zoning Ordinance establishes minimum development standards. It is not unusual that some applicants propose a development plan that actually exceeds the minimum development standards required by the zoning district. For example, a project may propose larger front setbacks to achieve more landscaping or to create a nicer streetscape.

The County could have made a determination that the parcel map was consistent with the General Plan land use designation of EDR, and Zoning designation of R-R, since the parcel map proposed two lots, both with a minimum two-acre lot size. This determination would have meant that the applicant did not need the proposed change of zone, and certainly did not need the condition requiring approval of the change of zone prior to recordation of the parcel map.

Since staff has determined that change of zone is not necessary, and the parcel map is consistent with the General Plan and Zoning Ordinance; therefore, we are recommending that the Planning Commission approve the request to delete "Condition No. 50.PLANNING.3" requiring approval of the change of zone prior to recordation of the final parcel map. All other conditions for Parcel Map No. 35539 will remain in full force and effect. Staff has provided a copy of the County approved conditions for reference (Attachment C).

### **ENVIRONMENTAL DETERMINATION**

On June 11, 2008, the Riverside County Planning Commission adopted a Categorical Exemption for Parcel Map No. 35539 in accordance with Article 19, Section 15315 (Minor Land Divisions) of the California Environmental Quality Act (CEQA) guidelines. The request to amend the conditions of approval for Parcel Map No. 35539 is not defined as a "Project" under the provisions of the California Environmental Quality Act (CEQA) guidelines as discussed in Article 20, Section 15378 of the California Environmental Quality Act (CEQA) guidelines; therefore, no further environmental review is required for said request.

In reviewing the request to delete Condition No. 50.Planning.3, the Planning Commission finds that it will not result in an increase in the density or intensity of the project and will not result in project changes that were not previously analyzed under the previous environmental review. Based on the Planning Department's knowledge of the project and surrounding developments, the Planning Commission concludes that there has been no change in circumstances under which the project is being undertaken that would require additional analysis under CEQA. Finally, the Planning Commission has not been presented with any information contrary to this conclusion nor any information from which it could be fairly argued that the deletion of Condition No. 50.Planning.3 involves new significant effects on the environment, or substantially increases the severity of a previously identified effect.

Parcel Map No. 35539  
Planning Application No. 08-0261  
June 20, 2012  
Page 4

Respectfully Submitted,



---

Matthew C. Bassi  
Planning Director

**ATTACHMENTS:**

- A. PC Resolution No. 12-10  
Exhibit 1 – Approved Conditions (dated 6/11/08)
- B. Vicinity Map/Location Map
- C. County Approved Parcel Map Conditions

# **ATTACHMENT A**

**PC Resolution No. 12-10**

## PC RESOLUTION NO. 12-10

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA APPROVING A REQUEST TO DELETE "CONDITION NO. 50.PLANNING.3" REQUIRING THE APPROVAL OF A CHANGE OF ZONE PRIOR TO FINAL RECORDATION OF PARCEL MAP NO. 35539 FOR AN APPROVED TWO-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION ON 4.0 ACRES IN THE R-R (RURAL RESIDENTIAL) ZONE LOCATED AT 23160 RANCHO MIRLO ROAD (APN: 380-160-015)**

**WHEREAS**, the Planning Department has received a request to delete "Condition No. 50.PLANNING.3" for an approved Parcel Map (PM No. 35539) application on a 4.0 acre site currently zoned R-R (Rural Residential) located at 23160 Rancho Mirlo Road filed by:

Applicant/Owner: Mr. Pat Woods, on behalf of Inland Valley Development  
Project Location: 23160 Rancho Mirlo Road  
APN: 380-160-015  
Lot Area: 4.0 acres; and

**WHEREAS**, Parcel Map No. 35539, Change of Zone No. 7525 and Lot Line Adjustment No. 5268 was originally submitted to the Riverside County Planning Department on May 31, 2007 for review and processing;

**WHEREAS**, the County of Riverside approved Lot Line Adjustment No. 5268 on April 16, 2008 for the property located at 23160 Rancho Mirlo Road (APN: 380-160-015); and

**WHEREAS**, the Planning Commission of the County of Riverside approved Parcel Map No. 35539 on June 11, 2008, subject to conditions for a two-lot single family residential subdivision, including a condition (Condition No. 50.PLANNING.3) requiring approval of Change of Zone No. 7525 prior to recordation of said parcel map; and

**WHEREAS**, the City of Wildomar incorporated on July 1, 2008, and at such time thereafter, the application for Parcel Map No. 35539 and Change of Zone No. 7525 (Planning Application No. 08-0261) was transferred to the City of Wildomar Planning Department for further processing; and

