

**RESOLUTION NUMBER 3224**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, TENTATIVE TRACT MAP 31416 (03-0225) SUBDIVIDING 78 ACRES OF LAND AT THE SOUTHWEST CORNER OF RIDER STREET AND EVANS ROAD INTO 308 SINGLE FAMILY LOTS WITHIN THE R-4000 AND R-5,400 ZONING DESIGNATION OF THE MAY RANCH SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF**

**WHEREAS**, on July 3, 2003, an application was filed by KB Home Coastal, Inc. for Tentative Tract Map 31416 (03-0225) to subdivide approximately 78 acres of vacant land into 308 single family lots at the southwest corner of Rider Street and Evans Road; and

**WHEREAS**, on March 17, 2004, the Planning Commission conducted a duly, noticed public hearing on the proposed Tentative Tract Map 31416 (03-0225) considered testimony and materials in the staff report and accompanying documents, and unanimously recommended approval of the proposed project; and

**WHEREAS**, all legal prerequisites for the adoption of this resolution have occurred;

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Perris, as follows:

**Section 1.** The above recitals are all true and correct.

**Section 2.** The City Council has previously reviewed and considered the environmental information for the project prior to taking action on the proposed tract map. Based on the analysis contained in the Initial Study, the City Council adopted Negative Declaration No. 2108 on May 28, 2002 identifying that the Tentative Tract Map would not have any significant adverse effects on the environment which were not previously evaluated by the certified Final Environmental Impact Report prepared for the original May Ranch Specific Plan (EIR 88-20, SCH 88012503). The City Council asserts that no new information or impacts have been identified that would require a subsequent or supplemental Environmental Impact Report or Negative Declaration and that this reflects the independent judgment of the Council.

**Section 3.** Based on the information contained in the staff report and accompanying plans and exhibits, the City Council hereby finds that:

- A. The proposed Tract Map is consistent with applicable general and specific plans;

- B. The design or improvements of the proposed subdivision is consistent with applicable general and specific plans;
- C. The site is physically suited for the type of development.
- D. The site is physically suitable for the proposed density of development.
- E. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- F. The design of the subdivision or the type of improvements will not cause serious public health problems.
- G. The design of the subdivision or the type of improvements will not conflict with easements of record or easements established by court judgment, acquired by the public at large, for access through or use of , property within the proposed subdivision.
- H. All requirements of the California Environmental Quality Act (CEQA) have been met.
- I. The discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements prescribed by a California regional water quality control board pursuant to Division 7 (commencing with Section 13000) of the Water Code.

**Section 4.** The City Council hereby approves Resolution 3224 approving Tentative Tract Map 31416 (03-0225) based on the information and findings presented in the staff report, and subject to the attached Conditions of Approval.

**Section 5.** The City Council declares that should any provision, section, paragraph, sentence, or word of the Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of the Resolution shall remain in full force and effect.

**Section 6.** The Mayor shall sign this Resolution and the City Clerk shall certify to the adoption of this Resolution.

Attachment: Exhibit A – Conditions of Approval

***ADOPTED, SIGNED*** and ***APPROVED*** this 13<sup>th</sup> day of April, 2004.

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Mayor, Daryl R. Busch

ATTEST:

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City Clerk, Margaret Rey

STATE OF CALIFORNIA    )  
COUNTY OF RIVERSIDE   ) §  
CITY OF PERRIS            )

I, Margaret Rey, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 3224 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 13<sup>th</sup> day of April, 2004, and that it was so adopted by the following called vote:

AYES:           Motte, Rogers, Yarbrough, Landers, Busch  
NOES:  
ABSENT:  
ABSTAIN:

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City Clerk, Margaret Rey

**EXHIBIT "A"**  
**(RESOLUTION NUMBER 3224)**

**CITY OF PERRIS**  
**DEPARTMENT OF COMMUNITY DEVELOPMENT**  
**PLANNING DIVISION**

**CONDITIONS OF APPROVAL**

**TENTATIVE TRACT MAP 31416**

**Tentative Tract Map Case No. 03-0225**

**April 13, 2004**

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*PROJECT: Proposal to subdivide approximately 78 acres into 308 single-family residential lots within the R-4000 and R-5400 zoning designation of the May Ranch Specific Plan, Phase 4. Minimum 4,000 square foot lots are located within Planning Area (PA) 25, and minimum 5,400 square foot lots are located Planning Area (PA) 23. Within PA 25, the average lot size is 4,591 square feet, and the average lot size of PA 23 is 6,035 square feet. The project density is 3.7 dwelling units per gross acre. The project is located at the southwest corner of Rider Street and Evans Road. The applicant is KB Home Coastal Inc.*

