ATTACHMENT F

PC Resolution No. 2016-38

Tentative Tract Map No. 36782

PC RESOLUTION NO. 2016-38

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF TENTATIVE TRACT MAP NO. 36782 (PLANNING APPLICATION NO. 13-0082) TO SUBDIVIDE PARCEL 2 OF PM 36612 (9.15 ACRES) INTO ONE (1) LOT FOR CONDOMINIUM PURPOSES TO DEVELOP 124 SINGLE FAMILY ATTACHED DWELLING UNITS SUBJECT TO CONDITIONS LOCATED AT THE NORTHEAST CORNER OF THE 1-15 FREEWAY AND CATT ROAD (APN: 376-410-013, 376-410-023 & 376-410-025)

WHEREAS, the Planning Department has received an application for a Tentative Tract Map (TTM No. 36782) from:

Applicant/Owner:	Golden Eagle Multifamily Properties (Danny Brose, Project Manager)
Project Location:	NEC of the I-15 Freeway and Catt Road
APN:	376-410-013, 376-410-023 & 376-410-025
Project Area:	27.68± 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. 36782 for the Westpark Promenade Mixed-Use Development 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. 36782 containing staff's recommendation to the Planning Commission at least three (3) days prior to the November 2, 2016 noticed public hearing; and

WHEREAS, in accordance with Chapter 16.12.140 of the Wildomar Municipal Code, the City of Wildomar Planning Department, on October 19, 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. 36782 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 21, 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. 36782 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 November 2, 2016 held said public hearing at which time the Planning Commission received pubic testimony from interested persons in support of, or opposition to, the proposed Tentative Tract Map No. 36782.

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. 36782 is in compliance with requirements of the California Environmental Quality Act ("CEQA"), in that on November 2, 2016, at a duly noticed public hearing, the Planning Commission recommended to the City Council certification of an Environmental Impact Report reflecting its independent judgment and analysis and documenting the environmental impacts and mitigation measures related to the proposed Westpark Promenade Mixed-Use 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. MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP).

The project is found to be consistent with the MSHCP. The project is located outside of any MSHCP criteria area and mitigation is provided through payment of the MSHCP Mitigation Fee; and

SECTION 3. 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. 36782 is consistent with the City's General Plan in that the land use designations of VHDR is intended to provide for the development of single family attached condominium uses. With its close proximity to residential neighborhoods, the Westpark Promenade Mixed-Use project is consistent with the General Plan in that the VHDR land use designation specifically allows residential development including single family attached dwellings. As these residences are proposed as condominium ownership units, the project will provide important housing opportunities to Wildomar residents. Further, the residential land uses will be built at a density of 14.2 units/acre which is in compliance with the VHDR density range of 14 – 20 units/acre. Thus, 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 4.1 The proposed retail and residential developments 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 retail and residential developments will be developed in accordance with the proposed General Plan land use designations that ensures compatibility and minimizes impacts.

LU 22.1 The proposed retail and residential developments will accommodate the development of commercial retail and single family / multi-family residences in an area that is appropriately designated by the General Plan.

LU 22.4 The proposed residential developments 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 retail and residential developments are designed to consider the surrounding areas to visually enhance, and not degrade, the appearance of adjacent residential structures.

LU 23.1 The proposed land use amendment resulting in the commercial retail and residential areas is properly located and designated in accordance with the General Plan.

LU 23.8 The proposed land use amendment resulting in the commercial retail opportunities in a commercially designated area that will provide needed services and jobs for the Wildomar community in accordance with the General Plan.

H-1.1 The proposed condominium development 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 condominium development 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. In addition, the commercial retail development has been designed to meet the 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 27.68± acres and the tentative tract map proposes to subdivide Parcel 3 of PM 36612 (4.33 acres) into one (1) lot for condominium purposes to develop 67 single family attached dwelling units Given the density allowed by the VHDR land use designation (i.e., 14 - 20 units/acre), the proposed condominium development within this tract map at 15.5 units/gross acre falls within the allowed density range. Further, the condominium project site with its proposed R-3 zoning has a minimum lot size of 7,200 square feet, so the site size of 4.33 acres meets the R-3 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 Environmental Impact Report (EIR) for the Westpark Promenade Mixed-Use project which includes an analysis of Tentative Tract Map No. 36782. The EIR analyzed all the required environmental issues required by CEQA related to fish and wildlife, including their respective habitats. The EIR was circulated for a 45-day public review period in accordance with CEQA law. All comments on the DEIR from the commenters have been responded to as outlined in the FEIR. As the DIER analyzed impacts to wildlife resources, etc., the DEIR 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 4. PLANNING COMMISSION ACTION