**WHEREAS**, on January 13, 2010, the City Council of the City of Wildomar reviewed and approved the first reading of a Change of Zone request (CZ 7525; Planning Application No. 08-0261) from R-R (Rural Residential) to R-R-2 (Rural Residential – 2 acre minimum) for the property located at 23160 Rancho Mirlo Road (APN: 380-160-015); however, the City Council has not had a second reading in accordance with City regulations; and

**WHEREAS**, June 9, 2012, the City of Wildomar published a legal notice in The Californian, a newspaper local circulation, notifying the public of the holding of a public hearing for Parcel Map No. 35539 in which the City of Wildomar Planning Commission would consider a request to delete "Condition No. 50.PLANNING.3" of said parcel map; and

**WHEREAS**, on June 20, 2012, the City of Wildomar Planning Commission held the noticed public hearing at which time interested persons had an opportunity to testify in support of, or opposition to, a request to delete "Condition No. 50.PLANNING.3" for an approved Parcel Map (PM No. 35539) in which the City of Wildomar Planning Commission would consider; and

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

### **SECTION 1. ENVIRONMENTAL DETERMINATION.**

On June 11, 2008, the Riverside County Planning Commission adopted a Categorical Exemption for Parcel Map No. 35539 in accordance with Article 19, Section 15315 (Minor Land Divisions) of the California Environmental Quality Act (CEQA) guidelines. The request to amend the conditions of approval for Parcel Map No. 35539 is not defined as a "Project" under the provisions of the California Environmental Quality Act (CEQA) guidelines as discussed in Article 20, Section 15378 of the California Environmental Quality Act (CEQA) guidelines; therefore, no further environmental review is required for said request.

In reviewing the request to delete Condition No. 50.Planning.3, the Planning Commission finds that it will not result in an increase in the density or intensity of the project and will not result in project changes that were not previously analyzed under the previous environmental review. Based on the Planning Department's knowledge of the project and surrounding developments, the Planning Commission concludes that there has been no change in circumstances under which the project is being undertaken that would require additional analysis under CEQA. Finally, the Planning Commission has not been presented with any information contrary to this conclusion nor any information from which it could be fairly argued that the deletion of Condition No. 50.Planning.3 involves new significant effects on the environment, or substantially increases the severity of a previously identified effect.

### **SECTION 2. PLANNING COMMISSION ACTION.**

The Planning Commission hereby adopts PC Resolution No. 12-10, approving a request to delete "Condition No. 50.PLANNING.3" requiring the approval of a change of zone prior to final recordation of Parcel Map No. 35539 approved by the Riverside County Planning Commission on June 11, 2008 for a two-lot single family residential subdivision located on 4.0 acres in the R-R (Rural Residential) zone (APN: 380-160-015).

**PASSED, APPROVED AND ADOPTED** this 20th day of June, 2012 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



# ATTACHMENT C

(Approved County Parcel Map Conditions)

PARCEL MAP Parcel Map #: PM35539

Parcel: 380-160-015

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1                      MAP - DEFINITIONS                      RECOMMND

The words identified in the following list that appear in all capitals in the attached conditions of Tentative Parcel Map No. 35539 shall be henceforth defined as follows:

TENTATIVE MAP = Tentative Parcel Map No. 35539, dated April 2008

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

10. EVERY. 2                      MAP - PROJECT DESCRIPTION                      RECOMMND

The land division hereby permitted is to proposes a Schedule "H" subdivision of a 4 gross acre parcel into two (2) residential parcels with a minimum parcel size of 2 gross acres.

10. EVERY. 3                      MAP - HOLD HARMLESS                      RECOMMND

The land divider 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, which action is brought within the time period provided for in California Government Code, Section 66499.37. The COUNTY will promptly notify the land divider 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 land divider of any such claim, action, or proceeding or fails to cooperate fully in the defense, the land divider shall not, thereafter, be responsible to defend, indemnify, or hold harmless the COUNTY.

BS GRADE DEPARTMENT

10.BS GRADE. 1                      MAP-GIN INTRODUCTION                      RECOMMND

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

PARCEL MAP Parcel Map #: PM35539

Parcel: 380-160-015

10. GENERAL CONDITIONS

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

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                    RECOMMND

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                    RECOMMND

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

10.BS GRADE. 4                    MAP-G1.5 EROS CNTRL PROTECT                    RECOMMND

Graded but undeveloped land shall provide, in addition to erosion control planting, any drainage facility deemed necessary to control or prevent erosion. Additional erosion protection may be required during the rainy season from October 15 to April 15.

