

ATTACHMENT D

PC Resolution No. 2016-31

Tentative Tract Map No. 36952

PC RESOLUTION NO. 2016-31

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF TENTATIVE TRACT MAP NO. 36952 (PLANNING APPLICATION NO. 15-0129) TO SUBDIVIDE APPROXIMATELY 11.25 ACRES INTO 1 (ONE) LOT FOR CONDOMINIUM PURPOSES TO ACCOMMODATE THE NOVA HOMES RESIDENTIAL PROJECT (PLANNING APPLICATION NO. 15-0129) LOCATED ON THE EAST SIDE OF GEORGE AVENUE ABOUT 660 FEET NORTH OF CLINTON KEITH ROAD (APN:362-250-001 & 362-250-026)

WHEREAS, the Planning Department has received an application for Tentative Tract Map No. 36952 (PA No. 15-0129) to subdivide 11.25 acres into one lot for condominium purposes from:

Project Applicant:	Nova Homes, Inc. (Mr. Tom Mungari, Project Manager)
Project Location:	East side of George Avenue approximately 660 feet north of Clinton Keith Road
APN:	362-250-001 & 362-250-026
Project Area:	11.25± acres

WHEREAS, in accordance with the California Government Code Section 66452 – 66452.22 (Subdivision Map Act), the City of Wildomar Subdivision Ordinance (Title 16), and the City of Wildomar Zoning Ordinance (Title 17), the Planning Commission has the authority and has reviewed the proposed Tentative Tract Map No. 36952 for the Nova Homes Residential Project; and

WHEREAS, in accordance with Government Code Section 66452.3, the City has provided the applicant with a copy of the Planning Department staff report and resolutions for Tentative Tract Map No. 36952 containing staff’s recommendation to the Planning Commission at least three (3) days prior to the October 19, 2016 noticed public hearing (report forwarded on October 6, 2016); and

WHEREAS, in accordance with Chapter 16.12.140 of the Wildomar Municipal Code, the City of Wildomar Planning Department, on October 5, 2016 mailed a public hearing notice to all property owners within a 600-foot radius of the project boundaries notifying said property owners of the date and time of the public hearing for which the Tentative Tract Map No. 36952 would be considered by the Planning Commission; and

WHEREAS, in accordance with Chapter 16.12.140 of the Wildomar Municipal Code, the City of Wildomar Planning Department, on October 7, 2016 published a legal notice in the “Press Enterprise”, a local newspaper of general circulation, in compliance with State law notifying the general public of the public hearing for which Tentative Tract Map No. 36672 would be considered by the Planning Commission; and

WHEREAS, in accordance with Chapter 16.12.140 of the Wildomar Municipal Code, the City of Wildomar Planning Commission on October 19, 2016 held said public hearing at which time the Planning Commission received public testimony from interested persons in support of, or opposition to, the proposed Tentative Tract Map No. 36952.

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

SECTION 1. CEQA FINDINGS:

The approval of Tentative Tract Map No. 36952 is in compliance with requirements of the California Environmental Quality Act ("CEQA"), in that on October 19, 2016, at a duly noticed public hearing, the Planning Commission recommended to the City Council adoption of the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program reflecting its independent judgment and analysis and documenting the environmental impacts and mitigation measures related to the proposed Nova Homes Residential Development project. The documents comprising the City's environmental review for the project are on file and available for public review at Wildomar City Hall, 23873 Clinton Keith Rd., Suite 201, Wildomar, CA 92595.

SECTION 2. TENTATIVE TRACT MAP FINDINGS.

In accordance with Wildomar Municipal Code Title 16 and Title 17, and Government Code § 66473.1, § 66473.5 and § 66474, 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, recommends the City Council hereby 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. 36952 is consistent with the City's General Plan in that the proposed land use designation of Medium High Density Residential (MHDR) is intended to provide for the development of single family detached residences at a density of 5 – 8 units/acre and with lot sizes that range from 4,000 square feet to 6,500 square feet. Given the lot size for the tract map is 11.25 acres, TM No. 36952 is consistent with the General Plan. With its close proximity existing and future commercial retail centers, the Nova Homes Residential project will provide opportunities for new residents to shop local consistent with General Plan policies. As these residences are proposed as "ownership units," the project will provide important housing opportunities to existing and future Wildomar residents. Given these facts, the proposed tract map is consistent with the General Plan. There is no specific plan governing this project or the general area. The project also promotes the following land use policies:

