

RESOLUTION NUMBER 3606

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 32361 FOR THE SUBDIVISION OF A 4.05 NET ACRE LOT ON THE SOUTH SIDE OF SOTELO ROAD, WEST SIDE OF GOETZ ROAD INTO TWO SINGLE FAMILY LOTS; AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, on August 25, 2004, the applicant applied for approval of Tentative Parcel Map 32361 (TPM 04-0434) to subdivide a 4.05 net acre lot into two (2) parcels on the south side of Sotelo Road, west of Goetz Road; and

WHEREAS, this Tentative Parcel Map has been duly noticed; and

WHEREAS, on March 1, 2006, the Planning Commission conducted a duly noticed public hearing on the proposed project, considered testimony and materials in the staff report and accompanying documents, and recommended approval of the proposed project; and,

WHEREAS, on April 11, 2006, the City Council conducted a duly noticed public hearing on the proposed project, considered testimony and materials in the staff reports, accompanying documents and exhibits; 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 and incorporated herein.

Section 2. The City Council has reviewed and considered the project included in the staff report and accompanying attachments prior to taking action on the application for the proposed project, and finds that the project could not have a significant impact on the environment as the project is categorically exempt as a Class 15 Minor Land Division under CEQA Guideline 15315; and

Section 3. Based on the staff report and information submitted at the public hearing, the City Council finds that the proposed project meets all of the requirements for a categorical exemption under CEQA Guideline 15315 because the property is in an urbanized area, zoned for residential purposes, no variance or exceptions are required, and all services and access to the proposed parcels are available to local standards, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent; and

The City Council further finds and determines that the City has complied with the California Environmental Quality Act and the City Council determinations reflect the independent judgment of the City.

Section 4. Based upon the information contained within the Staff Report and accompanying attachments, with respect to Tentative Parcel Map 32361 (TPM 04-0434), the City Council hereby finds the following:

- A. That the proposed project will not be detrimental to the public health safety, or welfare.
- B. That the proposed is in compliance with the provisions of the Subdivision Map Act.
- C. The proposed project is consistent with the R-20,000 zoning ordinance.
- D. The proposed project is consistent with existing land uses and zoning designations in the area.
- E. The proposed project is consistent with city standards, ordinances, and policies, including Title 18 and Title 19 of the Perris Municipal Code.
- F. The proposed project is consistent with the General Plan.

Section 5. The City Council hereby approves Tentative Parcel Map 32361 (TPM 04-0434), an application to subdivide a 4.05 net acre lot into two (2) parcels on the south side of Sotelo Road, west of Goetz Road based on the information and findings presented in the staff report, and subject to the attached conditions of approval, dated April 11, 2006.

Section 6. The City Council declares that should any provision, section, paragraph, sentence, or word of this 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 this Resolution shall remain in full force and effect.

Section 7. The Mayor shall sign this resolution and the City Clerk shall certify to the passage and adoption of this Resolution.

ADOPTED, SIGNED and ***APPROVED*** this 11th day of April, 2006.

Mayor, Daryl R. Busch

ATTEST:

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 3606 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 11th day of April, 2006, and that it was so adopted by the following called vote:

AYES: Yarbrough, Landers, Motte, Rogers, Busch

NOES:

ABSENT:

ABSTAIN:

City Clerk, Margaret Rey

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

**FINAL CONDITIONS OF APPROVAL
(RESOLUTION NUMBER 3606)**

Tentative Parcel Map 32361 (04-0434)

April 11, 2006

PROJECT: Proposal to subdivide 4.05 net acres into two (2) parcels measuring 1.9 net acres and 2.15 net acres in the R-20,000 Residential zone (minimum 20,000 square foot lot size).