The Planning Commission hereby adopts PC Resolution No. 2016-38 recommending City Council approval of Tentative Tract Map No. 36782 (Planning Application No. 13-0082) subject to conditions as provided herein and attached hereto to this Resolution as Exhibit 1.

PASSED, APPROVED AND ADOPTED this 2nd day of November 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 F – EXHIBIT 1 WESTPARK PROMENADE MIXED-USE PROJECT - CONDITIONS OF APPROVAL			
Project No. TENTATIVE TRACT MAP NO. 36782			
Applicant: Golden Eagle/Westpark Promenade LLC - APN: 376-410-013; 376-410-023; 376-410-025			
City Council Approval Date (Tentative): **December 14, 2016**	**TTM No. 36782 - Expiration Date:** **December 14, 2019**		
Conditions of Approval	**Timing/ Implementation**	**Enforcement/ Monitoring**	**Verification (Date and Signature)**

PLANNING DEPARTMENT CONDITIONS				
General Requirements / Standard Conditions				
1.	In compliance with Section 15094 of the CEQA Guidelines, a Notice of Determination (NOD) shall be filed with the Riverside County Clerk within five (5) working days 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 **$3,120.00**. 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: **a. California Department of Fish and Wildlife = $3,070.00** **b. Riverside County Clerk Administrative Fee = $50.00**	December 21, 2016	Planning Department	
2.	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. Applicant Signature Date	December 28, 2016	Planning Department	

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3.	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 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	Ongoing	Planning Department	

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	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 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 *Tentative Tract Map No. 36782* 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 (10/9/19).	December 14, 2019	Planning Department	
5.	*TTM No. 36782* shall not become effective until 30 days after the second reading of the Ordinance approving Change of Zone No. 13-0082 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 11, 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	

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ATTACHMENT F – EXHIBIT 1 WESTPARK PROMENADE MIXED-USE PROJECT - CONDITIONS OF APPROVAL			
Project No. TENTATIVE TRACT MAP NO. 36782			
Applicant: Golden Eagle/Westpark Promenade LLC - APN: 376-410-013; 376-410-023; 376-410-025			
City Council Approval Date (Tentative): **December 14, 2016**	**TTM No. 36782 - Expiration Date:** **December 14, 2019**		
Conditions of Approval	**Timing/ Implementation**	**Enforcement/ Monitoring**	**Verification (Date and Signature)**
7. Within 60 days of approval of the Westpark Promenade Mixed-Use Development Project (Planning Application No. 13-0082) 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	
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 / Environmental Impact Report (EIR) Mitigation Measures:			
Air Quality Resources			
11. **AQ-1:** The applicant, in coordination with the City, shall cooperate with local transit agencies to determine bus routing in the project area that can accommodate bus stop(s) at the project access points. The	Prior to issuance of building permit	City Planning and Building and Safety Departments	

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	project shall provide bus passenger benches and shelters at any approved locations.			
12.	**AQ-2:** The project applicant shall provide preferred parking for low-emitting and fuel efficient vehicles. The number and location of preferred parking spaces must be identified by the project proponent and be approved by the City of Wildomar prior to issuance of building permits.	Prior to issuance of building permit	City Planning and Building and Safety Departments	
13.	**AQ-3:** The project applicant shall provide secure bicycle racks. The number and location of bicycle racks must be identified by the project proponent and be approved by the City of Wildomar prior to issuance of building permits.	Prior to issuance of building permit	City Planning and Building and Safety Departments	
Biological Resources				
14.	**BIO-1:** Per the Burrowing Owl Survey Instructions for the MSHCP and MSHCP Species-Specific Objective 6, preconstruction presence/absence surveys for burrowing owl within suitable habitat areas of the project site, shall be conducted within 30 days prior to disturbance. Take of active nests shall be avoided. Passive relocation (use of one-way doors and collapse of burrows) shall occur when owls are present outside the nesting season. If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed. Surveys shall be completed for occupied burrowing owl burrows within all construction areas and within 500 feet (150 meters) of the project work areas (where possible and appropriate based on habitat). All occupied burrows will be mapped on an aerial photo.	30 days prior to the start of ground disturbing activities	City Planning Department	