- LU 2.1 The proposed project will accommodate a land use development that is in accordance with patterns and distribution of land uses that are depicted on the General Plan Land Use map proposed for the subject site.
 - LU 4.1 The proposed project will accommodate a land use development proposal that is located and designed to visually enhance and not degrade the character of the surrounding area.
 - LU 6.1 The proposed project will be developed in accordance with the proposed General Plan land use designation that ensures compatibility and minimizes impacts.
 - LU 22.1 The proposed project will accommodate the development of single family detached dwellings in an area that is appropriately designated by the General Plan with approval of the GPA.
 - LU 22.4 The proposed project will provide a specific housing type, style and density that is accessible to and, meets the needs, of a range of lifestyles, physical abilities and income levels.
 - LU 22.10 The proposed project is designed to consider the surrounding areas to visually enhance, and not degrade, the appearance of adjacent residential structures.
 - LU23.6 The proposed project will have proper mitigation measures to protect the neighboring residential areas from noise, light, fumes, odors, vehicular traffic, parking and operational hazards.
 - LU23.7 The proposed project will be served by water and sewer along provided by EVMWD to meet the project demands.
 - H-1.1 The proposed single family project will help ensure a sufficient supply of properly planned land to meet housing needs identified in the City's Regional Housing Needs Allocation (RHNA) required in the Housing Element.
 - H-6.1 The proposed single project will utilize energy conservation measures in that each enclosed garage space has an EV charging outlet for electric vehicles, and will be designed to meet Green Building code standards.
- 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 and commercial projects 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 approximately 11.25± acres and the tentative map proposes to subdivide the project area into one (1) lot for condominium purposes resulting in 77 single family residences. Given the density allowed by the MHDR land use designation (5 - 8 units/acre), the proposed single family project falls within this density range as it is established at 6.84 units/acre. Further, the project site with its proposed R-4 zoning has a minimum parcel development size of four (4) acres, and an individual minimum lot size of 3,500 square feet. The project site is 11.25 acres with one lot, thus, the project exceeds the minimum R-4 development standards. Given these facts, 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 has prepared an Initial Study/Mitigated Negative Declaration for the Nova Homes Residential project, including Tentative Tract Map No. 36952. The IS/MND analyzed all the required environmental issues required by CEQA related to fish and wildlife, including their respective habitats. The EIR was circulated for a 30-day public review period in accordance with CEQA law. All comments on the IS/MND from the commenters have been responded to as outlined in the final MND/Response to Comments package. As the IS/MND analyzed impacts to wildlife resources, etc., the IS/MND 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). 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.

SECTION 3. PLANNING COMMISSION ACTION

The Planning Commission hereby adopts PC Resolution No. 2016-31 recommending City Council approval of Tentative Tract Map No. 36952 (Planning Application No. 15-0129) subject to conditions as provided herein and attached hereto to this Resolution as Exhibit 1.

PASSED, APPROVED AND ADOPTED this 19th day of October 2016, by the following vote:

AYES.

NOES:

ABSENT:

ABSTAINED:

Veronica Langworthy
Planning Commission Chairman

ATTEST:

Matthew C. Bassi
Planning Director/Minutes Secretary

APPROVED AS TO FORM:

Erica L. Vega
Assistant City Attorney

ATTACHMENT D – EXHIBIT 1			
NOVA HOMES RESIDENTIAL PROJECT - CONDITIONS OF APPROVAL			
Project No.: TENTATIVE TRACT MAP No. 36952			
Applicant: Nova Homes, Inc. - APN: 362-250-001 & 362-250-026			
<u>City Council Approval Date (Tentative Tract Map 36952):</u> December 14, 2016		<u>City Council Approval Date (Tentative Tract Map 36952):</u> December 14, 2016	
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PLANNING DEPARTMENT CONDITIONS			
<u>General Requirements / Standard Conditions</u>			
1.	<p>In compliance with Section 15094 of the CEQA Guidelines, a Notice of Determination (NOD) shall be filed with the Riverside County Clerk within <u>five (5) working days</u> of project approval by the City Council. The notice shall include the required California Department of Fish and Wildlife (Fish and Game Code Section 711.4.d.3) fee, and the Riverside County Clerk administrative fee (paid by the Applicant) in the amount of \$2,260.25. Failure to pay the required fee will result in the project being deemed null and void (California Fish and Game Code Section 711.4(c)). The above fee is broken down as follows:</p> <p style="margin-left: 40px;">a. California Department of Fish and Wildlife = \$2,210.25 b. Riverside County Clerk Administrative Fee = \$50.00</p>	December 21, 2016	Planning Department
2.	<p>The Applicant shall review and sign below verifying the “Acceptance of the Conditions of Approval” and return the signed page to the Wildomar Planning Department within two weeks of the City Council approval.</p> <hr/> <p style="display: flex; justify-content: space-between;">Applicant SignatureDate</p>	December 28, 2016	Planning Department
3.	<p>The Applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and</p>	Ongoing	Planning Department

