

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



912B

FROM: Fire / Hazard Reduction

SUBMITTAL DATE:

June 16, 2014

SUBJECT: Abatement of Public Nuisance (hazardous vegetation)
Case No.: 13-275-001 and 14-099-001
Champions Club at The Retreat; 8007 Softwinds Drive, Corona CA 92883

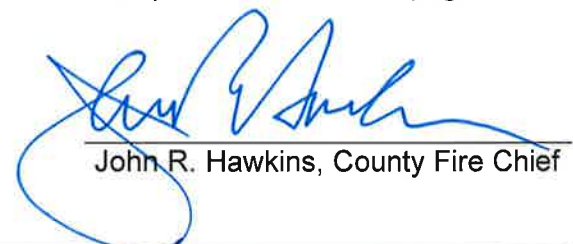
RECOMMENDED MOTION: That the Board of Supervisors:

1. Declare the hazardous vegetation on real property located at 8007 Softwinds Drive, Corona - County of Riverside- California; APNs 282-150-018, 282-170-010, 282-170-015, 282-170-023, 282-210-072, 282210-075, 282-630-006, 282-630-007, and 282-630-020 a public nuisance and a violation of Riverside County Ordinance No. 695.4 which prohibits the maintaining of hazardous vegetation on real property.
2. Direct the Champions Club at The Rretreat, LLC, the owner of the subject real property, to abate, modify hazardous vegetation reduction, or return the subject real property to an approved plant palette as approved by the Riverside County Fire Marshal and to maintain year-round.
3. If the owner, or whoever has possession or control, of the real property does not take the above-described actions within ninety (90) days of the date of the Board's Order, that representatives of the Fire Department, Sheriff's Department, and/or a contractor, upon consent - cont. page 2

BACKGROUND:

Summary

See page 2


John R. Hawkins, County Fire Chief

FORM APPROVED COUNTY COUNSEL
BY Bruce G. Fordon DATE 6/15/14
Departmental Concurrence

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	

SOURCE OF FUNDS: N/A **Budget Adjustment:**
For Fiscal Year:

C.E.O. RECOMMENDATION:

APPROVE

BY: 
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- Positions Added
- Change Order
- A-30
- 4/5 Vote

Prev. Agn. Ref.: | **District:** | **Agenda Number:**

9-1

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Abatement of Public Nuisance (hazardous vegetation); Case No: 13-275-001 and 14-099-001; Champions Club at The Retreat; 8001 Softwinds Drive, Corona CA 92883**

DATE: June 16, 2014

PAGE: 2 of 3

RECOMMENDED MOTION CONTINUES: That the Board of Supervisors:

3. ... or receipt of a Court Order authorizing entry onto the real property when necessary under applicable law, shall abate the hazardous vegetation by removing the same from the real property.
4. Any and all costs incurred by the County of Riverside to abate the hazardous vegetation or combustible material on any property, including physical abatement costs, administration fees and any additional actual costs incurred by the Riverside County Fire Department for the abatement proceedings, including attorneys' fees, if applicable, may be collected pursuant to Government Code Section 25845 and Riverside County Ordinance No. 695.4.
5. County Counsel be directed to prepare the necessary Finding of Facts and Conclusions which the aforementioned APNs is declared to be in violation of Riverside County Ordinance No. 695.4 and a public nuisance, and further, to prepare an Order to Abate or slope re-vegetation plan palette for approval by the Board of Supervisors.

BACKGROUND:

Summary

Riverside County Ordinance 695.4 establishes an on-going program to abate hazardous vegetation located on real property which protects the lives and property of Riverside County and the safety of fire and law enforcement personnel during wildfires. Therefore, all hazardous vegetation or combustible material located on real property within the territory of the County of Riverside is deemed a public nuisance.