10.BS GRADE. 5                    MAP-G1.6 DUST CONTROL                    RECOMMND

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

10.BS GRADE. 6                    MAP-G2.1 GRADING BONDS                    RECOMMND

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

10.BS GRADE. 7                    MAP-G2.5 2:1 MAX SLOPE RATIO                    RECOMMND

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

PARCEL MAP Parcel Map #: PM35539

Parcel: 380-160-015

10. GENERAL CONDITIONS

10.BS GRADE. 8                    MAP-G2.6SLOPE STABL'TY ANLY                    RECOMMND

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. 9                    MAP-G2.8MINIMUM DRNAGE GRAD                    RECOMMND

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

10.BS GRADE. 10                    MAP-G2.11DR WAY XING NWC                    RECOMMND

Lots whose access is or will be affected by natural or constructed drainage facilities, shall provide drive way drainage facilities which are adequate to allow access from the street to the house during 100 year storms.

10.BS GRADE. 11                    MAP-G2.12SLOPES IN FLOODWAY                    RECOMMND

Graded slopes which infringe into the 100 year storm flow flood way boundaries, shall be protected from erosion, or other flood hazards, by a method acceptable to the Building & Safety Departments District Grading Engineer - which may include Riverside County flood Control & Water Conservation District's review and approval. However, no graded slope will be allowed which in the professional judgment of the District Grading Engineer blocks, concentrates or diverts drainage flows.

10.BS GRADE. 12                    MAP-G2.13FIRE D'S OK ON DR.                    RECOMMND

Driveways shall be designed in accordance with Riverside County Fire Department standards - or the governing Fire Department if not the county - and shall require their approval prior to issuance of the grading permit. Aproval shall be in the form of a conditional approval letter addressed to the related case file or by written approval from the Fire Department.

10.BS GRADE. 13                    MAP-G2.21POST & BEAM LOT                    RECOMMND

Any lot conditioned to use post and beam design, which involves grading in excess of that required to construct the driveway, will need the Planning Department's approval prior to the issuance of a grading permit.

PARCEL MAP Parcel Map #: PM35539

Parcel: 380-160-015

10. GENERAL CONDITIONS

10.BS GRADE. 15

MAP-G1.4 NPDES/SWPPP

RECOMMND

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 March 10, 2003 owner operators of grading or 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 permit requirement applies to grading and construction sites of "ONE" acre or larger. The owner operator can comply by submitting a "Notice of Intent" (NOI), develop and 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.

Additionally, at the time the county adopts, as part of any ordinance, regulations specific to the N.P.D.E.S., this project (or subdivision) shall comply with them.

E HEALTH DEPARTMENT

10.E HEALTH. 1

MAP PERC RPT INFO

RECOMMND

The Department of Environmental Health will permit an Onsite Wastewater Disposal System on the proposed new lot based upon the Sewage Disposal Feasibility Study performed by Lawrence Phelps, P.E. and dated April 16, 2007.

Additional soils testing may be required depending upon the actual design of the OWTS, location of the system relative to the area tested (for soils), and it's location from existing well(s).

Please be aware that in accordance with Assembly Bill 885, the State Water Resources Control Board will be adopting in the near future , regulations or standards for the permitting and operation of all onsite sewage treatment systems, including septic tanks. These regulations or standards may require monitoring for these treatment systems including septic tanks.

PARCEL MAP Parcel Map #: PM35539

Parcel: 380-160-015

10. GENERAL CONDITIONS

10.E HEALTH. 2                    MAP WELL LOCATION(S)                    RECOMMND

Parcel Map 35539 dated 12/3/2007 indicates a second well on the property's northern side approximately 40 feet south of the proposed lot division. The map submitted with the SAN 53 application (no amendments) showed only one well adjacent to an existing shed. Please clarify the number of wells on the existing property.

FIRE DEPARTMENT

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

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-#13-HYDRANT SPACING                    RECOMMND

Schedule H fire protection. An approved standard fire hydrant (6"x4"x2 1/2") shall be located within 250 feet of the driveway entrance as measured along approved vehicular travelways. Minimum fire flow shall be 1000 GPM for 2-hour duration at 20 PSI.

FLOOD RI DEPARTMENT

10.FLOOD RI. 1                    MAP FLOOD HAZARD REPORT                    RECOMMND

Parcel Map 35539 proposes a Schedule "H" subdivision of a 4 gross acre parcel into 2 residential parcels in the Wildomar area. The site is located southerly of Clinton Keith Road and easterly of Rancho Mirlo Road.