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15.	**BIO-2:** If burrowing owls are identified during the 30-day preconstruction survey, the applicant shall take the following actions to offset impacts prior to ground disturbance: Active nests and paired owls exhibiting breeding activities within the areas scheduled for disturbance or degradation shall be avoided from February 1 through August 31, and a minimum 500-meter buffer shall be provided until fledging has occurred. Following fledging, owls may be passively relocated by a qualified biologist. 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. If relocation of the owls is approved for the site by the CDFW, the applicant shall hire a qualified biologist to prepare a plan for relocating the owls to a suitable site. The relocation plan must include all of the following: • The location of the nest and owls proposed for relocation. • The location of the proposed relocation site. • 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.	Prior to the start of ground disturbing activities	City Planning Department	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	• 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.			
16.	**BIO-3**: A qualified biologist shall conduct a preconstruction clearance (trap and release) survey throughout the project site, including a 500-foot buffer (where access is allowed) for coast horned lizard and San Diego black-tailed jackrabbit. If the species are found onsite during the survey, the animals shall be relocated by a qualified biologist. The relocation areas and survey methods shall be developed in consultation with CDFW.	Prior to the start of ground disturbing activities	City Planning Department	
17.	**BIO-4:** Impacts to raptors and migratory birds during nesting activities shall be avoided by implementation of one of the following measures: • All construction, vegetation disturbance, and ground-disturbing activities shall take place outside of the general avian breeding season (February 1-August 30). • If construction, vegetation disturbance, or ground disturbing activities are necessary during the breeding season (February 1-August 30), a focused survey for active nests of raptors and migratory birds and sign of nesting behavior shall be conducted by a qualified, City-approved biologist. The survey shall occur no more than 3 days prior to any construction, vegetation disturbance or ground-disturbing activities. If active nest(s) (with eggs or fledglings) are identified within the project site, they shall not be disturbed until the young have hatched and fledged (matured to a state that they can leave the nest on their own), as	Prior to the start of ground disturbing activities	City Planning Department	

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	determined by the City-approved biologist. A 500-foot construction setback from any active nesting location shall be adhered to in order to avoid disturbance of the nest until the young have fledged or the nest has failed, as determined by a qualified biologist. If no active nests are identified, construction may commence.			
18.	**BIO-5:** Prior to the issuance of a grading permit, the project applicant shall submit a detailed restoration plan that mitigates for the loss of approximately 0.36 acre of jurisdictional waters at a ratio acceptable and approved by the resource agencies (i.e., USACE, RWQCB and CDFW), but no less than 1:1 ratio. The restoration plan shall also be approved by the resource agencies prior to the issuance of a grading permit. The project applicant intends to restore and enhance riverine/riparian habitat on lands owned by the Elsinore Murrieta-Anza Resource Conservation District (EMARCD) located along Clinton Keith Road in Riverside County, or on other lands owned by EMARCD or another conservation district within the watershed if the land along Clinton Keith Road is not available. The restoration and enhancement of habitat is proposed within drainages located on the EMARCD lands to ensure a net gain of riparian/riverine habitat acreage in the region. A detailed restoration plan will be prepared that will provide a schedule for site preparation and planting. Performance standards will include: (a) increase the canopy cover of native riverine vegetation within the mitigation area by 25 percent with 80 percent survival of planted species after five years following installation, and (b) increase coverage of herbaceous vegetation within the mitigation areas by 25 percent after five years following installation. The restoration plan will	Prior to issuance of grading permit.	City Planning Department	