An initial inspection was made on the real property of the APNs 282-170-015, 282-170-023, 282-210-072, 282-630-006, 282-630-007, and 282-630-020 by the Riverside County Hazard Reduction Office on January 29, 2013. The inspection revealed hazardous vegetation on the slopes adjacent to the occupied structures and in violation pursuant to Riverside County Ordinance No. 695.4. The hazardous vegetation included, but was not limited to, seasonal and recurrent weeds, stubble, brush, dry leaves, and tumbleweeds which pose a danger to the health, safety and welfare of the residents in the immediate vicinity.

The Notices of Violation and Orders to Abate (NOV) were mailed to Champions Club at The Retreat with a mailing address of 3810 Wilshire Boulevard No. 911, Los Angeles on March 30, 2013. A non-compliant re-inspection followed on May 14, 2013. During the months which followed, several citizen complaints were received. Fire Captain Special Branden Smith met with General Manager Flint Nelson on or about September 25, 2013, to discuss fuel modifications on the slopes adjacent to the golf course and structures within the Home Owners Association. Following the meeting, Smith inspected the slopes and determined the slopes were in violation of Riverside County Ordinance 695.4. The water was turned off to the sprinkler system, which caused the dead and dying vegetation and the regrowth of seasonal and recurrent weeds and brush to occur. NOVs were reissued on September 26, 2013. On October 10, 2013, the Riverside County Hazard Reduction Office received the timely appeals pursuant to 695.4 Section 6(c)(1). The appeals were not addressed immediately by the Riverside County Hazard Reduction Office.

On February 24, 2014, the Riverside County Hazard Reduction Office conducted a 2014 annual inspection, which discovered the additional APNs 282-150-018, 282-170-010, and 282-210-075 were also in violation of Riverside County Ordinance 695.4. The 2014 NOVs, which included the same APNs in 2013 and the additional APNs, were mailed to 3810 Wilshire Boulevard No. 911, Los Angeles on March 31, 2014. On April 9, 2014, the Riverside County Hazard Reduction Office received the timely appeals in pursuant to Ordinance 695.4 Section 6(c)(1). Both the 2013 and 2014 NOVs should be handled together for efficiency.

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Abatement of Public Nuisance (hazardous vegetation); Case No: 13-275-001 and 14-099-
001; Champions Club at The Retreat; 8001 Softwinds Drive, Corona CA 92883**

DATE: June 16, 2014

PAGE: 3 of 3

The Fire Department with County Counsel assistance have complied with the notice requirements set forth in the appropriate laws of this jurisdiction pertaining to the administrative abatement proceedings for hazardous vegetation.

Impact on Citizens and Businesses

Of paramount importance to the Board of Supervisors and the citizens of Riverside County is the protection of lives and property from the threat of fire and the safety of fire and law enforcement personnel during wildfires. Wind events further exacerbate the fire danger and have resulted in catastrophic fire losses to life, property and the environment.

SUPPLEMENTAL:

Additional Fiscal Information

All costs will be recovered through direct billing or through special assessments, if force-abatement is required; as outlined in Riverside County Ordinance 695.4.

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



9-18

9:30 a.m. being the time set for public hearing on the recommendation from Fire/Hazard Reduction regarding the Public Hearing on Abatement of Public Nuisance (hazardous vegetation) – Case No. 13-275-001 and 14-099-001-Champions Club at The Retreat located at 8007 Softwinds Drive, Corona; APN 282-150-018, 282-170-010, 282-170-015, 282-170-023, 282-210-072, 282-210-075, 282-630-006, 282-630-007, 282-630-020, 2nd/2nd District.

On motion of Supervisor Benoit, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is continued to Tuesday, August 5, 2014 at 9:30 a.m.

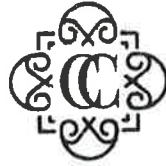
I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on July 15, 2014 of Supervisors Minutes.

