



CITY OF WILDOMAR – PLANNING COMMISSION
Agenda Item #2.1
PUBLIC HEARING
Meeting Date: August 20, 2014

TO: Chairman and Members of the Planning Commission

FROM: Matthew C. Bassi, Planning Director

SUBJECT: Lennar Residential Project (Planning Application No. 12-0364):

Planning Commission consideration and recommendation to the City Council for the adoption of a Mitigated Negative Declaration (MND) and Mitigation Monitoring & Reporting Program (MMRP) and approval of a Change of Zone, Tentative Tract Map and Plot Plan for a residential project located at the southwest corner of Elizabeth Lane and Prielipp Road (APN: 380-280-004, 380-280-009, 380-280-010, 380-280-011 & 380-280-012)

RECOMMENDATION:

The Planning Department recommends the Planning Commission take the following actions:

1. Adopt a Resolution entitled:

PC RESOLUTION NO. 14-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL ADOPTION OF A MITIGATED NEGATIVE DECLARATION (MND) AND MITIGATION MONITORING & REPORTING PROGRAM (MMRP) AND APPROVAL OF CHANGE OF ZONE NO. 12-0364 FROM R-R (RURAL RESIDENTIAL) TO R-4 (PLANNED RESIDENTIAL ZONE), TENTATIVE TRACT MAP NO. 36497 FOR THE SUBDIVISION OF 24 ACRES INTO 67 PARCELS (INCLUDING APPROVAL OF MINOR DEVIATIONS IN ACCORDANCE WITH THE CITY'S RESIDENTIAL DESIGN GUIDELINES) AND PLOT PLAN NO. 12-0364 (INCLUDING A FINAL SITE PLAN OF DEVELOPMENT) FOR THE DEVELOPMENT OF 67 SINGLE FAMILY RESIDENTIAL DWELLING UNITS WITHIN THE R-4 ZONE LOCATED AT THE SOUTHWEST CORNER OF ELIZABETH LANE AND PRIELIPP ROAD (APN: 380-280-004, 380-280-009, 380-280-010, 380-280-011 & 380-280-012)

2. Adopt a Resolution entitled:

PC RESOLUTION NO. 14-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF A CHANGE OF ZONE (PLANNING APPLICATION

NO. 12-0364) FROM R-R (RURAL RESIDENTIAL) TO R-4 (PLANNED RESIDENTIAL ZONE) FOR A 24 ACRE SITE LOCATED AT THE SOUTHWEST CORNER OF ELIZABETH LANE AND PRIELIPP ROAD (APN: 380-280-004, 380-280-009, 380-280-010, 380-280-011 & 380-280-012)

3. Adopt a Resolution entitled:

PC RESOLUTION NO. 14-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF TENTATIVE TRACT MAP NO. 36497 FOR THE SUBDIVISION OF APPROXIMATELY 24 ACRES INTO 67 PARCELS (INCLUDING APPROVAL OF MINOR DEVIATIONS IN ACCORDANCE WITH THE CITY'S RESIDENTIAL DESIGN GUIDELINES) SUBJECT TO CONDITIONS LOCATED AT THE SOUTHWEST CORNER OF ELIZABETH LANE AND PRIELIPP ROAD (APN: 380-280-004, 380-280-009, 380-280-010, 380-280-011 & 380-280-012)

4. Adopt a Resolution entitled:

PC RESOLUTION NO. 14-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF PLOT PLAN NO. 12-0364 (INCLUDING A FINAL SITE PLAN OF DEVELOPMENT) FOR THE DEVELOPMENT OF 67 SINGLE FAMILY RESIDENTIAL DWELLING UNITS SUBJECT TO CONDITIONS LOCATED AT THE SOUTHWEST CORNER OF ELIZABETH LANE AND PRIELIPP ROAD (APN: 380-280-004, 380-280-009, 380-280-010, 380-280-011 & 380-280-012)

PROJECT DESCRIPTION:

The applicant, Lennar Homes of California, is proposing a change of zone, tentative tract map and plot plan for the development of 67 single family residential dwelling units (including a private park). The "Parkside Community" as it has been named consists of the following actions/applications:

- Adoption of an MND & MMRP;
- Approval of a Change of Zone;
- Approval of a 67-lot Tentative Tract Map (TTM 36497); and
- Approval of a Plot Plan (i.e., Final Site Plan of Development).

A more detailed description of each application is provided in the following sections.

Project Location/Vicinity:

The project site encompasses approximately 24 acres and is located at the SWC of Elizabeth Lane and Prielipp Road. The site is currently vacant but once had a dwelling unit that was razed several years ago. In general, the project is located in the southeast part of the city east of the Inland Valley hospital complex, along the Murrieta border. The aerial photo on the following page shows the project site and surrounding area.

Vicinity/Location Map



Surrounding Land Uses:

The project site is surrounded by a mix of residential uses to the immediate west, east and south, industrial uses to the west and vacant properties to the north. The summary table on the following page lists the current land uses, general plan designations and zoning designations for the site and abutting properties. Staff has also provided two exhibits (on the following pages) showing the general plan land use and zoning designations from our GIS data base.

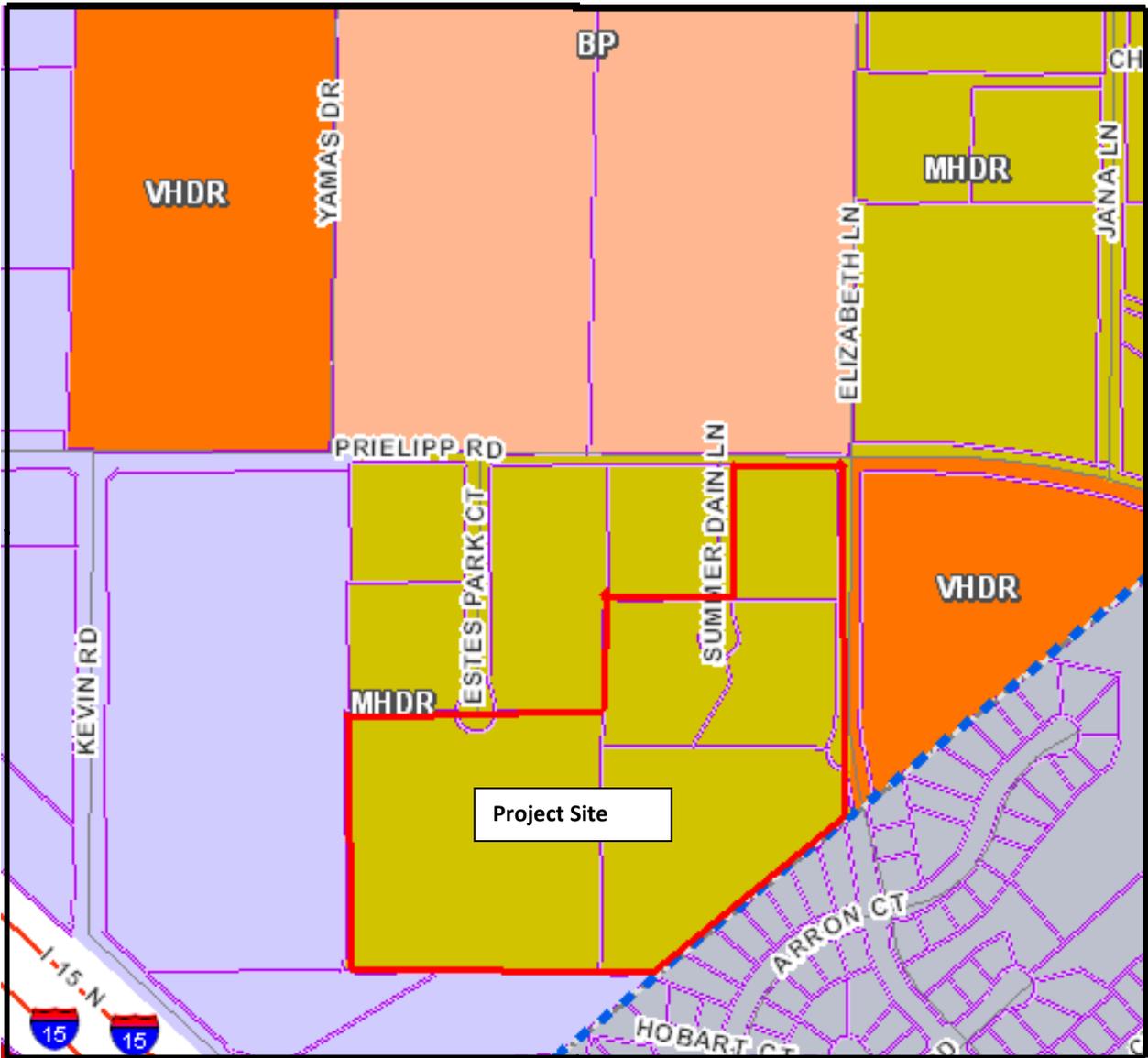
ADJACENT LAND USE, GENERAL PLAN AND ZONING			
Location	Current Land Use	General Plan Land Use Designation	Zoning Designation
Subject Property	Vacant	Medium High Density Residential	R-R (Rural Residential)
North	Vacant	Business Park	R-R (Rural Residential)
South	Single Family Residential	City of Murrieta	City of Murrieta
East	Apartments	Very High Density Residential	R-3
West	Industrial	Light Industrial	M-SC (Manufacturing Service Commercial)