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	also include a maintenance and monitoring schedule for the proposed mitigation.			
19.	**BIO-6:** Prior to the issuance of a grading plan, the project applicant shall provide a plan to the City of Wildomar to demonstrate compliance with the MSHCP Urban/Wildlands Interface Guidelines. This plan shall provide provisions to ensure that indirect impacts to off-site drainage channels and associated riparian/riverine habitats downstream be minimized to the satisfaction of the City of Wildomar.	Prior to issuance of grading permit.	City Planning Department	
Cultural Resources				
20.	**CUL-1:** An archaeological monitor shall be present during all earthmoving activities within the project site. The monitor shall work under the direct supervision of a qualified archaeologist (defined as a cultural resources professional who meets the Secretary of the Interior's Professional Qualifications Standards for archaeology [U.S. Department of the Interior, 2008]). The monitor shall be empowered to temporarily halt or redirect construction work in the vicinity of any find until the qualified archaeologist can evaluate it. In the event of a new find, excavation and treatment of the resource shall be in accordance with Mitigation Measures **CUL-3 through CUL-5**.	Prior to issuance of grading permit During construction grading and excavation	City Planning Director and Building Official	
21.	**CUL-2:** At least 30 days prior to the issuance of a grading permit, the project applicant shall contact both the Pechanga to notify them of grading, excavation, and the monitoring program and to coordinate with the City of Wildomar and the Pechanga to develop a Cultural Resources Treatment and Monitoring Agreement. The agreement shall include, but not be limited to, outlining provisions and requirements for addressing the treatment of cultural resources;	30 days prior to issuance of grading permit	City Planning Department	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	project grading and development scheduling; terms of compensation for the monitors; treatment and final disposition of any cultural resources, sacred sites, 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. 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.			
22.	**CUL-3:** Prior the issuance of any grading permit, the project archaeologist shall file a pre-grading report with the City to document the proposed methodology for grading activity observation which will be determined in consultation with the Pechanga Tribe. The archaeological monitor and a Pechanga Tribal monitor will have the authority to temporarily halt and redirect grading activities in order to evaluate the significance of any archaeological cultural resources discovered on the project site. Tribal and archaeological monitors shall be allowed to monitor all grading, excavation and groundbreaking activities.	Prior to issuance of grading permit	City Planning Department	
23.	**CUL-4:** 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 (retained by the applicant) and the Pechanga. 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. In the event the significant resources	Prior to issuance of grading permit During grading and construction	City Planning Department	

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	are recovered and if the qualified archaeologist, the Pechanga, and/or Soboba determines the resources to be historical or unique, avoidance and/or mitigation shall be required pursuant to and consistent with CEQA Guidelines Section 15064.5 and 15126.4, Public Resources Code Section 21083.2, and the Cultural Resources Treatment and Monitoring Agreement required by Mitigation Measure CUL-2.			
24.	**CUL-5:** All cultural resources, with the exception of sacred items, burial goods, and human remains, which will be addressed in the Cultural Resources Treatment and Monitoring Agreement required by Mitigation Measure CUL-2, 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 the Pechanga Tribe's curation facility that meets the standards set forth in 36 Code of Federal Regulations (CFR) Part 79 for federal repositories.	Prior to issuance of grading permit	City Planning Department	
25.	**CUL-6:** If inadvertent discoveries of cultural or archaeological resources are made, the project applicant, project archaeologist, and Pechanga Tribe shall assess the significance of the resources and meet and confer regarding the appropriate treatment (i.e., preservation, avoidance. and/or mitigation for the resources). Cultural and archaeological resources are inadvertent discoveries when they were not anticipated to be found during the project's construction activities (e.g. grading, excavation). This may include previously unknown sacred sites and items, midden deposits, artifacts, hearths. bedrock outcrops. human remains and other resources, etc. Consistent with California Public Resources Code Section 21083.2(b)	Prior to issuance of grading permit	City Planning Department	

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	and Assembly Bill 52 (Chapter 532. Statutes of 2014), avoidance shall be the preferred method of preservation for tribal cultural resources and archaeological resources. If the project applicant, project archaeologist, and Pechanga Tribe cannot agree on the significance of, avoidance of, or mitigation for such resources, then these issues shall be presented to the Planning Director for determination. The Planning Director shall make the determination based on the information submitted by the Pechanga Tribe, the religious beliefs, customs, and practices of the Pechanga Tribe, and the provisions of the California Environmental Quality Act regarding tribal cultural and archaeological resources. Notwithstanding any other rights available under law, the decision of the Planning Director shall be appealable to the Wildomar City Council. All sacred sites, should they be encountered within the project site, shall be avoided and preserved as the preferred mitigation, if feasible.			
26.	**CUL-7:** The project applicant shall retain a qualified paleontologist (in accordance with the Society of Vertebrate Paleontologists) to monitor all initial ground-disturbing activities in native soils or sediments. If the paleontologist, upon observing initial earthwork, determines there is low potential for discovery, no further action shall be required and the paleontologist shall submit a memo to the City confirming findings of low potential. If the qualified paleontologist, upon observing initial earthwork, determines there is a moderate to high potential for discovery, a qualified paleontologist or paleontological monitor (retained by the applicant) shall monitor all mass grading and excavation activities. Monitoring will be conducted in areas of grading or excavation in undisturbed formation sediments, as well as where over-excavation of	Prior to issuance of grading permit	City Planning Department	