(seal) WITNESS my hand and the seal of the Board of Supervisors
Dated: July 15, 2014
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

By:  Deputy

AGENDA NO.
9-18

xc: Fire/Hazard Reduction,  COB



CHAMPIONS CLUB
THE RETREAT

October 10, 2013

HAND DELIVERED

Hazard Reduction Office
Riverside County Fire Department
P.O. Box 2047
Perris, CA 92572-2047

Hazard Reduction Office
Riverside County Fire Department
88 E. Rider Street
Perris, CA 92572-2047

SUBJECT: Appeal Notices of Violation and Orders to Abate (7)

Dear Hazard Reduction Office:

Pursuant to Section 6.C.(1) of Riverside County Ordinance No. 695, please find attached the Champions Club appeal of seven Notices of Violation and Orders to Abate dated September 26, 2013.

We understand you will notify us 14 days prior to the hearing date. To avoid mail delays, please provide hearing notice information directly to the Champions Club at:

Flint A. Nelson, General Manager
Champions Club at The Retreat
8007 Softwinds Drive
Corona, CA 92883

You may also contact me directly by phone or email as shown below. We would be pleased to resolve this matter prior to a hearing for the convenience of all parties.

Regards,

Flint A. Nelson, General Manager
Champions Club at The Retreat
Phone: (951) 277-5363
Email: flint@ccrgolf.com

Attachment: Appeal Documentation

HAZARD REDUCTION APPEAL CHAMPIONS CLUB AT THE RETREAT

Summary

On September 26, 2013, the Riverside County Fire Department Hazard Reduction Office issued Notices of Violation and Orders to Abate for 7 land parcels owned by the Champions Club at The Retreat golf course (Attachment 1). The Champions Club is appealing these notices because they do not comply with the fuel modification policy for The Retreat community established by the Riverside County Board of Supervisors.

Explanation

The Riverside County Board of Supervisors adopted Resolution No. 2002-154 on June 25, 2002 approving Specific Plan 317 (The Retreat). The Plan and Board Resolution established the conditions, requirements, policies and obligations that form the legal foundation of The Retreat community's existence. The Specific Plan was adopted after extensive reviews, comments and approvals from a broad spectrum of local, county, regional, state and Federal agencies – including the Riverside County Fire Department.

Homeowners, builders, the HOA, the golf course and all governmental agencies are required to abide by the policies and obligations set forth in the Specific Plan and the Board Resolution.

As explained below, the Specific Plan and Board of Supervisors resolution require the Retreat Homeowners Association (HOA) to perform fuel modification for the community as set forth in the Specific Plan's fuel modification plan. Neither the Specific Plan nor the Board of Supervisors Resolution established any fuel modification obligations for the golf course.

Assigning The Retreat's fuel modification obligation to the HOA was a conscious and appropriate decision. Fuel modification exclusively benefits the homeowners, providing defensible space on golf course property to protect their homes. It therefore follows that the homeowners, through their HOA dues, should bear the cost of providing defensible space on golf course property. And since the golf course receives no benefit from fuel modification, it is neither equitable nor appropriate for the golf course to pay for the homeowners' protection.

The Champions Club golf course requests the current Notices of Violation be withdrawn, and the Champions Club further requests that the Fire Department work directly with The Retreat HOA on all fuel modification requirements.

Board of Supervisors Policy

Board Resolution 2002-154 contains a list of project impacts and mitigation measures for each impact. Pages 19-20 of the resolution (Attachment 2) summarize the Fire Services element of the Specific Plan and states:

“Maintenance of the fuel modification zone shall be the responsibility of a homeowners association or maintenance district. In the event a lot is repossessed, the unit/agency holding title to the lot will be responsible for the required

maintenance. Maintenance of manufactured slopes will be the responsibility of the individual homeowners within the lot boundary and the developer/builder outside the lot boundary. Once a HOA is formed, then the developer will transfer responsibility to the HOA. Long term maintenance of natural fuel treatment will be the responsibility of the HOA. These hillside slopes are to be maintained to Fuel Modification Zone 2 criteria by the developer/builder or by the HOA.”

As noted above, the Board’s clear intent was for the Retreat HOA to perform fuel modification maintenance for the community. While the golf course is mentioned often in the Board’s 45-page resolution, the Board resolution did not establish any fuel modification obligations for the golf course. In fact, the golf course is not even mentioned in the Fire Services section of the resolution. Moreover, the golf course cannot be classified as a “maintenance district.” Maintenance districts are established by local governments to finance the costs of maintaining open spaces, parks, playgrounds, and other public areas.