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<p>proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively “Actions”), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. City shall promptly notify the Applicant of any Action brought and request that Applicant defend the City. It is expressly agreed that Applicant may select legal counsel providing the Applicant’s defense and the City shall have the right to approve separate legal counsel providing the City’s defense. The Applicant shall reimburse City for any attorneys’ fees, costs and expenses directly and necessarily incurred by the City in the course of the defense. Applicant agrees that City will forward monthly invoices to Applicant for attorneys’ fees, costs and expenses it has incurred related to its defense of any Action and Applicant agrees to timely payment within thirty (30) days of receipt of the invoice. Within fourteen (14) days of an Action being filed, Applicant agrees to post adequate security or a cash deposit with City in an amount to cover the City’s estimated attorneys’ fees, costs and expenses incurred by City in the course of the defense in order to ensure timely payment of the City’s invoices. The amount of</p>			
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	the security or cash deposit shall be determined by the City. City shall cooperate with Applicant in the defense of any Action.			
4.	Approval of <i>Tentative Tract Map No. 36952</i> shall expire on December 14, 2019 (3 years after approval by the City Council) if the final map has not been approved by the City Council and recorded with the Riverside County Clerk. The Applicant may apply in writing for a Extension of Time (EOT) for review and approval of the Planning Commission in accordance with Section 16.12.240 of the Wildomar Municipal Code. Said extension of time application and required fee must be submitted to the Planning Department at least 30 days prior to the expiration date (11/14/19).	December 14, 2019	Planning Department	
5.	<i>TTM No. 36952</i> shall not become effective until 30 days after the second reading of the Ordinance approving Change of Zone No. 15-0129 by the City Council. No final map, grading or building permits shall be issued until after the effective date of the Change of Zone.	February 13, 2017	Planning Department	
6.	In accordance with Section 66020.d.1 of the Government Code, the Applicant has 90 days from project approval to file a protest of the imposition of fees, dedications, reservations, or other exactions being imposed on this project. Notice is hereby given to the Applicant that the 90-day appeal hereby begins with approval of this project.	March 14, 2017	Planning Department	
7.	Within 60 days of approval of the Nova Homes Residential Project (Planning Application No. 15-0129) by the City Council, the Applicant shall pay any outstanding deposit account balances. Failure to pay the outstanding balance by the due date may result in delays in the submittal of final map, grading plans, improvement plans and/or building/construction plans.	February 14, 2017	Planning Department	

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December 14, 2016

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8.	Applicant hereby understands and agrees that failure to comply with all Conditions of Approval may result in the Planning Commission taking action resulting in a modification to the Conditions of Approval and/or suspension or revocation of the plot plan and/or conditional use permit.	On-Going	Planning Department	
9.	The project shall be subdivided in accordance with the Tentative Tract Map approved by the City Council on December 14, 2016. The Applicant may request a minor change/revision to the approved Tract map, if needed, in accordance with Sections 16.12.210 and/or 16.12.220 of the Wildomar Municipal Code.	Ongoing	Planning Department	
10.	The proposed Project shall comply with existing SCAQMD rules for the reduction of fugitive dust emissions in accordance with SCAQMD Rule 403.	On-Going	Planning Dept.	

CEQA / Mitigated Negative Declaration (MND) Mitigation Measures:

Biological Resources

11.	<p>BIO-1 All developers of the proposed project site shall conduct construction and clearing activities outside of the avian nesting season, February 15–September 15, where feasible. If clearing and/or construction activities occur during the nesting season, preconstruction surveys for nesting raptors, migratory birds, and special-status resident birds (e.g., coastal California gnatcatcher) shall be conducted by a qualified biologist, up to 14 days before initiation of construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone to determine whether the activities may have the potential to disturb or otherwise harm nesting birds.</p> <p>If an active nest is located within 100 feet (250 feet for raptors) of</p>	Prior to/during any vegetation removal or ground-disturbing activities	City of Wildomar Planning Department	
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	<p>construction activities, the project applicant shall establish an exclusion zone (no ingress of personnel or equipment at a minimum radius of 100 feet or 250 feet, as appropriate, around the nest). Alternative exclusion zones may be established through consultation with the CDFW and the USFWS, as necessary. The exclusion zones shall remain in force until all young have fledged.</p> <p>Reference to this requirement and to the Migratory Bird Treaty Act shall be included in the construction specifications.</p> <p>If construction activities are proposed to occur during the non-breeding season (September 15–February 14), a survey is not required, no further studies are necessary, and no mitigation is required.</p>			
12.	<p>BIO-2 If coastal California gnatcatchers are found nesting within or near the project site (approximately 250 feet), all construction-related activities will be suspended until a qualified biologist determines that the young birds have fledged or the nest is no longer active.</p>	Prior to/during any vegetation removal or ground-disturbing activities	City of Wildomar Planning Department	
13.	<p>BIO-3 Per MSHCP Species-Specific Objective 6, preconstruction presence/absence surveys for burrowing owl within the survey area, where suitable habitat is present, will be conducted for all covered activities through the life of the building permit. Surveys will be conducted 14 days prior to disturbance. Take of active nests will be avoided. Passive relocation (use of one-way doors and collapse of burrows) will occur when owls are present outside the nesting season if there are suitable burrows available within 100 meters of the closed burrows and the relocation area is protected through a long-term conservation mechanism. If construction is delayed or suspended for more than 14 days after the survey, the area shall be resurveyed. Surveys shall be completed within all construction areas and within</p>	Fourteen days prior to any vegetation removal or ground-disturbing activities	City of Wildomar Planning Department	