*APPLICANT: Ed Villegas
(Modified by Planning Commission 3-1-06)*

- 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. 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 Department of Planning and Community Development at least thirty (30) days prior to the expiration of Tentative Map approval.
- 2. Final Parcel 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 disabled access requirements of the American with Disabilities Act and Title 24 of the State Code, and all local requirements of the City of Perris Municipal Code Titles 18 and 19, including all of the following R-20,000 Residential zone district regulations:

 - Minimum Lot Size: 20,000 square feet
 - Minimum Lot Width: 80 feet
 - Minimum Lot Depth: 150 feet
 - Minimum Lot Frontage: 80 feet
 - Minimum Lot Frontage (cul-de-sac and street knuckles): 55 feet
- 4. Approved Plans.** This approval is granted to subdivide 4.05 net acres into two (2) parcels measuring 1.9 net acres and 2.15 net acres as noted in the project description (above). The Final Map shall be substantially as shown on the Tentative Parcel Map, prepared by Lancaster Contract Survey Co., for Ed Villegas, dated 9/30/05, and consisting of one sheet, except as may be modified by the conditions of approval contained herein.

- 5. 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. The development of any water wells and/or septic systems shall be reviewed and approved by the Building and Safety Division.
(Modified by Planning Commission 3-1-06)
- 6. Southern California Edison.** Prior to issuance of building permits, the applicant shall contact the area service planner (951 928-8323, Art Alvarado) for Southern California Edison (SCE) to complete the required forms prior to commencement of construction.
- 7. 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.
- 8. School District.** The proposed project shall adhere to the standard requirements of the Menifee Unified School District.
- 9. Required Approvals.** Prior to recordation of the Final Parcel Map, the developer shall obtain the following clearances or approvals:

 - a. Verification from the Planning Department that all pertinent conditions of approval have been met, as mandated by the Perris Municipal Code;
 - b. If applicable, any other required approval from an outside agency.
- 10. Plans.** Prior to recordation of the Final Map, the developer shall submit and obtain approvals on the following items:

 - a. Any 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 grading plans to the City Engineer, demonstrating compliance with National Pollution Discharge Elimination System 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

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- the location(s) of structural BMPs.
11. **Landscaping.** The applicant will need to provide during MSFR (Minor Single Family Review) submittal landscaping and irrigation consistent with “Landscaping” section 19.02.130.
 12. **City-Approved Waste Hauling.** The developer shall use only the City-approved waste hauler for all construction and other waste disposal.
 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.
 14. **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.
 15. **Walls and Fences.** Walls, fencing, or other screening devices proposed for the project site shall be consistent with section 19.02.040 of the Zoning Ordinance.
 16. **Fees.** The developer shall pay the following fees according to the timeline noted herein:
 - 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 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 pay the statutory school fees in effect at issuance of building permits to all appropriate school districts;
 - e. The applicant shall pay any outstanding development processing fees.
 - f. Prior to the issuance of building permits, the developer shall pay all development impact fees; park fees shall be determined in accordance with Ordinance No. 953. Park fees shall be based on a ratio of five acres per thousand residents and on the fair market value of the land based on qualified appraisal.
 17. **Assessment Districts.** Prior to recordation of the Final Map, the applicant shall sign consent and waiver forms to join the following City of Perris assessment and maintenance districts [as appropriate]:
 - a. The Landscape Maintenance District
 - b. The Street Lighting Maintenance District

- c. The Flood Control Maintenance District
- d. The Park Maintenance District
- e. The future Street Maintenance Community Facilities District
- f. The future Public Safety Community Facilities District

18. 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, transportation of cut or fill materials and construction phases to prevent dust from leaving the site and to create a crust after each day's activities cease. At a 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.

19. 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_x 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.

20. 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.

- 21. 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, 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, concerning the proposed project. The City shall promptly notify the developer/applicant of any claim, action, or proceedings for which indemnification is sought and shall further cooperate fully in the defense of action.

APPROVAL DATE

PROJECT PLANNER

(See 3606 Eng COA for Engineer's Conditions of Approval dated February 16, 2006)