Specific Plan 317 (The Retreat) Policy

Section V.D.3.c. establishes the Fire Services Mitigation Measures for the community on pages V.D-40 and V.D-41 (Attachment 3). Mitigation measure #4 addresses fuel modification and states:

“Fuel modification shall be achieved by establishing a minimum 30 foot zone consisting of two (2) zones. This will allow for a graduated transition from native vegetation into the irrigated landscaped building areas of the project. Maintenance of the fuel modification zone shall be the responsibility of a homeowners association or maintenance district. In the event a lot is repossessed, the unit/agency holding title to the lot will be responsible for the required maintenance. Maintenance of manufactured slopes will be the responsibility of the individual homeowners within the lot boundary and the developer/builder outside the lot boundary. Once a HOA is formed, then the developer will transfer responsibility to the HOA. Long term maintenance of natural fuel treatment will be the responsibility of the HOA. These hillside slopes are to be maintained to Fuel Modification Zone 2 criteria by the developer/builder or by the HOA.”

As with the Board resolution, the Specific Plan does not establish any fuel modification obligations for the golf course and designates the HOA as the responsible entity for this requirement.

Relationship to Riverside County Ordinance 695 (Abatement of Hazardous Vegetation)

The Fire Department’s Notices of Violation were issued to the Champions Club pursuant to Ordinance No. 695, which designates the property owner as the responsible party for fuel modification. The Champions Club argues that this portion of Ordinance 695 does not apply for the following reasons.

While the Specific Plan's fuel modification requirements are generally consistent with Ordinance 695, they are considerably more detailed than the Ordinance with the establishment of specific modification zones, recognition of unique terrain and recommended plantings. Similarly, the Specific Plan sets forth more detailed responsibilities, distinguishing between obligations borne by homeowners and those borne by the HOA. Some of these assigned responsibilities are consciously at variance with Ordinance 695 because of the unique relationships in The Retreat community as described above. In this context, the absence of any obligations assigned to the golf course is significant.

The provisions of Ordinance 695 were in effect long before The Retreat's Specific Plan was adopted, yet the Board of Supervisors and the Fire Department designated the HOA as the responsible entity, rather than the landowner.

Fire Department Authority

Approval of the Champions Club appeal does not in any way diminish the Fire Department's authority and capacity to have the fuel modification work performed. The HOA is subject to the Department's jurisdiction and authority, and the Department can rely on the detailed fuel modification requirements set forth in both the Board of Supervisors resolution and the Specific Plan adopted by the Board.

HOA Capacity To Perform

The Retreat HOA has substantial financial and technical capacity to meet its fuel modification requirements as established by the Board of Supervisors and the Specific Plan. The HOA has an operating budget in excess of \$1-million annually and a capital reserve of approximately \$1-million. It retains a well-known landscape maintenance company and spends over \$200,000 annually for landscape maintenance, plus water and electricity for irrigation. It also has the authority to increase HOA dues if required to meet community's obligations.

Conclusion

This appeal does not seek to diminish or eliminate any fuel abatement requirements. It does not seek to reduce the Fire Department's ability to prevent fires or defend life and property. And it does not question the Fire Department's authority.

The only thing this appeal asks is for the Fire Department to recognize and adhere to the policy adopted by the Board of Supervisors Resolution 2002-154 and Specific Plan 317 (The Retreat) that legally designates the Retreat HOA as the entity responsible for fuel modification in The Retreat.



Riverside County Fire Department
Hazard Reduction Office
P.O. Box 2047
Perris, CA 92572-2047
(951) 943-0640

Notice of Violation and Order to Abate

Date: 9/26/2013
CHAMPIONS CLUB RETREAT
3810 WILSHIRE BLV NO 911

PARCEL #: 282630006

LOS ANGELES CA 90010

Pursuant to the provisions of Riverside County Ordinance No. 695, you are hereby NOTIFIED, ORDERED and REQUIRED to abate the hazardous vegetation as specified below from your property, described as 282630006. The Riverside County Assessor's records lists you as the owner.