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	150 meters (500 feet) of the project work areas (where possible and appropriate based on habitat). All occupied burrows will be mapped on an aerial photo.		
14.	<p>BIO-4 If burrowing owls are identified during the survey period, the City shall require the project applicant to take the following actions to offset impacts prior to ground disturbance:</p> <p>Active nests within the areas scheduled for disturbance or degradation shall be avoided from February 15 through August 31, and a minimum 75-meter (250-foot) buffer shall be provided until fledging has occurred. Following fledging, owls may be passively relocated (use of one-way doors and collapse of burrows) by a qualified biologist if there are suitable burrows available within 100 meters of the closed burrows and the relocation area is protected through a long-term conservation mechanism.</p> <p>If impacts on occupied burrows in the non-nesting period are unavoidable, on-site passive relocation techniques may be used if approved by the CDFW to encourage owls to move to alternative burrows outside of the impact area. However, no occupied burrows shall be disturbed during the nesting season. A qualified biologist must verify through noninvasive methods that the burrow is no longer occupied.</p> <p>If the relocation of the owls is approved for the site by the CDFW, the City shall require the developer to hire a qualified biologist to prepare a plan for relocating the owls to a suitable site that is consistent with the CDFW's Staff Report on Burrowing Owl Mitigation (3/7/2012). The relocation plan must include all of the following:</p> <ul style="list-style-type: none"> • The location of the nest and owls proposed for relocation. • The location of the proposed relocation site. 	Prior to any vegetation removal or ground-disturbing activities	City of Wildomar Planning Department

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	<ul style="list-style-type: none"> • The number of owls involved and the time of year when the relocation is proposed to take place. • The name and credentials of the biologist who will be retained to supervise the relocation. • The proposed method of capture and transport for the owls to the new site. • A description of site preparation at the relocation site (e.g., enhancement of existing burrows, creation of artificial burrows, one-time or long-term vegetation control). • A description of efforts and funding support proposed to monitor the relocation. <p>If paired owls are present within 50 meters (160 feet) of a temporary project disturbance (e.g., parking areas), active burrows shall be protected with fencing/cones/flagging and monitored by a qualified biologist throughout construction to identify losses from nest abandonment and/or loss of reproductive effort. The City of Wildomar shall notify the USFWS and the CDFW if owls are found to be present on-site and develop a conservation strategy in cooperation with the USFWS, the CDFW, and the Regional Conservation Authority in accordance with the CDFW’s Staff Report on Burrowing Owl Mitigation. Any identified loss shall be reported to the CDFW.</p>			
15.	<p>BIO-5 Prior to ground disturbance the developer, applicant or successor in interest shall consult with the California Department of Fish and Game to verify the jurisdictional status of the existing drainages. The City shall be kept informed of the consultation and final determination.</p>	Prior to ground disturbance	City of Wildomar Planning Department	

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Cultural Resources			
16.	<p>CUL-1 If during grading or construction activities, cultural resources are discovered on the project site, work shall be halted immediately within 50 feet of the discovery and the resources shall be evaluated by a qualified archaeologist and the Pechanga and Soboba Tribes. Any unanticipated cultural resources that are discovered shall be evaluated and a final report prepared by the qualified archaeologist. The report shall include a list of the resources discovered, documentation of each site/locality, and interpretation of the resources identified, and the method of preservation and/or recovery for identified resources. If the qualified archaeologist determines the cultural resources to be either historic resources or unique archaeological resources, avoidance and/or mitigation will be required pursuant to and consistent with CEQA Guidelines Section 15064.5(c) and Public Resources Code Section 21083.2, and the Archaeological Resources Treatment and Monitoring Agreement required by mitigation measure CUL-2. For all other cultural resources discovered on the project site, the project archaeologist shall assess the significance of such resources based on the provisions of CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the appropriate Tribe. If such resources are determined to be significant by the archaeologist, impacts to the resource shall be mitigated as provided for in the agreement required by CUL-2, if applicable, or in accordance with CUL-3.</p>	During any ground-disturbing construction activities	City of Wildomar Planning Department and Building and Safety Department
17.	<p>CUL-2 At least 30 days prior to any ground-disturbing activity, the project applicant shall contact the City Planning Department, Pechanga and Soboba Tribes with notification of the proposed grading</p>	Thirty days prior to any ground-disturbing	City of Wildomar Engineering and Planning Departments

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	<p>and shall coordinate with the City of Wildomar and the Tribes to develop an Archaeological Resources Treatment and Monitoring Agreement. The agreement shall include, but not be limited to, outlining provisions and requirements for addressing the handling of archaeological resources; project grading and development scheduling; terms of compensation for the monitors; treatment and final disposition of any archaeological resources, sacred sites, burial goods and human remains discovered on the site; and establishing on-site monitoring provisions and/or requirements for professional Tribal monitors during all ground-disturbing activities. The terms of the agreement shall not conflict with mitigation measures CUL-1, CUL-3, CUL-4, and CUL-5. Two separate agreements must be prepared between the Pechanga Tribe and the developer, and the Soboba Tribe and the developer. A copy of this signed agreement shall be provided to the Planning Director and Building Official prior to the issuance of the first grading permit.</p>	<p>construction activities.</p>	
18.	<p>CUL-3 With the exception of archaeological resources, sacred items, burial goods, and human remains for which the Cultural Resources Treatment and Monitoring Agreement required by mitigation measure CUL-2 provides a plan for treatment and final disposition, all significant archaeological resources that are collected during the grading monitoring program and from any previous archaeological studies or excavations on the project site shall be curated according to the current professional repository standards. The collections and associated records shall be transferred, including title, to a curation facility, that meets the standards set forth in 36 CFR Part 79 for federal repositories.</p>	<p>During any ground-disturbing construction activities</p>	<p>City of Wildomar Engineering and Planning Departments</p>