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	surficial alluvial sediments will encounter these formations in the subsurface. Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediment that are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossilferous units are not present in the subsurface, or if present, are determined on exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. Should any paleontological resources (i.e., fossils) be uncovered during project construction activities, all work within a 100-foot radius of the discovery site shall be halted or diverted to other areas on the site and the City shall be immediately notified. The qualified paleontologist shall evaluate the finds and recommend appropriate next steps to ensure that the resource is not substantially adversely impacted, including but not limited to avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further, ground disturbance shall not resume within a 100-foot radius of the discovery site until an agreement has been reached between the project applicant, the qualified paleontologist, and the City as to the appropriate preservation or mitigation measures to ensure that the resource is not substantially adversely impacted.			
27.	**CUL-8:** If human remains are encountered, consistent with California Health and Safety Code Section 7050.5, no further disturbance shall occur until the Riverside County Coroner has made the necessary	During grading and excavation construction	City Planning Department	

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	findings as to origin of the remains. Further, consistent with California Public Resources Code Section 5097.98(b), human remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within twenty-four (24) hours. The Native American Heritage Commission shall immediately identify the "most likely descendant(s)" and notify them of the discovery. The "most likely descendant(s)" shall make recommendations within forty-eight (48) hours, and engage in consultations with the landowner concerning the treatment of the remains, as provided in Public Resources Code Section 5097.98 and the Agreement described in CUL-2.	activities		
28.	**CUL- 9:** Any recovered paleontological specimens shall be identified to the lowest taxonomic level possible and prepared for permanent preservation. Screen-washing of sediments to recover small invertebrates and vertebrates shall occur if necessary.	During grading and excavation construction activities	City Planning Department	
29.	**CUL-10:** Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage shall occur at an institutional repository approved by the City of Wildomar. The paleontological program shall include a written repository agreement prior to the initiation of mitigation activities.	During grading activities	City Planning Department	
30.	**CUL-11:** A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location. The report, when submitted to an accepted by the City of	After grading and construction	City Planning Department	

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	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
	Wildomar, shall signify satisfactory completion of the project program to mitigation impacts to any potential nonrenewable paleontological resources (i.e., fossils) that might have been lost or otherwise adversely affected without such a program in place.			
Noise				
31.	**NOI-1:** The operator of the northern major retail building shall not allow medium-box truck and semi-trucks to engage in unloading activities during nighttime hours of 10 PM through 7 AM.	During grading and construction activities	City Building Official	
32.	**NOI-2**: Prior to the issuance of a building permit, the project applicant shall submit engineering drawings and acoustical specifications for the project's mechanical HVAC equipment to demonstrate that the equipment design combined with distance separation and parapets or screen walls would be sufficient to ensure that the applicable City of Wildomar's noise standards would not be exceeded at any adjacent off-site residential uses.	Prior to issuance of building permit	City Engineer or Designee	
33.	**NOI-3:** The project applicant shall confine trash pick-up activities at the project site to the hours of 7:00 AM through 10:00 PM, while parking lot sweeping closest to residential uses shall be similarly confined to the hours of 7:00 AM through 10:00 PM.	As needed	City Official Designee	
34.	**NOI-4:** Prior to the issuance of a building permit for the residential uses within Parcel 3, the project applicant shall include, within building plans, that a 6.5-foot noise wall be constructed around the exterior recreational use patio associated with the community area proposed within Parcel 3.	Prior to issuance of building permit	City Building and Safety Department	
35.	**NOI-5**: Prior to the issuance of a building permit, the project applicant shall demonstrate through the preparation of a supplemental	Prior to issuance of building permit	City Building and Safety Department	