Change of Zone 12-0364:

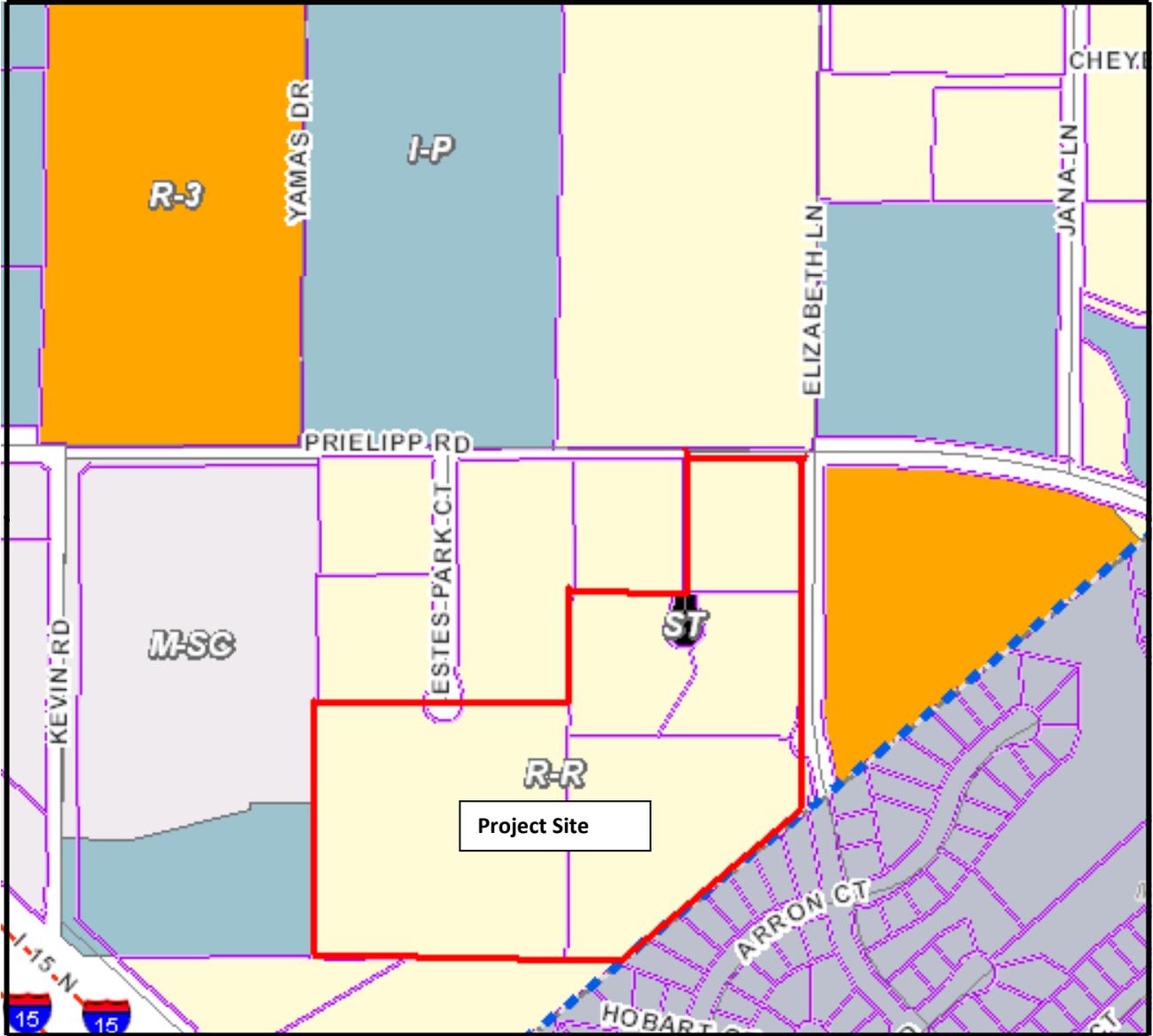
The applicant is requesting approval of a change of zone from the R-R (Rural Residential) designation to R-4 (Planned Residential) to accommodate the proposed development. The site has a general plan use designation of Medium High Density Residential (MHDR) which allows for a density range of 5 – 8 units/acre and development of single family attached and detached residences on lots that typically range from 4,000 – 6,500 square feet (larger lots are acceptable). The R-4 zoning designation allows for single family detached residences on lots as low as 3,500 square feet, so this zoning is an appropriate designation for the project.

Further analysis of the change of zone is provided in the Analysis section of this report. On the following page is the current land use and zoning exhibits along with the proposed zoning exhibit.