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19.	CUL-4 All sacred sites, should they be encountered within the project site, shall be avoided and preserved as the preferred mitigation, if feasible as determined by a qualified archaeologist in consultation with the appropriate Tribe. To the extent that a sacred site cannot be feasibly preserved in place or left in an undisturbed state, mitigation measures shall be required pursuant to and consistent with Public Resources Code Section 21083.2 and CEQA Guidelines Section 15064.5.	During any ground-disturbing construction activities	City of Wildomar Engineering and Planning Departments
20.	CUL-5 To address the possibility that archaeological resources may be encountered during grading or construction, a qualified professional archaeologist shall monitor all construction activities that could potentially impact archaeological deposits (e.g., grading, excavation, and/or trenching). However, monitoring may be discontinued upon agreement with the qualified professional and the tribal representatives.	During any ground-disturbing construction activities	City of Wildomar Engineering and Planning Departments
Geology/Soils			
21.	GEO-1 The project applicant shall incorporate the recommendations of the geotechnical/geological engineering study dated July 22, 2015, prepared by Soils Southwest, Inc., into project plans related to the proposed project. The project's building plans shall demonstrate that they incorporate all applicable recommendations of the design-level geotechnical study and comply with all applicable requirements of the latest adopted version of the California Building Code. A licensed professional engineer shall prepare the plans, including those that pertain to soil engineering, structural foundations, pipeline excavation, and installation. All on-site soil engineering activities shall be conducted under the supervision of a licensed geotechnical engineer or certified engineering geologist.	Prior to any ground-disturbing construction activities	City of Wildomar Planning Department and Building and Safety Department

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22.	<p>GEO-2 Prior to the issuance of any grading or building permit, the project applicant shall submit a subsequent seismic settlement study to the City of Wildomar for review and approval. The seismic settlement study shall be prepared by a qualified engineer and identify grading and building practices necessary to ensure stable building conditions. The project applicant shall incorporate the recommendations of the approved project-level seismic settlement study into project plans as directed by the City Engineer. The project's building plans shall demonstrate that they incorporate all applicable recommendations of the seismic settlement study and comply with all applicable requirements of the latest adopted version of the California Building Code. A licensed professional engineer shall prepare the plans, including those that pertain to soil engineering, structural foundations, and installation. All on-site soil engineering activities shall be conducted under the supervision of a licensed geotechnical engineer or certified engineering geologist.</p>	<p>Reviewed as part of the construction plans, and verified prior to occupancy</p>	<p>City of Wildomar Planning Department and Building and Safety Department</p>
23.	<p>GEO-3 To prevent the potential for damage associated with expansion potential, additional expansion testing shall be conducted during site development. If the results of expansion testing indicate moderate to highly expansive soils, the project applicant shall ensure that those soils are pre-saturated to a moisture content and depth specified by the geotechnical engineer, thereby "pre-swelling" the soil prior to constructing the structural foundation or hardscape. This method shall be used in conjunction with a layer of imported non-expansive fill material placed directly below foundations and slabs to control seasonal moisture fluctuations. In addition, stronger foundations, such as rigid mat or grid footing foundations, which can resist small ground movements without cracking, shall be constructed.</p>	<p>Reviewed as part of the construction plans, and verified prior to occupancy</p>	<p>City of Wildomar Planning and Engineering Departments</p>

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24.	<p>GEO-4 Concrete Slab on Grade. Specific design recommendations shall be incorporated into project design as specific in the geotechnical study prepared by Soils Southwest, Inc., dated July 22, 2015. Specific requirements include concrete slab reinforcement methods and materials and concrete curing. In addition, joints (isolation, contraction, and construction) shall be placed in accordance with the American Concrete Institute (ACI) guidelines. Special precautions shall be taken during placement and curing of all concrete slabs. Excessive slump (high water/cement ratio) of the concrete and/or improper curing procedures used during either hot or cold weather conditions could result in excessive shrinkage, cracking, or curling in the slabs. All concrete proportioning, placement, and curing shall be performed in accordance with ACI recommendations and procedures.</p>	<p>Prior to any ground-disturbing construction activities</p>	<p>City of Wildomar Engineering and Planning Departments</p>
25.	<p>GEO-5 Construction personnel involved in excavation and grading activities shall be informed of the possibility of discovering fossils at any location and the protocol to be followed if fossils are found. A professional meeting the Society of Vertebrate Paleontology standards shall provide the preconstruction training. The City shall ensure the grading plan notes include specific reference to the potential discovery of fossils. If potentially unique paleontological resources (fossils) are inadvertently discovered during project construction, work shall be halted immediately within 50 feet of the discovery, the City shall be notified, and a professional paleontologist shall be retained to determine the significance of the discovery. The paleontologist shall establish procedures for paleontological resource surveillance throughout project construction and shall establish, in cooperation with the project applicant, procedures for temporarily halting or redirecting work to permit sampling, identification, and</p>	<p>During any ground-disturbing construction activities</p>	<p>City of Wildomar Engineering and Planning Departments</p>