The site is located on a ridge. As such, except for nuisance nature local runoff that may traverse portions of the property, the site would be considered free from ordinary storm flood hazard. However, a storm of unusual magnitude could cause some damage. The tributary drainage area from the northwest is approximately 2 acres while the tributary drainage area from the northeast is approximately 0.6 acres. Any fencing shall be of "rail" type. Chain-link fencing shall not be allowed.

This site is located within the bounds of the Murrieta Creek - Murrieta Valley Area Drainage Plan (ADP) for which

PARCEL MAP Parcel Map #: PM35539

Parcel: 380-160-015

10. GENERAL CONDITIONS

10.FLOOD RI. 1                    MAP FLOOD HAZARD REPORT (cont.)                    RECOMMND

drainage fees have been established by the Board of Supervisors. Applicable ADP fees will be due (in accordance with the Rules and Regulations for Administration of Area Drainage Plans) prior to permits for this project. Although the current fee for this ADP is \$4,139 per acre, the fee due will be based on the fee in effect at the time of payment. The fee is payable to the Flood Control District by cashier's check or money order only. The District will not accept personal or company checks.

PLANNING DEPARTMENT

10.PLANNING. 1                    MAP - IF HUMAN REMAINS FOUND                    RECOMMND

If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resource Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a resonable timeframe. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.

10.PLANNING. 2                    MAP - INADVERTENT ARCHAEO FIND                    RECOMMND

If during ground disturbance activities, unique cultural resources are discovered that were not assessed by the archaeological report(s) and/or environemntal assessment conducted prior to project approval, the following procedures shall be followed. Unique cultural resources are defined, for this condition, as being multiple artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance.

1. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a

PARCEL MAP Parcel Map #: PM35539

Parcel: 380-160-015

10. GENERAL CONDITIONS

10.PLANNING. 2                    MAP - INADVERTENT ARCHAEO FIND (cont.)                    RECOMMND

meeting is convened between the developer, the archaeologist, the Native American tribal representative and the Planning Director to discuss the significance of the find.

2. At the meeting, the significance of the discoveries shall be discussed and after consultation with the Native American tribal representative and the archaeologist, a decision shall be made, with the concurrence of the Planning Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources.

3. Grading of further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation.

10.PLANNING. 3                    MAP - MAP ACT COMPLIANCE                    RECOMMND

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

10.PLANNING. 4                    MAP - FEES FOR REVIEW                    RECOMMND

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. 7                    MAP - FINAL PLAN OF DEVELOPMNT                    RECOMMND

Model home complex plot plans shall not be approved without prior or concurrent Final Plan of Development approvals.

10.PLANNING. 10                    MAP - ZONING STANDARDS                    RECOMMND

Lots created by this TENTATIVE MAP shall be in conformance with the development standards of the Rural Residential (2 AC Minimum) zone.



PARCEL MAP Parcel Map #: PM35539

Parcel: 380-160-015

10. GENERAL CONDITIONS

10.PLANNING. 15            MAP - ORD 810 OPN SPACE FEE (cont.)            RECOMMND

The fee shall be paid for each residential unit to be constructed within this land division.

In the event Riverside County Ordinance No. 810 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 810 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

10.PLANNING. 16            MAP - ORD NO. 659 (DIF)            RECOMMND

Prior to the issuance of either a certificate of occupancy or prior to building permit final inspection, the applicant shall comply with the provisions of Riverside County Ordinance No. 659, which requires the payment of the appropriate fee set forth in the Ordinance. Riverside County Ordinance No. 659 has been established to set forth policies, regulations and fees related to the funding and construction of facilities necessary to address the direct and cumulative environmental effects generated by new development projects described and defined in this Ordinance, and it establishes the authorized uses of the fees collected.

The fee shall be paid for each residential unit to be constructed within this land division. In the event Riverside County Ordinance No. 659 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 659 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

10.PLANNING. 17            STKP- OFF-HIGHWAY VEHICLE USE            RECOMMND

No off-highway vehicle use shall be allowed on any parcel used for stockpiling purposes. The landowners shall secure all parcels on which a stockpile has been placed and shall prevent all off-highway vehicles from using the property.

10.PLANNING. 18            MAP - SUBMIT BUILDING PLANS            RECOMMND

The developer shall cause building plans to be submitted to the TLMA- Land Use Setion for review by the Department of Building and Safety - Plan Check Division. Said plans shall



PARCEL MAP Parcel Map #: PM35539

Parcel: 380-160-015

10. GENERAL CONDITIONS

10.TRANS. 8 MAP - STD INTRO 3(ORD 460/461) (cont.) RECOMMND

omission or unacceptablility 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.