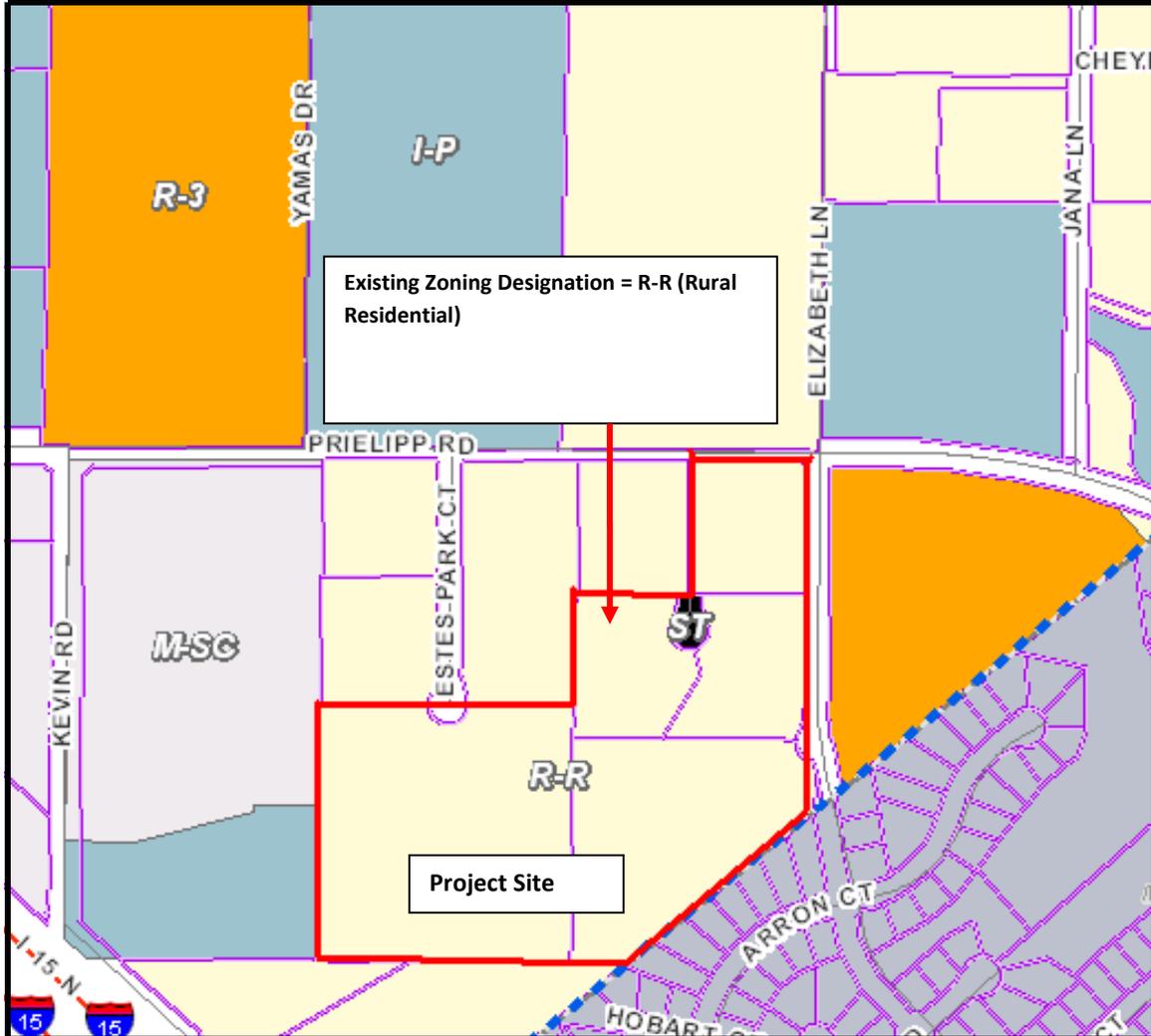
General Plan Land Use Exhibit



Zoning Designation Exhibit



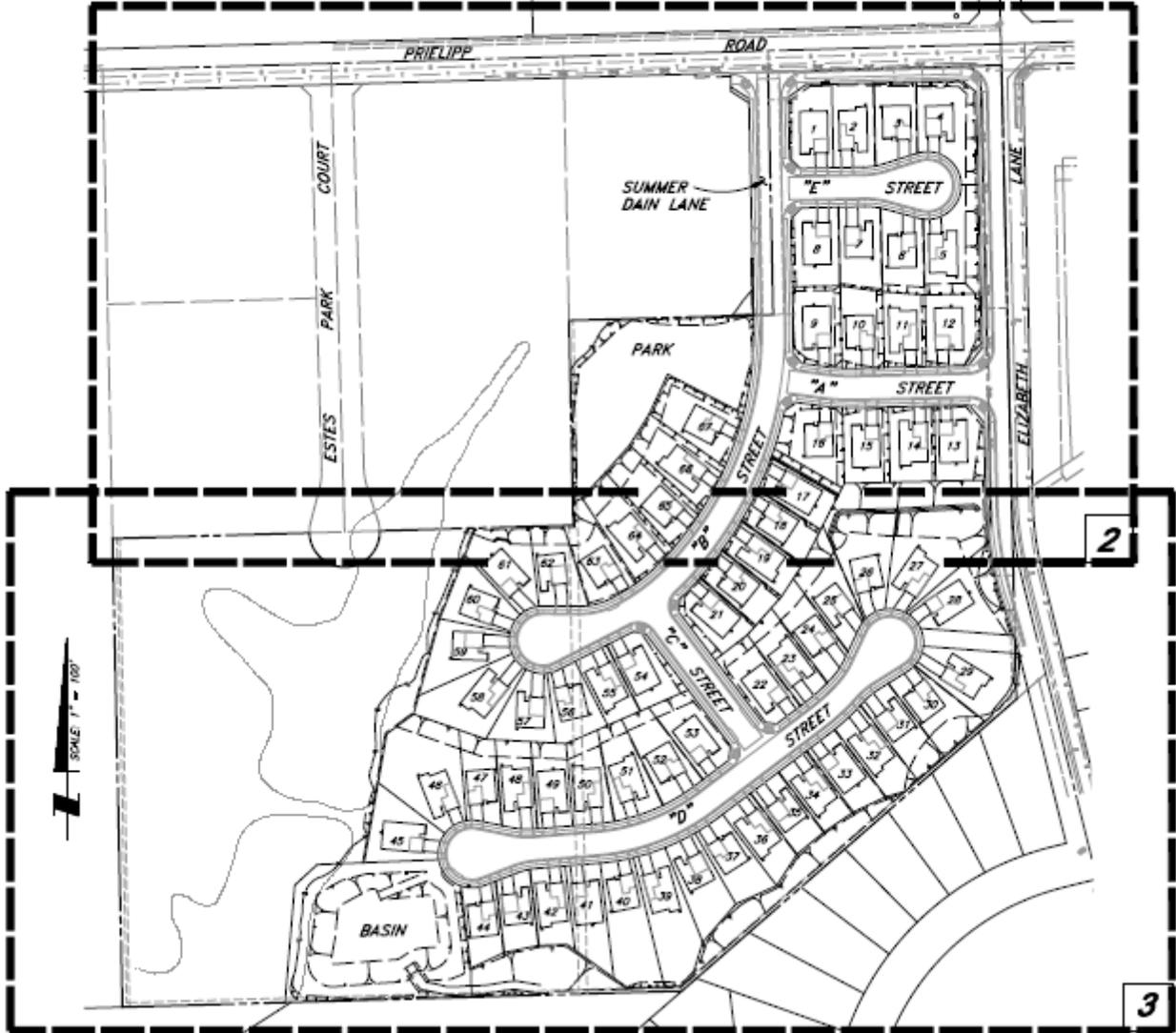
Proposed Change of Zone Exhibit



Tentative Tract map No. 36497:

The applicant is proposing a tentative tract map (TTM No. 36947) to subdivide the 24 acre site into 67 lots to accommodate the development of 67 single family residential dwelling units. The proposed lot sizes range in size from 5,184 square feet (smallest size) to 19,198 square feet (largest size) consistent with the R-4 zone standards. A full size copy of the proposed tract map is provided in Attachment E. A reduced exhibit of the tract map is shown on the following page.