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<p>evaluation of fossils. Excavated finds shall be offered to a State-designated repository such as the Museum of Paleontology at the University of California, Berkeley, or the California Academy of Sciences.</p>			
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Noise			
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26.	<p>NOI-1 Construction Noise Impacts. Construction of the proposed project would potentially result in relatively high noise levels and annoyance at the closest off-site residential uses. The following best management practices (BMPs) would reduce short-term construction-related noise impacts resulting from the proposed project:</p> <ol style="list-style-type: none"> 1. Notification shall be mailed to owners and occupants of all developed land uses immediately bordering the project site, directly across the street from the project site providing a schedule for major construction activities that will occur for the duration of the construction period. In addition, the notification will include the identification of and contact number for a community liaison and a designated construction manager who would be available on-site to monitor construction activities. The construction manager will be located at the on-site construction office during construction hours for the duration of all construction activities. Contact information for the community liaison and the construction manager will be located at the construction office, City Hall, and the police department. 2. During all project site excavation and grading, the construction contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards. In addition, site grading and excavation activity shall be limited to weekdays 	<p>Prior to any earth movement permit or activity</p>	<p>City of Wildomar Planning and Public Works Departments</p>
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	<p>between 9:00 a.m. and 4:00 p.m., and no construction activities shall occur on Saturdays, Sundays, or federally recognized holidays.</p> <ol style="list-style-type: none"> 3. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site. 4. The construction contractor shall utilize grading and excavation equipment that is certified to generate noise levels of no more than 85 dBA at a distance of 50 feet. 5. All construction equipment shall be properly maintained with operating mufflers and air intake silencers as effective as those installed by the original manufacturer. 6. The construction contractor shall erect a temporary noise construction barrier along the eastern and western perimeters of the project site. If a temporary construction barrier is deemed technically infeasible, the contractor shall construct a masonry wall along the eastern and western perimeters of the project prior to any other phase of construction activity, including site grading. The applicant shall demonstrate that the temporary barrier achieves a noise reduction of at least 5 decibels during construction activities. 7. The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction. 8. The construction contractor shall monitor the effectiveness of noise attenuation measures by taking noise measurements. 			
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27.	<p>NOI-2 Traffic Noise Impacts. The following mitigation measures shall be implemented for the proposed project for vehicular traffic noise impacts:</p> <ol style="list-style-type: none"> 1. A minimum sound wall height of 6 feet along the western property line along George Avenue for Lot Numbers 1 through 6 and Lot Numbers 76 and 77. 2. A minimum sound wall height of 6 feet along the eastern property line along Iodine Springs Road for Lot Numbers 43 through 51. 3. Double-paned windows with minimum sound transmission class (STC) 30 for first-floor bedrooms on Lot Numbers 49, 50, and 51, and for second-floor bedrooms on Lot Numbers 1 through 6 and Lot Numbers 45 through 51 that are directly exposed to traffic noise. 4. Mechanical ventilation, such as an air conditioning system, in all residential units. 	Prior to certificate of occupancy	City of Wildomar Planning Department and Building and Safety Department	
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Transportation and Traffic

28.	<p>TRAF-1 The following intersection improvements are required for Existing Plus Ambient Growth Plus Project and Existing Plus Ambient Growth Plus Project Plus Cumulative traffic conditions. Prior to occupancy, the project applicant shall be required to either construct, or participate in the funding that will lead to the construction of, the following off-site improvements:</p> <ul style="list-style-type: none"> • I-15 Freeway Southbound Ramps (NS) at [In Lieu] <ul style="list-style-type: none"> - Baxter Road (EW) – #1 • Construct Eastbound Right Turn Lane • Install Interim Traffic Signal 	Prior to occupancy	City of Wildomar Engineering, Building and Safety and Planning Departments	
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	<ul style="list-style-type: none"> • I-15 Freeway Northbound Ramps (NS) at [In Lieu] <ul style="list-style-type: none"> - Baxter Road (EW) – #2 • Install Interim Traffic Signal 		
<u>Prior to Final Map Approval and Recordation</u>			
29.	<p>Prior to City Council approval of the final map, the Applicant shall submit two (2) copies of the proposed Covenants, Conditions, and Restrictions (CC&Rs) for the entire project area for review and approval by the Planning Director and City Attorney. The CC&Rs shall include liability insurance and methods of maintaining landscaping, parking areas, private roads, exterior of all buildings (if applicable), and all landscaped and open areas including parkways, as well as a provisions indicating that the homeowners association may not be terminated or dissolved without the permission of the City. The CC&Rs shall be in the form and content approved by the Planning Director and City Attorney and shall include such provisions as are required by this approval and as said officials deem necessary to protect the interests of the City and its residents. Said CC&R's shall be recorded concurrently with the final map and a copy of the recorded CC&R's shall be submitted to the Planning and Engineering Departments within 2 weeks after recordation.</p>	Prior to Approval of the Final Map	Planning Department
PUBLIC WORKS/ENGINEERING/BUILDING DEPARTMENT CONDITIONS			
<u>General Requirements / Standard Conditions</u>			
1.	<p>The developer shall obtain City approval for any modifications or revisions to the approval of this project. Deviations not identified on the plans may not be approved by the City, potentially resulting in the</p>	On-Going	Engineering Dept.