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- 1. Approval Period.** In accordance with the Subdivision Map Act, the recordation of the final map shall occur within two (2) years from the approval date unless an extension is granted. Pursuant to the Subdivision Map Act and applicable provisions of May Ranch Specific Plan and Development Agreement, the applicant may apply for a maximum of five (5) one-year extensions, to permit additional time to record the final map. A written request for extension shall be submitted to the Planning Division a minimum of thirty (30) days prior to the expiration of Tentative Map approval.
- 2. Final Map Submittal.** A final map application shall be submitted to the Planning Division with payment of appropriate fees for review and approval concurrently with application to the City Engineer.
- 3. City Codes.** The project shall comply with all local requirements of the City of Perris, as applicable, all disabled access requirements, and Municipal Code Titles 18 and 19, including all of the following R-4000 and R-5400 Development Standards from the May Ranch Specific Plan and Development Agreement:

R-4000

- Minimum Lot Size: 4,000 square feet
- Minimum Lot Size (cul-de-sac/knuckle): 3,800 square feet
- Maximum Lot Coverage: 70 percent
- Minimum Lot Width: Average 50 feet
- Minimum Lot Depth: Average 80 feet

- Minimum Lot Frontage: 50 feet
- Minimum Lot Frontage (cul-de-sac/knuckle): 30 feet

R-5400

- Minimum Lot Size: 5,400 square feet
  - Minimum Lot Size (cul-de-sac/knuckle): 5,130 square feet
  - Maximum Lot Coverage: 60 percent
  - Minimum Lot Width: Average 60 feet
  - Minimum Lot Depth: Average 90 feet
  - Minimum Lot Frontage: 60 feet
  - Minimum Lot Frontage (cul-de-sac/knuckle): 30 feet
4. **City Engineer.** The proposed project shall adhere to the requirements of the City Engineer as indicated in the Conditions of Approval dated February 17, 2004 (revised).
  5. **School District.** The proposed project shall comply with the provisions of the Val Verde School Unified District Mitigation Agreement.
  6. **Sheriff's Department.** The proposed project shall comply with all requirements of the Perris Police Department/Riverside County Sheriff.
  7. **Building Official/Fire Marshal.** The proposed project shall adhere to all requirements of the Building Official/Fire Marshal. Fire hydrants shall be located on the project site pursuant to the Building Official. Water, gas, sewer, electrical transformers, power vaults and separate fire/water supply lines (if applicable) must be shown on the final set of construction plans pursuant to the requirements of the Building Official.
  8. **Southern California Edison.** Prior to issuance of building permits, the applicant shall contact the area service planner (909 928-8323, Art Alvarado) for Southern California Edison (SCE) to complete the required forms prior to commencement of construction.
  9. **Residential Use and Development Restrictions.** The physical development of all lots shall be reviewed and approved by the city. Any use, activity, and/or development occurring on the site without appropriate city approvals shall constitute a code violation and shall be treated as such. Placement of any sales trailer or a model home shall require separate review and approval by the City.
  10. **Compatibility with March Air Reserve Base (March ARB).** The project is located within the March ARB Airport Influence Zone and shall, therefore, comply with the following measures:
    - A. **Avigation Easement.** The applicant shall grant to the City of Perris and to the March Inland Port Airport Authority an avigation easement in the form and manner approved by the City Attorney and shall cause such easement to be duly recorded in the office of the County Recorder.

- B. **Notice of Airport in the Vicinity.** A Notice of Airport in the Vicinity and aerial photograph identifying the location of March ARB and the project site shall be displayed and distributed in model homes at the project site. The following statement is required for distribution.

*“NOTICE OF AIRPORT IN VICINITY*

*This property is located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances associated with the property, if any, are acceptable to you prior to completing your purchase.”*

- C. **Disclosure.** The applicant shall provide full disclosure of the Avigation Easement and Notice of Airport in the Vicinity prior to the sale of individual properties within the project.