**TRACT NO. 36497
IN THE CITY OF WILDOMAR**



Specifics of the tract map are described as follows:

Vehicular Access/Streets:

Primary access to the subdivision will be provided via Elizabeth Lane (67' R-O-W) and Prielipp Road (100' R-O-W). Access from Elizabeth Lane will be provided via "A" street (local street with a 56' R-O-W). Internal circulation to each lot will be provided via local street that have a 56' R-O-W. All streets adjacent to and within the subdivision are conditioned to be dedicated, fully improved and constructed as part of the development. Analysis of the vehicular access is provided in the Analysis section of this report.

Project Grading:

The applicant has submitted a preliminary grading plans that reflects a balanced site so no dirt will be hauled off or brought to the project site, thus, avoiding truck hauling traffic.. As illustrated on the preliminary grading plans, the property slopes from north to

south and contains “valleys” that will be filled in as part of the grading work. The grading plan has been determined to be in conformance with the City’s requirements by the City Engineer, and is discussed in detail in the Initial Study/Mitigated Negative Declaration (including the DBESP).

Residential Design Guidelines Deviations:

The applicant has proposed several design deviations to the tract map as follows:

- 1) The minimum lot width frontage at the end of the cul-de-sacs and knuckles per the city’s residential design guidelines is 40 feet. The applicant has proposed the following lot frontage width deviations:
 - a. 30-foot width for Lots 58 – 61.
 - b. 31-foot width for Lots 27 – 29 & 57.
 - c. 34-foot width for Lot 26.
 - d. 36-foot width for Lot 46.
 - e. 39-foot width for Lot 45.

- 2) Curb adjacent street section (design standard is parkway design street section) as follows:
 - a. This is being requested along Summer Dain Lane on the east side of the street to provide a nice landscape buffer along the boundary wall.

- 3) A Modified street section to Standard 105A:
 - a. In the event the developer is unable to satisfy Public Works conditions 35 and 52 a modified street section is being requested to accommodate safe access.

The City Engineer and Planning Director have evaluated these deviations in accordance with the City’s Design Guidelines and Street Design Standards which give’s the Planning Commission the authority to make a recommendation of support to the City Council as part of the public hearing process (*citation: “Countywide Design Standards and Guidelines, Adopted January 13, 2004 by the Riverside County Board of Supervisors*).

An analysis is provided in the Project Analysis section of this report.

Plot Plan No. 12-0364:

As the project is being developed in accordance with the R-4 zone standards (Section 17.60.050), full development plans are required to accompany the tract map. The following is a description of the development plans (i.e., final site plan of development, refer to Attachment F).

Final Site Plan of Development (Plot Plan No. 12-0364):

The final site plan of development package includes the following items:

- 1) final site plan of development showing the proposed dwelling unit locations (with front, side and rear yard setbacks);

- 2) house plotting details for each lot in the tract showing the location of the proposes plan types and elevations;
- 3) wall and fence plan, including private park design proposed for the tract;
- 4) architectural booklet showing the proposed architectural styles of each dwelling unit type; and
- 5) conceptual landscape plans for the tract.

Private Park

The applicant is providing a .78 acre private park for the Parkside Community residents. The park is located in the center of the project with easy access from any of the 67 lots within the tract. The park will be maintained by a homeowners association that will be established as part of the project development. Staff has conditioned that the park be constructed and operational prior to the issuance of the 34th occupancy permit (Planning Condition No. 82). The private park will include two (2) half-court basketball courts, a tot lot and a shade structure covering two (2) barbeques and two (2) picnic tables.

Staff has evaluated the Plot Plan, final site plan of development and private park in accordance with the R-4 zone standards and residential design guidelines. An analysis is provided in the Project Analysis section of this report.

Environmental/CEQA:

In accordance with the California Environmental Quality Act (CEQA) guidelines, the proposed project required the preparation and processing of an Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring & Reporting Program (MMRP). The MND and MMRP must be reviewed by the Planning Commission as part of its recommendation to the City Council. A detailed analysis of the MND process, etc., is provided in the Environmental Analysis section of this report. A copy of the IS/MND & MMRP (with technical studies/appendices) are provided for Commission consideration (Attachment A, Exhibit's 1, 2 & 3).

PROJECT ANALYSIS:

Change of Zone No. 12-0364:

Staff has evaluated the proposed change of zone from the current zoning designation of R-R (Rural Residential) to R-4 (Planned Residential) to determine consistency with the General Plan. The existing land use designation is Medium High Density Residential (MHDR) which allows single family detached and attached residences within a density range of 5 to 8 dwelling units per acre. In reviewing the applicant's change of zone request and development proposal, the project density is proposed at 5.92 units/acre which falls within the permitted density range, thus, it is consistent with the general plan.

The MHDR designation also allows small lot single family residential development with lot sizes that typically (not mandated) that range in size from 4,000 to 6,500 square feet. The proposed lot sizes range in size from 5,184 square feet (smallest size) to 19,198 (largest size) which are consistent with the general plan. The R-4 zone standards also

require an average lot size of 6,000 square feet, with a minimum lot size of 3,500 square feet. The smallest lot size is 5,184 square feet and the average lot size is 7,586 square feet which exceeds the minimum standards. Thus, the proposed lot sizes are consistent with the MHDR land use designation. Please refer to the findings of fact section of the staff report for further details.

Tentative Tract Map No. 36497:

The applicant is proposing a tentative tract map (TTM No. 36947) to subdivide 24 acres into 67 lots which will accommodate the development of 67 single family residential dwelling units. There is one private park within the tract boundaries that is .64 acres in size. The park is further discussed in the plot plan section below.

The tract map will be subdivided under the provisions and development standards of the R-4 zone. In accordance with Section 17.60.040.A, the minimum overall area (i.e., lot size) for each dwelling unit shall be 6,000 square feet. In review of the proposed tract map, the minimum overall area 7,586 square feet which exceeds the standard.

As required in Section 17.60.040.B, the minimum lot area for individual lots must be at least 3,500 square feet, (the general plan actually requires a 4,000 square-foot minimum lot size), The smallest lot size in the proposed tract map is 5,184 square feet which exceeds the minimum standard. For comparison, the largest lot size is 19,198 square feet with an average lot size of 7,586 square feet.

As required in Section 17.60.040.B, the minimum lot width and depth shall be 40 feet and 80 feet, respectively. In review of the proposed tract map, the smallest lot width is 42 feet and the smallest lot depth is 100 feet. Thus, the tract map exceeds the minimum standards for lot width and lot depth.

Vehicular Access/Streets:

The proposed access to the subdivision will be provided via Elizabeth Lane and Prielipp Road, both which are conditioned to be dedicated, improved and constructed as part of this development. In accordance with Section 17.60.040.H of the WMC, adequate and permanent access from a public street has to be provided to accommodate the new residents of this community as well as for pedestrians and emergency vehicles. These roadways are consistent with the City of Wildomar Road Improvement Standards & Specifications and meets the minimum standards.