20. PRIOR TO A CERTAIN DATE

PLANNING DEPARTMENT

20.PLANNING. 1 MAP - AMD PER CONDITIONS MAP RECOMMND

Within 10 days of approval by the Planning Commission ten (10) copies of an Amended Per Final Conditions map shall be submitted to and approved by the County Planning Department. A lock shall take effect at the end of the 10 days on the TENTATIVE MAP and on any implementing permits and shall not be removed unless and until the Amended Per Final Conditions map has been approved by the County Planning Department. The Amended Per Final Conditions map shall be in substantial conformance with the TENTATIVE MAP.

\_\_\_].

20.PLANNING. 2 MAP - EXPIRATION DATE RECOMMND

The conditionally approved TENTATIVE MAP shall expire three (3) 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

PARCEL MAP Parcel Map #: PM35539

Parcel: 380-160-015

20. PRIOR TO A CERTAIN DATE

20.PLANNING. 2                   MAP - EXPIRATION DATE (cont.)                   RECOMMND

notice shall remain in effect and no further FINAL MAP recordation shall be permitted.

50. PRIOR TO MAP RECORDATION

FIRE DEPARTMENT

50.FIRE. 1                       MAP-#64-ECS-DRIVEWAY ACCESS                   RECOMMND

Ecs map must be stamped by the Riverside County Surveyor with the following note: Driveways exceeding 150' in length, but less than 800' in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800', turnouts shall be provided no more than 400' apart. Turnouts shall be a minimum of 10' wide and 30' in length, with a minimum 25' taper on each end. A approved turnaround shall be provided at all building sites on driveways over 150 feet in length, and shall be within 50' of the building.

50.FIRE. 2                       MAP-#73-ECS-DRIVEWAY REQUIR                   RECOMMND

Ecs map must be stamped by the Riverside County Surveyor with the following note: Access will not have an up, or downgrade of more than 15%. (access will not be less than 20 feet in width per the 2001 UFC, Article 9, Section 902.2.2.1) and will have a vertical clearance of 15'. Access will be designed to withstand the weight of 60 thousand pounds over 2 axles. Access will have a turning radius of 38 feet capable of accommodating fire apparatus.

50.FIRE. 3                       MAP-#53-ECS-WTR PRIOR/COMBUS                   RECOMMND

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. 4                       MAP-#59-ECS-HYDR REQUIR                   RECOMMND

Ecs map must be stamped by the Riverside County Surveyor with the following note: Should the applicant or developer choose to defer the fire protection requirements, an Environmental Constraint Sheet shall be filed with the final map containing the following: Prior to the issuance

PARCEL MAP Parcel Map #: PM35539

Parcel: 380-160-015

50. PRIOR TO MAP RECORDATION

50.FIRE. 4                      MAP-#59-ECS-HYDR REQUIR (cont.)                      RECOMMND

of a building permit, the applicant or developer shall provide written certification from the water company that a standard fire hydrant(s) (6"x4"x2 1/2") exist, within 250 feet of any portion of the lot frontage as measured along approved vehicular travelways; or that financial arrangements have been made to provide hydrant(s)

FLOOD RI DEPARTMENT

50.FLOOD RI. 2                      MAP SUBMIT ECS & FINAL MAP                      RECOMMND

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.

50.FLOOD RI. 8                      MAP ADP FEES                      RECOMMND

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 with cashier's check or money order only 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.

PARCEL MAP Parcel Map #: PM35539

Parcel: 380-160-015

50. PRIOR TO MAP RECORDATION

PLANNING DEPARTMENT

50.PLANNING. 1 MAP - PREPARE A FINAL MAP

RECOMMND

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.

50.PLANNING. 2 MAP - SURVEYOR CHECK LIST

RECOMMND

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 2 gross acres.
- C. All lot sizes and dimensions on the FINAL MAP shall be in conformance with the development standards of the R-A zone, and with the Riverside County Integrated Project (RCIP).
- 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.

\* 50.PLANNING. 3 MAP - REQUIRED APPLICATIONS

RECOMMND

No FINAL MAP shall record until Change of Zone No. 7525 has been approved and adopted by the Board of Supervisors and has been made effective. This land division shall conform with the development standards of the designation[s] and/or zone[s] ultimately applied to the property.