D. **Prohibited Uses:**

1. Any use which would direct a steady light or flashing light of red, white, green or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following take off or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
2. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
3. Any use which would generate excessive smoke or water vapor, attract large concentrations of birds, or otherwise affect safe air navigation in the area.
4. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
5. Any use involving the storage of explosives or flammable materials.
6. Any obstruction of the Federal Aviation Regulations, Part 77 Conical Surface.

11. **Required Approvals.** Prior to recordation of the Final Map, the developer shall obtain the following clearances or approvals:

- A. Verification from the Planning Division that all pertinent conditions of approval have been met, including any Administrative Development Plan Review approvals, as mandated by the Perris Municipal Code;
- B. Planning Commission approval of all proposed street names; and,
- C. Any other required approval from an outside agency.

**12. Plans and CC&Rs.** Prior to recordation of the Final Map, the developer shall submit and obtain approvals on the following items:

- A. Public improvement plans to the City Engineer. These plans shall include but not be limited to street, drainage, utility improvements, and dedications in accordance with Municipal Code Title 18.
- B. Any Covenants, Conditions, and Restrictions (CC&Rs) to the Planning Division and the City Attorney's office. Approved CC&Rs shall be recorded with the final map.
- C. Grading plans to the City Engineer, demonstrating compliance with National Pollution Discharge Elimination System (NPDES) requirements. The plans shall include a Storm Water Pollution Prevention Plan detailing water quality management controls and identifying Best Management Practices (BMPs) to control pollutant runoff. The applicant shall identify measures specified in Supplement A of the Riverside County Drainage Area Management Plans New Development Guidelines or other equally effective standard for implementing project BMPs, assignment of long-term maintenance responsibilities (specifying the developer, parcel owner, lessee, etc.) and shall reference the location(s) of structural BMPs.
- D. Four (4) sets of grading plan shall be submitted to the Planning Division for use in conjunction with the review and approval of landscape and fencing plans.
- E. The map shall be revised to provide sufficient area at all tract entrances to allow for the installation of Primary Entry Monumentation (Exhibit A) and Neighborhood Entry Monumentation (Exhibit B) as appropriate and as depicted in the May Ranch Specific Plan Exhibits for Phase 4.
- F. The four (4) foot excess right of way along Rider Street shall be vacated in accordance with City regulations.

**13. Water Resources Control Board.** Prior to issuance of Building Permits, the applicant shall submit a copy of the State Water Resources Control Board permit letter with the WDID number.

**15. Floodplain.** The Finished Floor elevations of all residential lots within the floodplain shall be raised to a minimum of one (1) foot above the 100-year flood elevation. The applicant shall also file a CLOMR (Conditional Letter of Map Revision) with the Federal Emergency Management Agency (FEMA) and provide evidence of same to the Planning



Division prior to issuance of building permits. Prior to occupancy of any unit within the floodplain, the applicant shall provide evidence from FEMA that the LOMR (Letter of Map Revision) has been approved.

16. **Access for Lots 307 and 308.** Access for Lots 307 and 308 shall be provided from the private road and shall not be taken from Old Evans Road or Evans Road.
17. **Landscaping.** Prior to issuance of building permits, the developer shall submit four (4) copies of construction level Landscape and Irrigation Plans to the Planning Division, accompanied by the appropriate filing fee. The plans shall be prepared by a registered landscape architect and include the location, number, genus species, and container size of the plants. Plants shall be consistent with Section 19.70 of the Perris Municipal Code. The cover page shall identify the total square footage of the landscaped area and note that it shall maintained in accordance with Section 19.70 of the City Code. Use of water efficient fixtures and drought tolerant plants is encouraged. For model home complexes at least one of the models should be landscaped utilizing xeriscape concepts. Additional landscape requirements include front-yard landscaping and irrigation to be provided for all lots, and installation of landscaping, irrigation, and street trees along all arterial and collector road abutting the project. All slopes greater than two (2) feet in height shall be landscaped and irrigated regardless of location on the project site.
18. **Evans Road Landscape Design Guidelines.** The project shall substantially comply with the provisions of the Evans Road Landscape Design Guidelines, with the exception that the total right of way width for Evans Road adjacent to the project shall be 118 instead of 128 feet wide (in conformance to the updated General Plan Circulation provisions) per the May Ranch Specific Plan (Exhibit D) and Development Agreement.
19. **Landscaping of Perris Valley Storm Drain Trail.** The developer shall plan, acquire easements, and construct an interim 12 foot wide paved pedestrian/bicycle trail within the existing 20 foot wide service road along the east bank of the Perris Valley Storm Drain levee. The Landscape Plan shall include grading, plant material, irrigation, signage and appropriate pedestrian access features (see Condition No. 21 below). The trail shall extend along the entire length of the project's western boundary. The trail is intended to connect with future trail extensions north and south of the project site. Installation of trail improvements shall commence at the discretion of the City.
20. **Access to Pedestrian/Bicycle Trail.** Prior to recordation of final map, the developer shall dedicate land, provide easements, or otherwise hold property in common ownership for access points to the pedestrian/bicycle trail along the Perris Valley Storm Drain on the western boundary of the project site. These access points are to occur at the bulb-end of the cul-de-sac at the northwest corner of the project site and at the drainage easement (Lot B) at the southwest corner of the site, with connection to interior streets. A 5 or 6 foot break in the slumpstone wall shall be provided at each access point, and include the installation of bollards to prevent entrance of motorized vehicles.