Summer Dain Lane which extends south from Prielipp Road into the tract will also provide vehicular access to the new homes. A portion of proposed Summer Dain Lane is not within the boundaries of the subject Tentative Tract Map 36497. Thirty (30') feet of right of way was offered for dedication as part of PM 11793. The offer of dedication was not accepted by the County. To construct Summer Dain Lane as shown on the Tentative Tract Map, the City would be required to accept the offer of dedication by Council resolution prior to the city accepting the constructed road conditioned with this land subdivision.

Because the street section for Summer Dain Lane is proposed for a 56' right of way, a 2' strip of right of way would be vacated from the offer of dedication. The 2' strip of land would be vacated back to Parcel 1 of PM 11793 (APN: 380-280-008). The strip of land is estimated to be 617 square feet. To construct the curb return from Summer Dain Lane and to construct the road transition on Prielipp, a portion of property will need to be acquired from the adjacent property owner at Parcel 1 of PM 11793. The portion of property to be acquired is estimated to be 900 square feet. The net property to be acquired for construction of Summer Dain Lane and Prielipp is 283 square feet.

The property owner of Parcel 1 of PM 11793 (APN: 380-280-008) currently uses a portion of the offer of dedication for driveway access. Staff has contacted the property owner and discussed the applicant's Proposed Tentative Tract Map and the improvements associated with Summer Dain Lane and Prielipp. The property owner indicated that he is currently not interested in selling the portions of property to the developer for various reasons. Instead the property owner prefers the developer purchase the entire strip of property. In the event that the developer is unable to acquire the portions of property to construct the road improvements then the city will reduce the street improvement requirement so that the road construction does not require property acquisition.

Public Works Condition(s) 31, 32, 35, 36, and 52 are proposed to provide access to the subdivision off Prielipp at Summer Dain Lane. Should the developer not acquire the necessary right of way and accepted by the City prior to Certificate of Occupancy as required in Public Works Tract Map Condition No. 28 & Plot Plan Condition No. 40, the Conditions authorize the City Engineer to review and approve a modified street section Standard 105A. The modified section as shown on Standard 105A requires a part-width street section of 32' improvements on 45' right of way. The resulting section would not construct 4' of pavement, curb, gutter sidewalk and landscape improvements along the frontage of said Parcel 1.

Design Standards and Guidelines Variations:

The applicant has proposed several design variations to the tract map in accordance with Countywide Design Standards and Guidelines¹ as follows:

- 1) The minimum lot width frontage at the end of the cul-de-sacs and knuckles per the design standards and guidelines is 40 feet. The applicant has proposed the following lot frontage width deviations: Yes, these deviations still exist on the revised map.
 - a. 30-foot width for Lots 58 – 61.
 - b. 31-foot width for Lots 27 – 29 & 57.
 - c. 34-foot width for Lot 26.
 - d. 36-foot width for Lot 46.
 - e. 39-foot width for Lot 45.

¹ Citation: *Countywide Design Standards and Guidelines, Adopted January 13, 2004; Page 2.*

- 2) Curb adjacent street section (design standard is parkway design street section) as follows:
 - a. This is being requested along Summer Dain Lane on the east side of the street to provide a nice landscape buffer along the boundary wall.
- 3) A Modified street section to Standard 105A:
 - a. In the event the developer is unable to satisfy Public Works Tract Map Condition No. 28 & Plot Plan Condition No. 40, a modified street section is being requested to accommodate safe access.

When the cul-de-sac lot width standard cannot be met as a result of design constraints on a given tract map, the Planning Commission has the authority (or in this case to recommend City Council approval) under the Countywide Design Standards and Guidelines to allow a smaller cul-de-sac lot width provided the request is reviewed as part of the public hearing process for the tract map.²

With respect to the minimum cul-de-sac lot width, the applicant is requesting a deviation for 11 lots as outlined above. In evaluating the request, staff supports the smaller cul-de-sac lot width design as it will not impact the integrity of the subdivision design, nor will it result in a lot width too small that a single family home could not be constructed on the lot, or access to the lot could not be achieved. None of these concerns are affected by the smaller cul-de-sac lot widths, and therefore, can be supported. In addition, the 11 of the 67 lots only represent 16% of the total lots in the tract.

In a traditional “parkway design” the landscape parkway is adjacent to the curb and side walk is offset from the curb. While this is the preferred street design as outlined in the City’s Road Improvement Standards & Specifications, this design can result in a sidewalk immediately adjacent to a boundary wall which creates a hardscape appearance that does not look aesthetically pleasing. Staff supports the “curb adjacent” sidewalk design as it will create extra width for more landscaping adjacent to the boundary walls. This will allow for vine coverage on the boundary wall which will reduce graffiti issues, and it will create a visually pleasing streetscape transition to the property line.

The City Engineer and Planning Director have evaluated these deviations in accordance with the Countywide Design Standards and Guidelines and Street Design Standards, and is recommending Planning Commission support, including authorizing the City Engineer to approve a modified street section Standard 105A in the event the developer is unable to satisfy Public Works Tract Map Condition No. 28 & Plot Plan Condition No. 40.

² Citation: *Countywide Design Standards and Guidelines, Adopted January 13, 2004; Page 2.*

Plot Plan No. 12-0364:

As required by Section 17.60.050 of the WMC, development in the R-4 zone requires the approval and recordation of a subdivision map and approval of an accompanying development plan. To meet this requirement, the applicant has provided a “final site plan of development” package that includes the following items below. A full size copy of the development plans package is provided for Commission consideration in Attachment F.

- 1) final site plan of development showing the proposed 67 dwelling units locations (with front, side and rear yard setbacks);
- 2) house plotting details for each lot in the tract showing the location of the proposed plan types and elevations;
- 3) wall and fence plan, including private park design proposed for the tract;
- 4) architectural booklet showing the proposed architectural styles of each dwelling unit type; and
- 5) conceptual landscape plans for the tract.

Site Plan:

The proposed site plan is consistent with the tentative tract map in terms of lot sizes and location. Each lot has a predetermined dwelling unit which the applicant has chosen to propose. In accordance with Section 17.60.040.D, the R-4 zone outlines specific development standards for plotting dwelling units related to setbacks. The required setbacks are illustrated below

- Front Yard Setback: 20 feet minimum (from front property line)
- Side Yard Setback: 5 feet (for interior/through lots)
10 feet (for corner lots & reversed corner lots)
- Rear Yard Setback: 10 feet (from rear property line)

As shown on site plan, each plotted dwelling unit meets and exceeds these minimum setback requirements. In addition, the Countywide Design Standards and Guidelines require variable front yard setbacks. For example, homes and garages shall be placed at varying distances from the front property line and have varying entry locations. As illustrated on the site plan, each lot has varying setbacks and no two lots have the same setback. The front setback varies between one to fifteen feet depending on location and depth of the lot. While not required, the rear yard setbacks vary from 19 to 110 feet depending on location.

The applicant has provided the required single family residential off-street parking spaces (2 spaces within an enclosed garage) in accordance with Section 17.188 of the Zoning Ordinance. While not required, the driveways have been designed to be at least 18-20 feet in length due to setback requirements. Since the front yard setback is at least 20 feet, there is ample space/depth within the driveway to accommodate two additional family vehicles.