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	acoustical analysis that the interior noise threshold of 45 dBA will be met within proposed residences in Parcels 2 and 3.			
36.	**NOI-6:** If the project's restaurants propose an outdoor venue, the following design features shall be implemented to ensure compliance with the City of Wildomar noise/land use compatibility standards: • Site outdoor eating areas at a setback distance of 350 feet or greater from the I-15 Freeway centerline to provide a 69 dBA CNEL outdoor noise exposure, or If an outdoor venue were sited at a distance closer than 350 feet from the I-15 Freeway centerline the following measures would achieve necessary exterior noise mitigation: • Orient patios on the east side of the restaurant away from the I-15 Freeway such that the restaurant structure itself would provide needed noise attenuation, or • Construct a five-foot Plexiglas wall to shield the patios from freeway traffic. The Plexiglas wall shall provide a minimum attenuation in noise levels of 5 dBA.	Prior to issuance of building permits	City Building and Safety Department	
Transportation and Traffic				
37.	**TRA-1:** The following improvements are required to reduce impacts under the existing plus project conditions on the study area intersections. For each improvement, the project applicant, as directed by the City Engineer, shall either fully fund the improvement, construct the improvement, pay the applicable City Development Fee (DIF) or pay a pro-rated share of the improvement, as identified below. **Catt Road-Arya Road/Clinton Keith Road** • The project applicant, as directed by the City Engineer, shall	Prior to issuance of first building permit	City Engineer or Designee	

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	construct or provide a fair share prior to the approval of a final map for the modification of the northbound striping to provide a dedicated left turn lane and a shared through/right turn lane. • The project applicant, as directed by the City Engineer, shall construct or provide a fair share prior to the approval of a final map for a separate southbound left turn lane. **Inland Valley Drive/Prielipp Road** • The project applicant, as directed by the City Engineer, shall construct prior to the approval of a final map or pay the applicable City Development Impact Fee (DIF) prior to issuance of a building permit for the installation of a traffic signal. • The project applicant, as directed by the City Engineer, shall construct prior to the approval of a final map or pay a fair share prior to issuance of a building permit for the modification of the westbound striping to provide one through lane and one right turn lane. **I-15 Southbound Ramps/Baxter Road** • The project applicant shall provide its fair share toward the funding of the installation of an interim traffic signal. The fair share contribution shall be determined by the City of Wildomar City Engineer. The project applicant shall provide its fair share toward the funding of the addition of an interim separate eastbound right turn lane. The fair share contribution shall be determined by the City of Wildomar City Engineer.			

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38.	**TRA-2:** The following improvements are required to reduce impacts under the existing plus ambient plus project conditions on the study area intersections. For each improvement, the project applicant, as directed by the City Engineer, shall either fully fund the improvement, construct the improvement, pay the applicable City Development Impact Fee (DIF) or pay a pro-rated share of the improvement, as identified below. **Catt Road-Arya Road/Clinton Keith Road** Implementation of Mitigation Measure TRA 1 is required. **Inland Valley Drive/Prielipp Road** Implementation of Mitigation Measure TRA 1 is required. **Monte Vista Drive/Baxter Road** • The project applicant, as directed by the City Engineer, shall construct prior to the approval of a final map or pay the applicable City Development Impact Fee (DIF) prior to issuance of a building permit for the installation of a traffic signal. **I-15 Northbound Ramps/Baxter Road** • The project applicant shall provide its fair share toward the funding of the installation of an interim traffic signal. The fair share contribution shall be determined by the City of Wildomar City Engineer. • The project applicant shall provide its fair share toward the	Prior to issuance of first building permit	City Engineer or Designee	