If said hazardous vegetation is not removed within Thirty (30) days from the above date, the County Fire Chief, or other duly designated officers may order said vegetation removed by public employees, private contractors, or other persons, and the cost of said removal shall be levied with an added ADMINISTRATION FEE per parcel, and assessed against the property as a SPECIAL LIEN. Additionally, failure to remove said hazardous vegetation may result in other civil, administrative or criminal penalties.

APPEALS INFORMATION

An APPEAL from this order may be taken by presenting a WRITTEN APPEAL to the HAZARD REDUCTION OFFICE at PO Box 2047 Perris, CA 92572-2047 Tel: (951) 943-0640 within FIFTEEN (15) calendar days of the post mark on the Notice of Violation and Order to Abate. The Hazard Reduction Officer shall set the same for hearing, and shall notify the Applicant in writing of the hearing date.

IF YOU HAVE ANY QUESTIONS PLEASE CALL (951) 943-0640.
Monday - Thursday, 7:30 AM to 5:00 PM
Or visit Riverside County Fire's Web Site at: www.rvcfire.org

The requirements of this Notice of Violation and Order to Abate shall be satisfied by methods as described below:

Please see the Special Instruction area for any additional information.

- The County Fire Chief has determined the unimproved parcel adjacent to a roadway require ___ feet of abatement of flammable vegetation adjacent to said roadway, for the protection of public health, safety and welfare of the environment
[X] The County Fire Chief has determined the unimproved parcel adjacent to a structure require 100 feet of abatement of flammable vegetation adjacent to said structure(s), for the protection of public health, safety and welfare of the environment
The County Fire Chief has determined that the following clearance method(s) shall be employed for the removal of hazardous vegetation on the parcel:
The entire parcel must be cleared.

Special Instructions

None

Note: No owner, occupant or person in control of any such unimproved parcel of land or interest therein shall be authorized to abate hazardous vegetation unless said owner, occupant or person has received a Notice of Violation and Order to Abate or alternatively has been issued a grading permit pursuant to the requirements of Ordinance No. 457. The removal of vegetation pursuant to this ordinance shall not exceed that set forth in the Notice of Violation and Order to Abate or grading permit.



**Riverside County Fire Department
Hazard Reduction Office
P.O. Box 2047
Perris, CA 92572-2047
(951) 943-0640**

Notice of Violation and Order to Abate

Date: 9/26/2013
CHAMPIONS CLUB RETREAT
3810 WILSHIRE BLV NO 911

PARCEL #: 282630023

LOS ANGELES CA 90010

Pursuant to the provisions of Riverside County Ordinance No. 695, you are hereby NOTIFIED, ORDERED and REQUIRED to abate the hazardous vegetation as specified below from your property, described as **282630023**. The Riverside County Assessor's records lists you as the owner.

If said hazardous vegetation is not removed within Thirty (30) days from the above date, the County Fire Chief, or other duly designated officers may order said vegetation removed by public employees, private contractors, or other persons, and the cost of said removal shall be levied with an added ADMINISTRATION FEE per parcel, and assessed against the property as a SPECIAL LIEN. Additionally, failure to remove said hazardous vegetation may result in other civil, administrative or criminal penalties.

APPEALS INFORMATION

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- The County Fire Chief has determined the unimproved parcel adjacent to a roadway require ___ feet of abatement of flammable vegetation adjacent to said roadway, for the protection of public health, safety and welfare of the environment
- The County Fire Chief has determined the unimproved parcel adjacent to a structure require **100** feet of abatement of flammable vegetation adjacent to said structure(s), for the protection of public health, safety and welfare of the environment
- The County Fire Chief has determined that the following clearance method(s) shall be employed for the removal of hazardous vegetation on the parcel:
- The entire parcel must be cleared.