As this project is a single family residential development, no visitor parking is required as is the case with multi-family residential developments. However, on-street parking is provided at various places throughout the subdivision.

In accordance with Section 17.60.040.C, the R-4 zone sets a maximum building height of 40 feet for single family residences. As outlined in the architectural elevations, the tallest dwelling unit is 2 stories and does not exceed 26-1/2 feet in height. Therefore, the project meets the height requirements.

In accordance with Section 17.60.040.F of the Zoning Ordinance, individual sewage disposals systems are not allowed in the R-4 zone. The project has been designed to provide a sewer system in accordance with EVMWD requirements so each home is tied to this system. Therefore, the project meets the height requirements.

Based on these facts and the above analysis, the proposed site plan meets and exceeds the minimum development standards of the R-4 zone and the City's Residential Design Guidelines.

Architectural Plans/Floor Plans:

The Countywide Design Standards and Guidelines provide for specific architectural styles that include: design styles, building articulation, varied roof planes, 360-degree architectural detail, multiple floor plans (depending on the number of lots), and varied color/materials for the homes. As part of the final site plan of development package, the applicant has provided an architectural program that achieves the above items.

- Design Styles – The project proposes four (4) design styles with three (3) different design themes for the Parkside community. These styles are Spanish, Cottage, and Craftsman. While the design guidelines do not mandate how many design styles should be provided, these three styles will provide a variety of homes for residents to choose from.
- Building Articulation – The intent behind this guideline is to avoid long, unarticulated building facades by incorporating varying setbacks, projecting architectural features, and vertical/horizontal variation in the façade. As illustrated in the architectural design booklet, each dwelling unit type provides the required elements that achieve building articulation.
- Varied Roof Planes – Roof articulation is required and may be achieved by changes in building planes, gable/hip roofs, dormers, etc. As illustrated in the architectural design booklet, each dwelling unit type provides varied roof plans the required elements that achieve building articulation.
- 360-degree Architecture – This guideline is intended to create variation in the building planes and to avoid un-articulated facades. As illustrated in the architectural design booklet, each dwelling unit type provides architectural detail

on all four elevations of the homes. These features include the use of shutters, window trim, rafter tails, decorative wainscoting, decorative lamps, mid-level trim detail between first and second floors, etc.

- Multiple Floor Plans/Elevations – Since the Parkside tract has 67 lots, the design guidelines require at four (4) different floor plans and three (3) different elevation for each. As illustrated in the architectural design booklet, the applicant has provided four different floor plans (single and two story) for the project with three different elevation details for each dwelling unit. The applicant has also varied the floor plans so the same floor plan/elevation is not repeated immediately adjacent to another unit. The site plan shows the actual plotting of the floor plan and elevation types.

Based on the proposed architectural design plans, the applicant's project meets and exceeds the City's Residential Design Guidelines.

Required Walls/Fencing:

A wall/fence plan is required as part of the final site plan of development package. The Countywide Design Standards and Guidelines outline specific wall and fence requirements for single family residential developments. For example, boundary walls along the perimeter of the tract, side yards visible from the street and side yard returns must be decorative block material. The applicant is providing a 6-foot decorative "split-face" block wall along the perimeter (including decorative pilasters), on side yards facing streets and for the side yard returns consistent with this requirement. Side yard gates are required to be either wrought iron, vinyl and tubular steel. The applicant is providing vinyl fencing for the side yard gates with a color that will match the decorative walls. Interior side and rear fencing is also required for the project and can be either block or some other durable material. The applicant is providing vinyl fencing that will be the same color as the decorative block walls. Based on these, the proposed wall/fence plan is consistent with the residential design guidelines.

Private Park:

In accordance with 17.60.040.G, "recreation area" must be shall be of a size, based on the particular use, adequate to meet the needs of the anticipated population, and shall be arranged so as to be readily accessible to the residents of the subdivision. To meet this requirement, the applicant is providing a 0.64 acre private park for the Parkside community residents. The park is located in the center of the project with easy pedestrian access from any of the 67 lots within the tract via sidewalks. The park will be maintained by a homeowners association that will be established as part of the project development. Staff has conditioned the project that the park be constructed and operational prior to the issuance of the 34th occupancy permit (Plot Plan/Planning Condition No. 75). The private park will include a shade structure covering two (2) barbeques and two (2) picnic tables. In addition, a tot lot will be provided. The private park will be maintained by the HOA and is a nice amenity for

the Parkside residents. Based on these, the proposed wall/fence plan is consistent with the R-4 development standards.

Landscaping:

The requirements of the final site plan of development require conceptual landscape plans to be reviewed as part of the development plans. Landscaping has been provided throughout the project site, including perimeter landscaping, street landscaping, typical front and side yards, HOA slope landscaping, etc. The proposed landscape theme has been reviewed by the City's Landscape Architect who has determined it to be consistent with City standards and guidelines. Final landscape and irrigation plans will be provided through the plan check process to verify consistency with the conceptual plans. In addition, the project has special landscape conditions related to the Plot Plan. The proposed landscape theme is consistent with the City's residential design guidelines.

CEQA/MND Analysis

The following is a summary of the environmental process for the proposed project.

In accordance with the California Environmental Quality Act (CEQA - Public Resources Code Section 21000–21178.1), an Initial Study is required to analyze the proposed change of zone, tract map and plot plan to determine if any potential significant impacts upon the environment that would result from implementation of the project. The Initial Study is intended to inform the Planning Commission, responsible agencies and the general public of potential environmental impacts associated with the proposed project, and is key to determining whether a Negative Declaration, Mitigated Negative Declaration or an Environmental Impact Report is required.

1st IS/MND:

Staff prepared a draft Initial Study and determined that a Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program was required for Change of Zone No. 12-0364, Tentative Tract Map No. 36497 and Plot Plan No. 12-0364. In accordance with CEQA law, the draft IS/MND was first released for a 20-day public review period which began on May 23, 2013 and concluded on June 11, 2013. Prior to the public review period, a Notice of Intent (NOI) was filed with the Riverside County Clerk, and a legal advertisement was placed in the Californian newspaper notifying the general public of the availability of the IS/MND. During the public review period, staff received four (4) public comment letters regarding the draft IS/MND. One comment letter challenged the City's decision to allow a 20-day public review period, even though the City was within its legal right to have a 20-day review period. The project and IS/MND was scheduled for review by the Planning Commission on July 3, 2013; however, prior to the public hearing it was pulled from the agenda.

2nd IS/MND:

The 2nd IS/MND was prepared and released for a 30-day public review which began on November 29, 2013 and concluded on December 30, 2013. The 2nd IS/MND did include revisions to the original to address some of the appropriate comments received during the first review period. Prior to the public review period, a Notice of Intent (NOI) was filed with the Riverside County Clerk, and a legal advertisement was placed in the Press Enterprise newspaper notifying the general public of the availability of the IS/MND. During the 2nd public review period, staff received seven (7) public comment letters; some of which were new letters never received before. Based on the comments, staff and the City Attorney, with the Applicant's concurrence, believed it was best to revise the IS/MND a third time and re-release it for a final 30-day review period. A copy of the "response to comments" for the 2nd IS/MND is attached to PC Resolution No. 14-09 (Attachment A – Exhibit 3).