PARCEL MAP Parcel Map #: PM35539

Parcel: 380-160-015

50. PRIOR TO MAP RECORDATION

50.PLANNING. 4                   MAP - REQUIRED CHANGE OF ZONE                   RECOMMND

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 his change of zone has been approved and adopted by the Board of Supervisors and is effective.

50.PLANNING. 6                   MAP - ANNEX TO PARK DISTRICT                   RECOMMND

The land divider shall submit written proof to the County Planning Department - Development Review Division that the subject property has been annexed to County Service Area No. 152A.

50.PLANNING. 7                   MAP - QUIMBY FEES (1)                   RECOMMND

The land divider shall submit to the County Planning Department - Development Review Division a duly and completely executed agreement with the County Service Area No. 152A, 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.

50.PLANNING. 13                  MAP - FINAL MAP PREPARER                   RECOMMND

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

50.PLANNING. 14                  MAP - ECS SHALL BE PREPARED               RECOMMND

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.

50.PLANNING. 15                  MAP - ECS AFFECTED LOTS                   RECOMMND

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 \_\_\_\_.



PARCEL MAP Parcel Map #: PM35539

Parcel: 380-160-015

50. PRIOR TO MAP RECORDATION

50.PLANNING. 25

MAP - ECS NOTE RIGHT-TO-FARM

RECOMMND

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

"Lot Nos. \_\_\_\_\_, as shown on this map, are located partly or wholly within, or within 300 feet of, land zoned for primarily agricultural purposes by the County of Riverside. It is the declared policy of the County of Riverside that no agricultural activity, operation, or facility, or appurtenance thereof, conducted or maintained for commercial purposes in the unincorporated area of the County, and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations in the same locality, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after the same has been in operation for more than three (3) years, if it wasn't a nuisance at the time it began. The term "agricultural activity, operation or facility, or appurtenances thereof" includes, but is not limited to, the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any apiculture, or horticulture, the raising of livestock, fur bearing animals, fish or poultry, and any practices performed by a farmer or on a farm as incident to, or in conjunction with, such farming operations, including preparation for market, delivery to storage or to market, or to carriers for transportation to market."

In the event the number of lots, or the configuration of lots, of the FINAL MAP differs from that shown on the approved TENTATIVE MAP, the actual language used above shall reflect those lots which are partly or wholly within 300 feet of agriculturally zoned (A-1, A-2, A-P, A-D) properties.

TRANS DEPARTMENT

50.TRANS. 4

MAP - AGGREGATE/32' GRADED

RECOMMND

Rancho Mirlo, along the site frontage, shall be improved with 24 feet of acceptable Aggregate Base (0.33' thick) on a 32 foot graded section within a 60 foot full-width dedicated right-of-way as approved by the Transportation Department.

Jerome Lane, along the site frontage, shall be improved

PARCEL MAP Parcel Map #: PM35539

Parcel: 380-160-015

50. PRIOR TO MAP RECORDATION

50.TRANS. 4                    MAP - AGGREGATE/32'GRADED (cont.)                    RECOMMND

with 24 feet of acceptable Aggregate Base (0.33' thick) on a 32 foot graded section within a 60 foot full-width dedicated right-of-way as approved by the Transportation Department.

50.TRANS. 6                    MAP - EASEMENT                    RECOMMND

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. 10                    MAP - IMP PLANS                    RECOMMND

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. 13                    MAP - STREET NAME SIGN                    RECOMMND

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

50.TRANS. 14                    MAP - INTERSECTION/50' TANGENT                    RECOMMND

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.

50.TRANS. 17                    MAP - SOUTHWEST R&BBD RECORD                    RECOMMND

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 Southwest Road and Bridge Benefit District.

50.TRANS. 18                    MAP - SOUTHWEST TUMF                    RECOMMND

Prior to the recordation of the final map, or any phase thereof, the project proponent shall pay the Transportation

PARCEL MAP Parcel Map #: PM35539

Parcel: 380-160-015

50. PRIOR TO MAP RECORDATION

50.TRANS. 18                      MAP - SOUTHWEST TUMF (cont.)                      RECOMMND

Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of recordation, pursuant to Board Policy (dated May 25, 2004) and Ordinance No. 824.

50.TRANS. 20                      MAP - ASSESSMENT DIST 1                      RECOMMND

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.

50.TRANS. 21                      MAP - ACCESS RD/AGG. CONST1                      RECOMMND

An access road to the nearest road maintained for public use shall be constructed with 24 feet of acceptable aggregate base (0.33' thick) on a 32 foot graded section with a 40 foot full-width dedicated right-of-way in accordance with an approved centerline profile as approved by the Transportation Department. The applicant shall 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 northwesterly extension of Rancho Mirlo to Clinton Keith Road a County maintained road.