Special Instructions

None

Note: No owner, occupant or person in control of any such unimproved parcel of land or interest therein shall be authorized to abate hazardous vegetation unless said owner, occupant or person has received a Notice of Violation and Order to Abate or alternatively has been issued a grading permit pursuant to the requirements of Ordinance No. 457. The removal of vegetation pursuant to this ordinance shall not exceed that set forth in the Notice of Violation and Order to Abate or grading permit.



**Riverside County Fire Department
Hazard Reduction Office
P.O. Box 2047
Perris, CA 92572-2047
(951) 943-0640**

Notice of Violation and Order to Abate

Date: 9/26/2013

PARCEL #: 282630020

CHAMPIONS CLUB RETREAT
3810 WILSHIRE BLV NO 911

LOS ANGELES CA 90010

Pursuant to the provisions of Riverside County Ordinance No. 695, you are hereby NOTIFIED, ORDERED and REQUIRED to abate the hazardous vegetation as specified below from your property, described as 282630020. The Riverside County Assessor's records lists you as the owner.

If said hazardous vegetation is not removed within Thirty (30) days from the above date, the County Fire Chief, or other duly designated officers may order said vegetation removed by public employees, private contractors, or other persons, and the cost of said removal shall be levied with an added ADMINISTRATION FEE per parcel, and assessed against the property as a SPECIAL LIEN. Additionally, failure to remove said hazardous vegetation may result in other civil, administrative or criminal penalties.

APPEALS INFORMATION

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**IF YOU HAVE ANY QUESTIONS PLEASE CALL (951) 943-0640.
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The requirements of this Notice of Violation and Order to Abate shall be satisfied by methods as described below:

Please see the Special Instruction area for any additional information.

- The County Fire Chief has determined the unimproved parcel adjacent to a roadway require ___ feet of abatement of flammable vegetation adjacent to said roadway, for the protection of public health, safety and welfare of the environment
- The County Fire Chief has determined the unimproved parcel adjacent to a structure require 100 feet of abatement of flammable vegetation adjacent to said structure(s), for the protection of public health, safety and welfare of the environment
- The County Fire Chief has determined that the following clearance method(s) shall be employed for the removal of hazardous vegetation on the parcel:
- The entire parcel must be cleared.

Special Instructions

None

Note: No owner, occupant or person in control of any such unimproved parcel of land or interest therein shall be authorized to abate hazardous vegetation unless said owner, occupant or person has received a Notice of Violation and Order to Abate or alternatively has been issued a grading permit pursuant to the requirements of Ordinance No. 457. The removal of vegetation pursuant to this ordinance shall not exceed that set forth in the Notice of Violation and Order to Abate or grading permit.



**Riverside County Fire Department
Hazard Reduction Office
P.O. Box 2047
Perris, CA 92572-2047
(951) 943-0640**

Notice of Violation and Order to Abate

Date: 9/26/2013
CHAMPIONS CLUB RETREAT
3810 WILSHIRE BLV NO 911

PARCEL #: 282630007

LOS ANGELES CA 90010

Pursuant to the provisions of Riverside County Ordinance No. 695, you are hereby NOTIFIED, ORDERED and REQUIRED to abate the hazardous vegetation as specified below from your property, described as 282630007. The Riverside County Assessor's records lists you as the owner.

If said hazardous vegetation is not removed within Thirty (30) days from the above date, the County Fire Chief, or other duly designated officers may order said vegetation removed by public employees, private contractors, or other persons, and the cost of said removal shall be levied with an added ADMINISTRATION FEE per parcel, and assessed against the property as a SPECIAL LIEN. Additionally, failure to remove said hazardous vegetation may result in other civil, administrative or criminal penalties.

APPEALS INFORMATION

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- The County Fire Chief has determined that the following clearance method(s) shall be employed for the removal of hazardous vegetation on the parcel:
- The entire parcel must be cleared.