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	funding of the addition of an interim separate eastbound right turn lane. The fair share contribution shall be determined by the City of Wildomar City Engineer. **I-15 Southbound Ramps/Baxter Road** • Implementation of Mitigation Measure TRA-1 is required. •			
39.	**TRA-3:** The following improvements are required to reduce impacts under the existing plus ambient plus project plus cumulative (2017) conditions on the study area intersections. For each improvement, the project applicant, as directed by the City Engineer, shall either fully the improvement, construct the improvement, pay the applicable City Development Impact Fee (DIF) or pay a pro-rated share of the improvement, as identified below. **Hidden Springs Road/Clinton Keith Road** • The project applicant, as directed by the City Engineer, shall construct prior to the approval of a final map or pay a fair share prior to issuance of a building permit for a second southbound left turn lane. **Catt Road-Arya Road/Clinton Keith Road** • Implementation of Mitigation Measure TRA 1 is required. **Inland Valley Drive/Clinton Keith Road** • The project applicant, as directed by the City Engineer, shall construct prior to the approval of a final map or pay the	Prior to issuance of first building permit	City Engineer or Designee	

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	applicable City Development Impact Fee (DIF) for a second westbound through lane. **Inland Valley Drive/Prielipp Road** • Implementation of Mitigation Measure TRA 1 is required. **Monte Vista Drive/Baxter Road** • Implementation of Mitigation Measure TRA 2 is required. **I-15 Northbound Ramps/Baxter Road** • Implementation of Mitigation Measure TRA 2 is required. **I-15 Southbound Ramps/Baxter Road** • Implementation of Mitigation Measure TRA 1 is required. **Northbound I-15 south of Clinton Keith Road** • No feasible mitigation is available.			
40.	**TRA-4:** The following improvements would mitigate the deficient intersections to operate at an acceptable level of service. The following improvements are required to reduce impacts under the Horizon Year (2035) with Project conditions on the study area intersections. For each improvement, the project applicant, as directed by the City Engineer, shall either fully fund the improvement, construct the improvement, pay the applicable City Development Fee (DIF) or pay a pro-rated share of the improvement, as identified below.	Prior to issuance of first building permit	City Engineer or Designee	

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ATTACHMENT F – EXHIBIT 1 WESTPARK PROMENADE MIXED-USE PROJECT - CONDITIONS OF APPROVAL			
Project No. TENTATIVE TRACT MAP NO. 36782			
Applicant: Golden Eagle/Westpark Promenade LLC - APN: 376-410-013; 376-410-023; 376-410-025			
City Council Approval Date (Tentative): **December 14, 2016**	**TTM No. 36782 - Expiration Date:** **December 14, 2019**		
Conditions of Approval	**Timing/ Implementation**	**Enforcement/ Monitoring**	**Verification (Date and Signature)**
	Palomar Street/Clinton Keith Road • The project applicant, as directed by the City Engineer, shall construct prior to the approval of a final map or pay a fair share prior to issuance of a building permit for a second southbound left turn lane. • The project applicant, as directed by the City Engineer, shall construct prior to the approval of a final map or pay a fair share prior to issuance of a building permit for a separate eastbound right turn lane. • The project applicant, as directed by the City Engineer, shall construct prior to the approval of a final map or pay a fair share prior to issuance of a building permit for the modification to the traffic signal to provide a westbound right turn overlap phase. **Hidden Springs Road/Clinton Keith Road** • Implementation of Mitigation Measure TRA-3 is required. • The project applicant, as directed by the City Engineer, shall construct prior to the approval of a final map or pay the applicable City Development Impact Fee (DIF) prior to issuance of a building permit for the modification of the traffic signal to provide a westbound right turn overlap phase. **Catt Road-Arya Road / Clinton Keith Road** • Implementation of Mitigation Measure TRA-1 is required.			

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	Conditions of Approval	**Timing/ Implementation**	**Enforcement/ Monitoring**	**Verification (Date and Signature)**
	Inland Valley Drive/Clinton Keith Road • Implementation of Mitigation Measure TRA-3 is required. • The project applicant, as directed by the City Engineer, shall construct prior to the approval of a final map or pay the applicable City Development Impact Fee (DIF) prior to issuance of a building permit for the modification of the northbound striping to provide one left turn lane and one shared left/right turn lane. **Inland Valley Drive/Prielipp Road** • Implementation of Mitigation Measure TRA-1 is required. **Monte Vista Drive/Baxter Road** • Implementation of Mitigation Measure TRA-2 is required. **I-15 Northbound Ramps/Baxter Road** • Implementation of Mitigation Measure TRA-1 is required. **I-15 Southbound Ramps/Baxter Road** • Implementation of Mitigation Measure TRA-1 is required. **Northbound and Southbound I-15 mainline north and south of Clinton Keith Road** • No feasible mitigation is available.			
41.	**TRA-5:** Prior to the issuance of a grading permit, the project applicant shall prepare and obtain City approval of a traffic management plan	Prior to issuance of grading permit	City Planning Department	