- 21. Pedestrian Access Points.** The applicant shall include a design detail of the pedestrian access points for the north cul de sac and the drainage easement (Lot B) on the proposed Landscape Plan (as per Conditions No. 18 and 19, above). These facilities shall be effectively integrated into the development through the use of fence, pavement, and plant materials used commonly throughout the development. Particular attention should be given to disabled access, privacy for adjacent dwellings (i.e., adequate setbacks and landscape screens), and pedestrian safety (i.e., visibility and separation from steep slopes).
- 22. Open Space (Lot C).** Lot C shall be developed with turf and edge landscaping, including street trees, to be open space to enhance the neighborhood. All landscaping shall be automatically irrigated.
- 23. Drainage Easement Landscaping.** Drainage easements across residential lots shall not straddle lot lines and be lined with Turfcrete or another open grid paver to permit turf growth and maintenance by the homeowner.
- 24. Tract Identification.** The developer shall provide community entry statements, including theme walls, monumentation and enhance landscaping at each entrance to the tract on Evans Road. Additional area of dedication shall be provided at all tract entrances to allow the installation of disabled access features, wall and landscaping as depicted by the Primary Entry Monumentation and Neighborhood Entry Monumentation in the May Ranch Specific Plan Exhibits for Phase 4. Sufficient area is not currently shown on the tentative map. Theme walls and monuments shall not occur within the public right-of-way.
- 25. Landscape Inspections.** The project applicant shall inform the on-site project or construction manager and the landscape contractor of their responsibility to call for landscape inspections. A minimum of three (3) landscape inspections are required in the following order, and the landscape inspection card shall be signed by the City's landscape inspector to signify approval at the following stages of landscape installation:

  - A. At installation of irrigation equipment, when the trenches are still open;
  - B. After soil preparation, when plant materials are positioned and ready to plant;
  - C. At final inspection, when all plant materials are installed and the irrigation system is fully operational.
- 26. Walls and Fences.** Prior to issuance of building permits, the developer shall submit and obtain approval from the Planning Division for a comprehensive fencing plan for the project. At a minimum, this plan shall include the following items:

  - A. A six-foot high, slumpstone wall around the perimeter of the project site, with the exception of the south side of Street N, and along entry drives into the tract. Pilasters shall be provided approximately every 120 to 150 feet coincident with interior lot corners along perimeter walls adjacent to collector and arterial streets. Slumpstone colors shall be coordinated with other block walls along the same street.