60. PRIOR TO GRADING PRMT ISSUANCE

BS GRADE DEPARTMENT

60.BS GRADE. 1                      MAP-G2.4GEOTECH/SOILS RPTS                      RECOMMND

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 approved by Riverside County.\*

\*The geotechnical/soils, compaction and inspection reports will be reviewed in accordance with the RIVERSIDE COUNTY

PARCEL MAP Parcel Map #: PM35539

Parcel: 380-160-015

60. PRIOR TO GRADING PRMT ISSUANCE

60.BS GRADE. 1                    MAP-G2.4GEOTECH/SOILS RPTS (cont.)                    RECOMMND

GEOTECHNICAL GUIDELINES FOR REVIEW OF GEOTECHNICAL AND GEOLOGIC REPORTS.

60.BS GRADE. 2                    MAP-G2.7DRNAGE DESIGN Q100                    RECOMMND

All grading and drainage shall be designed in accordance with Riverside County Flood Control & Water Conservation District's conditions of approval regarding this application. If not specifically addressed in their conditions, drainage shall be designed to accommodate 100 year storm flows.

Additionally, the Building and Safety Department's conditional approval of this application includes an expectation that the conceptual grading plan reviewed and approved for it complies or can comply with any WQMP (Water Quality Management Plan) required by Riverside County Flood Control and Water Conservation District.

60.BS GRADE. 3                    MAP-G2.14OFFSITE GDG ONUS                    RECOMMND

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.

60.BS GRADE. 4                    MAP-G1.4 NPDES/SWPPP                    RECOMMND

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 March 10, 2003 owner operators of grading or 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 permit requirement applies to grading and construction sites of "ONE" acre or larger. The owner operator can comply by submitting a "Notice of Intent" (NOI), develop and 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.

Additionally, at the time the county adopts, as part of any

PARCEL MAP Parcel Map #: PM35539

Parcel: 380-160-015

60. PRIOR TO GRADING PRMT ISSUANCE

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

ordinance, regulations specific to the N.P.D.E.S., this project (or subdivision) shall comply with them.

60.BS GRADE. 5                    MAP IMPORT/EXPORT                    RECOMMND

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. If an Environmental Assessment, prior to issuing a grading permit, did not previously approve either location, a Grading Environmental Assessment shall be submitted to the Planning Director and the Environmental Programs Director for review and comment and to the Building and Safety Department Director for approval. Additionally, if the movement of import/export occurs using county roads, review and approval of the haul routes by the Transportation Department will be required.

FLOOD RI DEPARTMENT

60.FLOOD RI. 2                    MAP ADP FEES                    RECOMMND

PM 35539 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 with cashier's check or money order only 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. 2                    MAP - BUILDING PAD GRADING                    RECOMMND

All grading for any proposed new dwellings and/or accessory buildings shall occur within the approved building pad sites shown on the TENTATIVE MAP.

PARCEL MAP Parcel Map #: PM35539

Parcel: 380-160-015

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 4                    MAP - SLOPE GRADING TECHNIQUES                    RECOMMND

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 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. 10                    MAP - PLANNING DEPT REVIEW                    RECOMMND

As part of the plan check review of the proposed grading plan for the subject property, the Department of Building and Safety - Grading Division shall submit a copy of the proposed grading plan, along with the applicable Log/Permit Numbers for reference, to the County Planning Department to be reviewed for compliance with the approved tentative map.

60.PLANNING. 13                    MAP - SECTION 1601/1603 PERMIT                    RECOMMND

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.

PARCEL MAP Parcel Map #: PM35539

Parcel: 380-160-015

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 14 MAP - SECTION 404 PERMIT

RECOMMND

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. 16 MAP - SKR FEE CONDITION

RECOMMND

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 4 acres (gross) 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. 17 MAP - FEE BALANCE

RECOMMND

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. 18 MAP - GRADING PLAN REVIEW

RECOMMND

The land divider/permit holder shall cause a plan check application for a grading plan to be submitted to the County T.L.M.A - Land Use Division for review by the

PARCEL MAP Parcel Map #: PM35539

Parcel: 380-160-015

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 18            MAP - GRADING PLAN REVIEW (cont.)            RECOMMND

County Department of Building and Safety - Grading Division. Said grading plan shall be in conformance with the approved tentative map, in compliance with County Ordinance No. 457, and the conditions of approval for the tentative map.