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	need for the project to be redesigned. Amended entitlement approvals may be necessary as a result.			
2.	The developer shall refer to the conditions of approval for any Plot Plan or Grading activities associated with this property.	On-Going	Engineering Dept.	
3.	The Developer shall dedicate, design and construct all improvements in accordance the City of Wildomar Road Improvement Standards & Specification, Improvement Plan Check Policies and Guidelines, as further conditioned herein and to the satisfaction of the City Engineer.	On-Going	Engineering Dept.	
4.	The Developer shall be responsible for all costs associated with off-site right-of-way acquisition, including any costs associated with the eminent domain process, if necessary.	On-Going	Engineering Dept.	
5.	Should this project lie within any assessment/benefit district, the project proponent shall, prior to acceptance of improvements, make application for and pay for their reapportionment of the assessments or pay the unit fees in the benefit district unless said fees are otherwise deferred or covered under the City's Community Facility District (CFD Services).	On-Going	Engineering Dept.	
6.	The developer shall annex into the City's Community Facility District (CFD Services) and pay associated costs for annexation. Should this project lie within any assessment/benefit district that duplicates the services to be covered under CFD Services then the developer shall de-annex from said assessment/benefit district.	Prior to Map Recordation	Engineering Dept.	
7.	The improvement plans for the required public 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 City Engineer.	On-Going	Engineering Dept.	

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8.	All above-ground utilities, including but not limited to communication and power that are 33KV in size or less, shall be undergrounded by the developer in accordance with City requirements. The undergrounding of utilities shall be reflected on the project improvement plans.	On-Going	Engineering Dept.
9.	All flood control plans to be reviewed by the City or the Riverside County Flood Control District (RCFCD) shall be submitted through the City of Wildomar, unless otherwise directed by the City Engineer. For projects requiring RCFCD review the developer shall pay the appropriate fees to RCFCD.	On-Going	Engineering Dept.
10.	The Developer shall provide the Engineering Department evidence of compliance with the National Pollutant Discharge Elimination System (NPDES); obtain a construction permit from the State Water Resource Control Board (SWRRCB); and, reference the WDID number on the improvement plans.	Prior to Issuance of a Grading Permit	Engineering Dept.
11.	A licensed engineer shall prepare and submit a Water Quality Management Plan (WQMP) Applicability Checklist; determine if a WQMP is applicable for this project's offsite improvements; and, sign and stamp the WQMP checklist with their license seal.	Prior to Issuance of a Grading Permit	Engineering Dept.
12.	The developer shall prepare and submit a comprehensive drainage study and plan that analyzes existing or proposed offsite drainage facilities.	Prior to Issuance of a Grading Permit	Engineering Dept.
<u>Prior to Final Map Approval and Recordation</u>			
13.	Improvement plans shall be prepared, processed, and approved. Construct the improvements; or execute an Improvement Agreement	Prior to Final Map Approval	Engineering Dept.

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	and Improvement Security. This condition shall be in conformance with local regulations and the Subdivision Map Act.			
14.	The developer shall dedicate, design and construct the half width section of George Avenue along the project's property line, measured 50' from the approved centerline and the associated slopes and transitions to existing improvements. Right of way will be based on a 100' secondary highway, Standard No. 94, in accordance with the City of Wildomar Improvement Standards & Specifications and to the satisfaction of the City Engineer.	Prior to Recordation of Final Map or First Building Permit	Engineering Dept.	
15.	The developer shall dedicate, design and construct the remaining improvements on Varian Way associated with Tract 31479. The improvements include completions of a 20' paved lane measured from street centerline, curb and gutter, and 2' parkway with a slope barrier at the right of way in accordance with the City of Wildomar Road Improvement Standards & Specification to the satisfaction of the City Engineer.	Prior to Recordation of Final Map or First Building Permit	Engineering Dept.	
16.	The developer shall dedicate, design and construct the half width section of Iodine Springs Road along the project's property line, measured 30' from the approved centerline and the associated slopes, slope barrier at the right of way and transitions to existing improvements. Right of way will be based on a 60' local street, Standard No. 105, in accordance with the City of Wildomar Improvement Standards & Specifications and to the satisfaction of the City Engineer.	Prior to Recordation of Final Map or First Building Permit	Engineering Dept.	
17.	The developer shall dedicate, design and construct streetlights in accordance with the City of Wildomar Road Improvement Standards & Specification, Improvement Plan Check Policies and Guidelines, City Ordinances and to the satisfaction of the City Engineer.	Prior to Recordation of Final Map or First Building Permit	Engineering Dept.	