- B. A six-foot high, slumpstone wall with pilasters along Old Evans and Evans Road at the side/rear property lines of Lots 307 and 308, with a return at Lot 308.
  - C. On the interior of the tract, a six-foot high, slumpstone wall shall be provided on all residential property lines where side or rear yards adjoin a public street, with pilasters at wall ends and centered midway between lots,
  - D. A six-foot-high combination view fence consisting of a slumpstone knee wall and a high grade tubular steel or wrought iron fence shall be provided along the west tract perimeter adjoining the Perris Valley Storm Drain Trail,
  - E. Six-foot-high PVC fences on all other side and rear property lines throughout the project.
- 27. Fees.** The developer shall pay the following fees according to the timeline noted herein, or as otherwise indicated in the May Ranch Specific Plan and Development Agreement:
- A. Prior to the issuance of building permits, the applicant shall pay Stephen's Kangaroo Rat Mitigation Fees of \$500.00 per acre;
  - B. Prior to the issuance of building permits, the applicant shall pay City Development Impact Fees per the Development Agreement in effect at the time of development;
  - C. Prior to the issuance of building permits, the applicant shall pay Multi-Species Habitat Conservation Plan fees in effect at that time;
  - D. Prior to issuance of building permits, the applicant will comply with the provisions of the Val Verde School Unified District Mitigation Agreement for payment of fees;
  - E. The applicant shall pay any outstanding development processing fees.
- 28. Construction Practices.** To reduce potential noise and air quality nuisances, the following items shall be listed as "General Notes" on the construction drawings:
- A. Construction activity and equipment maintenance is limited to the hours between 7:00 a.m. and 7:00 p.m., on weekdays. Construction may not occur on weekends or State holidays, without prior consent of the Building Official. Non-noise generating activities (e.g., interior painting) are not subject to these restrictions.
  - B. Stationary construction equipment that generates noise in excess of 65 dBA at the project boundaries must be shielded and located at least 100 feet from occupied residences. The equipment area with appropriate acoustic shielding shall be

designated on building and grading plans. Equipment and shielding shall remain in the designated location throughout construction activities.

- C. Construction routes are limited to City of Perris designated truck routes.
- D. Water trucks or sprinkler systems shall be used during clearing, grading, earth moving, excavation, or transportation of cut or fill materials to prevent dust from leaving the site and to create a crust after each day's activities cease. At minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
- E. A person or persons shall be designated to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. The name and telephone number of such persons shall be provided to the City.

**29. Energy Conservation.** To improve local air quality, the applicant is encouraged to incorporate any or all of the following energy-conservation features into the project:

- Low NO<sub>x</sub> water heaters per specifications in the Air Quality Attainment Plan;
- Heat transfer modules in furnaces;
- Light colored water-based paint and roofing materials;
- Passive solar cooling/heating; and,
- Energy efficient appliances and lighting.

**30. Underground Utilities.** All utilities such as cable TV and electrical distribution lines (including those which provide direct service to the project site and/or currently exist along public right-of-ways) adjacent to the site shall be placed underground, except for electrical utility lines rated at 65kv or larger.

**31. Unit Identification.** Each unit in the tract shall include a lighted address fixture. This fixture shall allow for replacement of the bulbs, and shall be reviewed and approved by the Planning Division.

**32. Phasing.** Any proposed Phasing Plan shall be reviewed and approved by the Planning Division and the City Engineer. Each Phase of the project shall provide adequate drainage and at least two points of access to all lots.

**33. Assessment Districts.** Prior to recordation of the Final Map, the developer shall annex into the Landscape Maintenance District and post an adequate maintenance performance bond to be retained by the City. The developer shall also annex the project into the North Perris Community Facilities Assessment District, Street Lighting, Flood Control, and Park Maintenance Districts of the City of Perris. As an addendum to the City Engineer-recommended conditions, the developer shall also be required to annex to a future Street Maintenance Community Facilities District.

- 34. Disclosure Statements – Dam Inundation/March Air Reserve Base.** Prior to approval of final map, the developer shall record a disclosure on each lot and provide a disclosure to the purchaser of each lot that the project is within a dam inundation area and is subject to flooding in the event of a dam failure and shall provide an acknowledgement of this disclosure by each purchaser to the City. A similar disclosure shall be recorded and provided to each purchaser regarding potential noise impacts from March Air Reserve Base and the aviation easement granted to the City of Perris and to the March Inland Port Airport Authority.
- 35. City-Approved Waste Hauling.** The developer shall use only the City-approved waste hauler for all construction and other waste disposal.
- 36. Indemnification/Hold Harmless.** The developer/applicant shall indemnify, protect, defend, and hold harmless, the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City, or any agency or instrumentality thereof, or any of its officers, employees and agents, to attack, set aside, void, annul, or seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voters of the City. City shall promptly notify the developer/applicant of any claim, action, or proceeding for which indemnification is sought and shall further cooperate fully in the defense of the action.

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APPROVAL DATE

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PROJECT PLANNER