60.PLANNING. 20            MAP - NPDES COMPLIANCE (2)            RECOMMND

Since this project will disturb one (1) or more acres, it will require a National Pollutant Discharge Elimination System (NPDES) Construction General Permit from the State Water Resources Control Board. Clearance for grading shall not be given until either the district or the Department of Building and Safety has determined that the project has complied with the current County requirements regarding the NPDES Construction General Permit.

60.PLANNING. 22            MAP - IF HUMAN REMAINS FOUND            RECOMMND

If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner shall be notified of the find immediately. If the remains are determined to be prehistoric, the coroner shall notify the Native American Heritage Commission, which will determine and notify the appropriate NATIVE AMERICAN TRIBE who is the most likely descendent. The descendent shall inspect the site of the discovery and make a recommendation as to the appropriate mitigation. After the recommendation has been made, the property owner, a Native American Tribe representative, and a County representative shall meet to determine the appropriate mitigation measures and corrective actions to be implemented.

60.PLANNING. 23            MAP - REQUIRED APPLICATIONS            RECOMMND

No grading permits shall be issued until Change of Zone No. 7525 has been approved and adopted by the Board of Supervisors and [has] [have] been made effective.

PARCEL MAP Parcel Map #: PM35539

Parcel: 380-160-015

80. PRIOR TO BLDG PRMT ISSUANCE

BS GRADE DEPARTMENT

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

RECOMMND

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.

E HEALTH DEPARTMENT

80.E HEALTH. 1                    MAP SEPTIC PLANS

RECOMMND

A set of three

detailed plan drawn to scale (1"=20') showing the proposed subsurface sewage disposal system and floor plan/plumbing schedule to ensure proper septic tank sizing is required to be submitted to the Department of Environmental Health.

FIRE DEPARTMENT

80.FIRE. 1                        MAP-#50B-HYDRANT SYSTEM

RECOMMND

Prior to the release of your installation, site prep and/or building permits from Building and Safety. Written certification from the appropriate water district that the required fire hydrant(s) are either existing or that financial arrangements have been made to provide them.

Also a map or APN page showing the location of the fire hydrant and access to the property.

FLOOD RI DEPARTMENT

80.FLOOD RI. 2                    MAP ADP FEES

RECOMMND

PM 35539 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 with cashier's check or money order only 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

PARCEL MAP Parcel Map #: PM35539

Parcel: 380-160-015

80. PRIOR TO BLDG PRMT ISSUANCE

80.FLOOD RI. 2                    MAP ADP FEES (cont.)                    RECOMMND

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

80.PLANNING. 2                    MAP - UNDERGROUND UTILITIES                    RECOMMND

All utility extensions within a lot shall be placed underground.

80.PLANNING. 5                    MAP\*- DA COMPLIANCE                    RECOMMND

The land divider/permit holder shall submit to the County Planning Department - Development Review Division written proof that property[ies] located within Development Agreement No. \_\_\_\_ complies with all of the requirements of the development agreement.

80.PLANNING. 8                    MAP - SCHOOL MITIGATION                    RECOMMND

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

80.PLANNING. 10                    MAP - FEE BALANCE                    RECOMMND

Prior to issuance of building 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.

90. PRIOR TO BLDG FINAL INSPECTION

E HEALTH DEPARTMENT

90.E HEALTH. 1                    MAP WELL/WATER STATEMENT                    RECOMMND

Since this project is to be served water by well(s), pumps, and water tanks, a water supply permit will be required. The requirements for a water supply permit are as follows: 1) Satisfactory laboratory test (bacteriological, organic, inorganic, general physical, general mineral and radiological) to prove the water potable. 2) Satisfactory proof that there is adequate quantity ( to include fire flow and available for intended development). 3) A complete

PARCEL MAP Parcel Map #: PM35539

Parcel: 380-160-015

90. PRIOR TO BLDG FINAL INSPECTION

90.E HEALTH. 1                    MAP WELL/WATER STATEMENT (cont.)                    RECOMMND

set of plans for the Department of Environmental Health review and approval showing all details of the proposed and existing water systems. 4) Satisfactory information concerning how the system will be owned and operated.

PLANNING DEPARTMENT

90.PLANNING. 4                    MAP - QUIMBY FEES (2)                    RECOMMND

The land divider/permit holder shall present certification to the Riverside County Planning Department that payment of parks and recreation fees and/or dedication of land for park use in accordance with Section 10.35 of County Ordinance No. 460 has taken place. Said certification shall be obtained from the County of Riverside Economic Development Agency (EDA) for CSA No. 152A.

90.PLANNING. 6                    MAP - SKR FEE CONDITION                    RECOMMND

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 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 4 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.