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	(TMP) to minimize potential impacts during construction. Included among the provisions, the project's contractor will coordinate with the City of Wildomar, Riverside County, and local police, fire, and emergency medical service providers regarding construction scheduling and any other practical measures to maintain adequate access to properties and response times. The TMP may also limit construction activity during typical weekday morning and evening peak traffic hours that would adversely affect traffic flow along Clinton Keith Road. The TMP shall include contact information for the general public who may have questions concerning the project and access of their property. Two-way traffic flow through the construction zone shall be maintained throughout the construction period.			
Prior to Approval of the Final Map (these conditions apply to all phases)				
42.	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	Prior to Approval of the Final Map	Planning Department	

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	recorded CC&R's shall be submitted to the Planning and Engineering Departments within 2 weeks after recordation.			
PUBLIC WORKS/ENGINEERING/BUILDING DEPARTMENT CONDITIONS				
General Requirements / Standard Conditions				
1.	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 need for the project to be redesigned. Amended entitlement approvals may be necessary as a result.	On-Going	Engineering Dept.	
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.	

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Conditions of Approval	**Timing/ Implementation**	**Enforcement/ Monitoring**	**Verification (Date and Signature)**
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.	
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.	

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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.	
Prior to Final Map Approval and Recordation				
13.	Improvement plans shall be prepared, processed, and approved. Construct the improvements; or execute an Improvement Agreement and Improvement Security. This condition shall be in conformance with local regulations and the Subdivision Map Act.	Prior to Final Map Approval	Engineering Dept.	
14.	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.	
15.	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.	
16.	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	Prior to Recordation of Final Map or First Building Permit	Engineering Dept. Planning Dept.	

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	Policies and Guidelines, City Codes and to the satisfaction of the City Engineer.			
17.	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.	
18.	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	
Prior to Recordation of the Final Map – Project Specific			
19.	Satisfy or demonstrate compliance with conditions of approval for Parcel Map 36612.	Prior to Recordation of Final Map	Engineering Dept. Public Works Dept.	
20.	The developer shall design and construct a landscaped raised median on Westpark Street from Copper Court to Catt Road with a Type D curb, Standard No. 204 in accordance with the City of Wildomar Road Improvement Standards & Specification to the satisfaction of the City Engineer.	Prior to Recordation of Final Map	Engineering Dept.	
21.	The developer shall design and construct part-width improvements of Copper Court (Private Street) based on a modified Standard No. 105A with 26' pavement improvements in accordance with the City of Wildomar Road Improvement Standards & Specification to the satisfaction of the City Engineer.	Prior to Recordation of Final Map	Engineering Dept.	

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RIVERSIDE COUNTY FIRE DEPARTMENT				
General Conditions				
1.	For residential areas, approved standard fire hydrants, located at each intersection, with no portion of any lot frontage more than a maximum of 500 feet from a hydrant. Minimum fire flow for all residential structures shall be 1000 GPM for a 1-hour duration at 20 PSI.	On-Going	Fire Department	
2.	All residential structures shall have fire sprinklers installed.	On-Going	Fire Department	
3.	The required water system, including fire hydrants, shall be installed and accepted by the appropriate water agency prior to any combustible building material being placed on an individual lot. Two sets of water plans are to be submitted to the Fire Department for approval.	On-Going	Fire Department	
4.	Fire apparatus access road and driveways shall be in compliance with the Riverside County Fire Department Standards. Access lanes shall be constructed with a surface so as to provide all weather driving capabilities.	On-Going	Fire Department	
5.	Blue dot retro-reflectors pavement markers on private, public streets and driveways to indicated location of the fire hydrant shall be per Standard 06-11.	On-Going	Fire Department	

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6. The Proposed project may have a cumulative adverse impact on the Fire Department's ability to provide an acceptable level of service. These impacts include an increase in the number of emergency and public service calls due to the increased presence of structures, traffic and population. The project proponents/developers will be expected to provide for a proportional mitigation to these impacts via capital improvements and/or impact fees.	On-Going	Fire Department	

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