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18.	The developer shall dedicate a public utility easement adjacent to all public and private streets for overhead and/or underground facilities and appurtenances to the satisfaction of the City Engineer.	Prior to Recordation of Final Map or First Building Permit	Engineering Dept.	
19.	The developer shall submit landscaping and irrigation plans within the public right-of-way to the Planning Department. These plans shall include water usage calculations, estimate of irrigation and the location of all existing trees that will remain. All plans and calculations shall be designed and calculated per the City of Wildomar Road Improvement Standards & Specification, Improvement Plan Check Policies and Guidelines, City Codes and to the satisfaction of the City Engineer.	Prior to Recordation of Final Map or First Building Permit	Engineering Dept. & Planning Dept.	
20.	The developer shall submit to the City Engineer traffic control plans along George Avenue, Varian Way and Iodine Springs Road to ensure the continued flow of traffic during construction.	Prior to Recordation of Final Map or First Building Permit	Engineering Dept. Public Works Dept.	
21.	The developer shall execute a maintenance agreement for the stormwater quality control treatment device to the satisfaction of the City Engineer.	Prior to Recordation of Final Map or First Building Permit	Engineering Dept.	
22.	Refer to General Requirements/Condition regarding annexation into City CFD – Services. Special Tax A shall include maintenance services of public facilities associated with the development. Special Tax B shall include safety services associated with the development.	Prior to Recordation of Final Map	Engineering Dept.	
23.	Letter Lots A – E and all appurtenant facilities shall be retained by the owner as private and maintained by an HOA.	Prior to Recordation of Final Map	Engineering Dept.	

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RIVERSIDE COUNTY FIRE DEPARTMENT			
<u>General Conditions</u>			
1.	Provide a fire hydrant system in accordance with Riverside County Ordinance 460, including fire hydrants spaced not more than 330 feet apart and capable of providing a fire flow of 1,000 GPM for 2 hours at 20 PSI.	On-Going	Fire Department
2.	Prior to building permit issuance, the required water system, including all fire hydrant(s), shall be installed and accepted by the appropriate water agency and the Riverside County Fire Department prior to bringing any combustible building materials on site. Contact the Riverside County Fire Department to inspect the required fire flow, street signs, all weather surface, and access. Approved water plans must be at the job site.	On-Going	Fire Department
3.	Install blue reflectors in roads and alleys to indicate fire hydrant locations per Riverside County Fire Department standards.	On-Going	Fire Department
4.	All portions of buildings or of an exterior wall of the first story of all buildings shall be within 150 feet from fire apparatus as measured along an approved route around the complex, exterior of the facility, or building.	On-Going	Fire Department
5.	Fire apparatus access road(s) shall be in compliance with the Riverside County Fire Department Standard number 06-05. Access roads shall have an unobstructed vertical clearance of not less than 13 feet, 6 inches. Access lanes shall be designed to withstand the weight of 75,000 pounds over two axles. Access will have a turning radius capable of accommodating fire apparatus. Access lane shall be	On-Going	Fire Department

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	constructed with a surface so as to provide all-weather driving capabilities.			
6.	Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with approved provision for the turnaround capabilities of fire apparatus.	On-Going	Fire Department	
7.	No parking shall be allowed in roads or alleys less than 24 feet wide as measured between curb faces. Provide "No Parking Fire Lane" signs per Riverside County Fire Department standards.	On-Going	Fire Department	
8.	Residential fire sprinklers are required in all one and two family dwellings per the California Residential code, California Building Code and the California Fire Code. Install Fire Sprinkler Systems per the California Residential Code or NFPA 13D, 2013 Edition. Plans must be submitted to the Fire Dept. for review and approval prior to installation.	On-Going	Fire Department	
9.	Display street numbers in a prominent location on the address side of building(s) and/or rear access if applicable. Numbers and letters shall be a minimum of 12" in height for building(s) up to 25' in height. In complexes with alpha designations, letter size must match numbers. All addressing must be legible, of a contrasting color, and adequately illuminated to be visible from street at all hours.	On-Going	Fire Department	
10.	All buildings greater than 3,600 square feet in area require a fire sprinkler system. All residential use buildings require a fire sprinkler system. Fire sprinkler systems shall be designed and installed per NFPA 13, 13D or 13R, 2013 Edition. The PIV and FDC shall be located to the front, within 25 to 50 feet of a hydrant, and a minimum of 25 feet from the building(s). A licensed C-16 contactor must submit	On-Going	Fire Department	

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	plans, along with current permit fees, to the Fire Department for review and approval prior to installation.			
11.	Prior to final inspection, provide a Knox rapid entry system for the clubhouse, pool area, and any entry gates to the development as necessary. The pool area and clubhouse should have at minimum a Knox 3200 series key box installed next to the approved Fire Department access door or gate. Required order forms and installation standards may be obtained at the Fire Department.	On-Going	Fire Department	

END