3rd IS/MND:

The 3rd IS/MND was prepared and released for a 30-day public review which began on June 17, 2014 and concluded on July 16, 2014. Prior to the public review period, a Notice of Intent (NOI) was filed with the Riverside County Clerk, and a legal advertisement was placed in the Press Enterprise newspaper notifying the general public of the availability of the IS/MND. The 3rd IS/MND did include revisions to the 2nd IS/MND document to address new comments and the preparation of an updated Determination of Biological Equivalent or Superior Preservation (DBESP) analysis as requested by the US Fish & Wildlife Service (USFW). During this public review period, staff only received two (2) public comment letters (Ray Johnson & AQMD). A copy of the "response to comments" for the 3rd IS/MND is attached to PC Resolution No. 14-09 (Attachment A – Exhibit 3). For reference, the updated DBESP was provided to the USFW and Cal F&W on February 13, 2014 for a 60-day review. The USFW and CalF&W did not provide any comments on the revised DBESP, or the MND in general.

While the IS/MND was revised twice, the final version before the Commission is now ready for adoption. Based on the environmental analysis, the Planning Commission may recommend City Council adoption of the Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program for the proposed project. The required findings supporting adoption of the MND/MMRP are outlined in the section below. A copy of the IS/MND, supporting technical studies/appendices and MMRP is attached for Commission consideration (refer to Attachment A – Exhibit 1).

REQUIRED FINDINGS OF FACT:

CEQA Findings of Fact:

Staff recommends the Planning Commission, in light of the whole record before it including but not limited to the staff report, proposed Initial Study/Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program (attached hereto as Exhibit 1 to this Resolution), documents incorporated herein by reference, written comments received and responses provided, and other substantial evidence (within the meaning of

Public Resources Code § 21080(e) and § 21082.2) within the record and/or provided at the public hearing, find and determines as follows:

- A. Review Period: That the City has provided the public review period for the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program for the required 30-day public review period required by CEQA Guidelines Sections 15073 and 15105.
- B. Compliance with Law: That the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program were prepared, processed, and noticed in accordance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), the CEQA Guidelines (14 California Code of Regulations Section 15000 et seq.).
- C. Independent Judgment: That the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program reflects the independent judgment and analysis of the City.
- D. Mitigation Monitoring & Reporting Program: That the Mitigation Monitoring & Reporting Program is designed to ensure compliance during project implementation in that changes to the project and/or mitigation measures have been incorporated into the project and are fully enforceable through permit conditions, agreements or other measures as required by Public Resources Code Section 21081.6.
- E. No Significant Effect: That revisions made to the project as agreed to by the applicant and mitigation measures imposed as conditions of approval on the project, avoid or mitigate any potential significant effects on the environment identified in the Initial Study to a point below the threshold of significance. Furthermore, after taking into consideration the revisions to the project and the mitigation measures imposed, the Planning Commission finds that there is no substantial evidence, in light of the whole record, from which it could be fairly argued that the project may have a significant effect on the environment. Therefore, the Planning Commission concludes that the project will not have a significant effect on the environment with the proposed Mitigation Measures and Mitigation Monitoring & Reporting Program.

Change of Zone Finding of Fact:

In accordance with the State of California, Government Code Section 65853 – 65857 and Section 17.280 of the Wildomar Zoning Ordinance, staff recommends the Planning Commission, in light of the whole record before it, including but not limited to the Planning Department's staff report and all documents incorporated by reference herein, the City's General Plan and any other evidence within the record or provided at the public hearing of this matter, find and determine as follows:

- A. The proposed change of zone is in conformance with the adopted General Plan for the City of Wildomar.

The proposed change of zone for the Lennar Residential project from the current zoning designation of R-R (Rural Residential) to R-4 (Planned Residential) is consistent with the City's General Plan in that the land use designation is intended to provide for single family detached and attached residences with a density range of 5 to 8 dwelling units per acre on lots that typically (not mandated) range in size from 4,000 to 6,500 square feet, with an average lot size of 6,000 square feet. In reviewing the applicant's development proposal, the project density is set at 5.92 units/acre. In addition, the lot sizes proposed under the tentative tract map range in size from 5,184 square feet to 19,198 square feet which exceeds the minimum standard. With an average lot size of 7,586 square feet, the proposed tract map is consistent with the General Plan.

Tentative Tract Map No. 36497 Findings of Fact:

In accordance with Title 16 and Title 17 of the Wildomar Municipal Code, and Government Code § 66473.1, § 66473.5 and § 66474, staff recommends the Planning Commission, in light of the whole record before it, including but not limited to the Planning Department's staff report and all documents incorporated by reference therein, the City's General Plan, Subdivision Ordinance, Zoning Ordinance, standards for public streets and facilities, and any other evidence within the record or provided at the public hearing of this matter, find and determine as follows:

- A. The proposed tract map is consistent with the City's General Plan and any applicable specific plan as specified in Government Code Section 65451.

Evidence: The proposed Tentative Tract Map No. 36497 is consistent with the City's General Plan in that the land use designation is intended to provide for single family detached and attached residences with a density range of 5 to 8 dwelling units per acre on lots that typically (not mandated) range in size from 4,000 to 6,500 square feet, with an average lot size of 6,000 square feet. In reviewing the applicant's development proposal, the project density is set at 5.92 units/acre. In addition, the lot sizes proposed under the tentative tract map range in size from 5,184 square feet to 19,198 square feet which exceeds the minimum standard. With an average lot size of 7,586 square feet, the proposed tract map is consistent with the General Plan. There is no specific plan governing this project. In terms of specific land use policies related to this project, the proposed tract map promotes (and is consistent with) the following residential land use policies:

LU 3.1 (Community Design) – “Accommodate land use development in accordance with the patterns and distribution of uses and density depicted on the General Plan Land Use map.”

LU 6.1 (Land Use Compatibility) – “Require land uses to develop in accordance with the General Plan and area plans to ensure compatibility and minimize impacts.”

LU12.6 (Circulation) - "Require that adequate and accessible circulation facilities exist to meet the demands of a proposed land use."

LU22.1 (Community Development) - "Accommodate the development of single and multi family residential units in areas appropriately designated by the General Plan and area plan land use maps. "

LU22.3 (Community Development) - "Require that adequate and available circulation facilities, water resources and sewer facilities exist to meet the demands of the proposed residential land use."

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

Evidence: The proposed subdivision has been designed to meet all City standards applicable to residential subdivisions which are designed to provide satisfactory pedestrian and vehicular circulation, including emergency vehicle access and on-site and off-site public improvements. Further, all streets, utilities, and drainage facilities have been designed and are required to be constructed in conformance with City standards. There is no specific plan governing this project.

- C. The site is physically suitable for the type and proposed density of development.

Evidence: The project site encompasses 24 acres. The tentative map proposes to subdivide the project area into 67 lots for single family residential development. The density allowed by the MHDR designation allows a density range of 5 to 8 dwelling units per acre which the project meets. In reviewing the applicant's tract map, the project density is 5.92 units/acre which meets the MHDR density requirements. The MHDR land use category also allows lots that typically (not mandated) range in size from 4,000 to 6,500 square feet. The proposed lot sizes under the tentative tract map range in size from 5,184 square feet to 19,198 square feet which meets this standard. The R-4 zone requires an average lot size of 6,000 square feet. The proposed tract map reflects an average lot size of 7,586 square feet which meets this standard. Therefore, the proposed tract map is physically suitable for the type and proposed density of development.

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

Evidence: The City prepared an Initial Study that resulted in the preparation, processing and review of an Initial Study/Mitigated Negative Declaration for Tentative Tract Map No. 36497. The IS/MND analyzed the environmental issues required by CEQA related to fish and wildlife, including their respective habitats. The IS/MND was circulated for public review and made available for a 30-day public review period in accordance with CEQA law. A Determination of Biological

Equivalent or Superior Preservation (DBESP) analysis was prepared for this project and reviewed by the U.S. Fish and Wildlife Agency and the California Department of Fish and Wildlife. Both agencies concur with the analysis and recommended conditions outlined in the DBESP. Thus, it has been determined that the design of the subdivision and proposed improvements will not likely cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat project with implementation of the proposed mitigation measures as outlined in the Mitigation Monitoring and Report Program (MMRP) and DBESP. Therefore, the proposed tract map meets this finding.

- E. The design of the subdivision or type of improvements is not likely to cause serious public health problems.

Evidence: The design of the subdivision is in conformance with the City's General Plan, Zoning Code and Subdivision Ordinance. The design and construction of all improvements to accommodate the project have been conditioned to in accordance with all applicable City of Wildomar ordinances, codes, and standards including, but not limited to, the California Uniform Building Code, the City's Ordinances relating to stormwater runoff management and adopted public works standards. As the City's ordinances, codes, and standards have been created based on currently accepted standards and practices for the preservation of the public health, safety and welfare, the proposed tract map project meets this finding.

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

Evidence: No easements of record or easements established by judgment of a court of competent jurisdiction for public access across the site have been disclosed in a search of the title records for the site and the City does not otherwise have any constructive or actual knowledge of any such easements.

Plot Plan Findings of Fact:

In accordance with Wildomar Municipal Code Title 17, the Planning Commission, in light of the whole record before it, including but not limited to the Planning Department's staff report and all documents incorporated by reference therein, the City's General Plan and Zoning Ordinance, and any other evidence within the record or provided at the public hearing of this matter, recommends that the City Council hereby find and determine as follows:

- A. The proposed use is consistent with the Wildomar General Plan and Zoning Ordinance.

Evidence: The proposed Plot Plan No. 12-0364 is consistent with the City's General Plan in that the land use designation is intended to provide for single family detached and attached residences with a density range of 5 to 8 dwelling

units per acre on lots that typically (not mandated) range in size from 4,000 to 6,500 square feet, with an average lot size of 6,000 square feet. In reviewing the applicant's development proposal, the project density is set at 5.92 units/acre. In addition, the lot sizes proposed under the tentative tract map range in size from 5,184 square feet to 19,198 square feet which exceeds the minimum standard. With an average lot size of 7,586 square feet, the proposed tract map is consistent with the General Plan.

- B. The overall development of the land shall be designed for the protection of the public health, safety, and general welfare.

Evidence: The proposed project is located in an area planned and zoned for single family residential land uses according to the General Plan, Zoning Ordinance and Subdivision Ordinance. The proposed plot plan meets and exceeds the minimum development standards of the R-4 which is intended to protect the public health, safety, and general welfare. Further, access and site development plan, including the architectural elevations have been designed to be consistent with the zone standards related to commercial uses, thus, further protecting the public health, safety, and general welfare. Therefore, this finding has been met.

- C. The overall development of the land shall be designed to conform to the logical development of the land and to be compatible with the present and future logical development of the surrounding property.

Evidence: The proposed project has been designed to conform to a logical pattern of development as envisioned by the General Plan. The adjacent properties have similar compatible land use designations that encourage residential development under the MHDR land use designation. The property to the north, while planned for business park uses, is currently vacant but adequate buffering has been provided. Therefore, this finding has been met.

- D. The Plot Plan considers the location and need for dedication and improvement of necessary streets and sidewalks, including the avoidance of traffic congestion.

Evidence: The project is located at the southeastern portion of the City where access to the site is provided by Prielipp Road and Elizabeth Lane. These streets, and the proposed interior streets have all been designed in accordance with city regulations and standards and will be able to handle the residential traffic from the project. Further, all public improvements have been provided in accordance with City requirements. Therefore, this finding has been met.

- E. The Plot Plan takes into consideration topographical and drainage conditions, including the need for dedication and improvements of necessary structures.

Evidence: The construction of the residential project has been conditioned to comply with all applicable City ordinances, codes, and standards including, but not

limited to, the relating to storm water runoff management and other drainage controls regulations (i.e., WQMP). The project drainage design will capture storm runoff in the catch basin filters and/or sub-surface detention basin incorporated into the project design and release runoff back into the natural stream channels without substantially altering the existing drainage pattern and without causing substantial erosion or siltation. Further, the IS/MND analyzed potential impacts related to drainage conditions and based on the improvements being conditioned on the project, the plot plan takes into consideration topographical and drainage conditions, including the need for dedication and improvements of necessary structures. Therefore, this finding has been met.

- F. All plot plans which permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in accordance with Ordinance No. 460 in such a manner that each building is located on a separate legally divided parcel.

Evidence: The project proposes to construct individual dwelling units on individual parcels as proposed under Tentative Tract Map No. 36497. Therefore, this finding has been met.

PUBLIC NOTICING/COMMUNICATION:

In accordance with Government Code Sections 65090, 65353 and 65355, the Planning Department on August 6, 2014, mailed a public hearing notice to all property owners within a 600-foot radius of the proposed project boundaries notifying them of the August 20, 2014 Planning Commission public hearing. In addition, on August 8, 2014, a legal notice was published in the Press Enterprise, a local newspaper of general circulation, notifying the general public of the August 20, 2014 Planning Commission public hearing. In accordance with Section 16.12.140(A), a public hearing notice was also emailed provided to the EVMWD and LEUSD.

Respectfully Submitted,
Matthew C. Bassi
Planning Director

Reviewed By,
Thomas D. Jex
City Attorney

ATTACHMENTS:

- A. PC Resolution No. 14-09 for IS/MND/MMRP
Exhibit 1 – Initial Study/Mitigated Negative Declaration (under separate cover)
Exhibit 1-A Technical Appendices/Studies (under separate cover)
Exhibit 2 - Mitigation Monitoring and Reporting Program (included in text)
Exhibit 3 – MND Responses to Comments (separate CD for Commission)

- B. PC Resolution No. 14-10 for Change of Zone 12-0364
Exhibit 1 – Draft City Council Ordinance
- C. PC Resolution No. 14-11 for Tentative Tract Map 36497
Exhibit 1 - Conditions of Approval Matrix
- D. PC Resolution No. 14-12 for Plot Plan 12-0364
Exhibit 1 - Conditions of Approval Matrix
- E. Tentative Tract Map No. 36497 Subdivision Map (under separate cover)
- F. Final Site Plan of Development Package (under separate cover)

INCORPORATED HEREIN BY REFERENCE THE FOLLOWING:

- City of Wildomar General Plan and EIR
- City of Wildomar Zoning Ordinance (Title 17 of the WMC)
- City of Wildomar Subdivision Ordinance (Title 16 of the WMC)