Special Instructions

None

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**Riverside County Fire Department
Hazard Reduction Office
P.O. Box 2047
Perris, CA 92572-2047
(951) 943-0640**

Notice of Violation and Order to Abate

Date: 9/26/2013
CHAMPIONS CLUB RETREAT
3810 WILSHIRE BLV NO 911

PARCEL #: 282170015

LOS ANGELES CA 90010

Pursuant to the provisions of Riverside County Ordinance No. 695, you are hereby NOTIFIED, ORDERED and REQUIRED to abate the hazardous vegetation as specified below from your property, described as **282170015**. The Riverside County Assessor's records lists you as the owner.

If said hazardous vegetation is not removed within Thirty (30) days from the above date, the County Fire Chief, or other duly designated officers may order said vegetation removed by public employees, private contractors, or other persons, and the cost of said removal shall be levied with an added ADMINISTRATION FEE per parcel, and assessed against the property as a SPECIAL LIEN. Additionally, failure to remove said hazardous vegetation may result in other civil, administrative or criminal penalties.

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Notice of Violation and Order to Abate

Date: 9/26/2013
CHAMPIONS CLUB RETREAT
3810 WILSHIRE BLV NO 911

PARCEL #: 282170023

LOS ANGELES CA 90010

Pursuant to the provisions of Riverside County Ordinance No. 695, you are hereby NOTIFIED, ORDERED and REQUIRED to abate the hazardous vegetation as specified below from your property, described as 282170023. The Riverside County Assessor's records lists you as the owner.

If said hazardous vegetation is not removed within Thirty (30) days from the above date, the County Fire Chief, or other duly designated officers may order said vegetation removed by public employees, private contractors, or other persons, and the cost of said removal shall be levied with an added ADMINISTRATION FEE per parcel, and assessed against the property as a SPECIAL LIEN. Additionally, failure to remove said hazardous vegetation may result in other civil, administrative or criminal penalties.

APPEALS INFORMATION

An APPEAL from this order may be taken by presenting a WRITTEN APPEAL to the HAZARD REDUCTION OFFICE at PO Box 2047 Perris, CA 92572-2047 Tel: (951) 943-0640 within FIFTEEN (15) calendar days of the post mark on the Notice of Violation and Order to Abate. The Hazard Reduction Officer shall set the same for hearing, and shall notify the Applicant in writing of the hearing date.

IF YOU HAVE ANY QUESTIONS PLEASE CALL (951) 943-0640.
Monday - Thursday, 7:30 AM to 5:00 PM
Or visit Riverside County Fire's Web Site at: www.rvcfire.org

The requirements of this Notice of Violation and Order to Abate shall be satisfied by methods as described below:

Please see the Special Instruction area for any additional information.

- The County Fire Chief has determined the unimproved parcel adjacent to a roadway require ___ feet of abatement of flammable vegetation adjacent to said roadway, for the protection of public health, safety and welfare of the environment
[X] The County Fire Chief has determined the unimproved parcel adjacent to a structure require 100 feet of abatement of flammable vegetation adjacent to said structure(s), for the protection of public health, safety and welfare of the environment
The County Fire Chief has determined that the following clearance method(s) shall be employed for the removal of hazardous vegetation on the parcel:
The entire parcel must be cleared.

Special Instructions
None

Note: No owner, occupant or person in control of any such unimproved parcel of land or interest therein shall be authorized to abate hazardous vegetation unless said owner, occupant or person has received a Notice of Violation and Order to Abate or alternatively has been issued a grading permit pursuant to the requirements of Ordinance No. 457. The removal of vegetation pursuant to this ordinance shall not exceed that set forth in the Notice of Violation and Order to Abate or grading permit.



Riverside County Fire Department
Hazard Reduction Office
P.O. Box 2047
Perris, CA 92572-2047
(951) 943-0640

Notice of Violation and Order to Abate

Date: 9/26/2013
CHAMPIONS CLUB RETREAT
3810 WILSHIRE BLV NO 911

PARCEL #: 282210072

LOS ANGELES CA 90010

Pursuant to the provisions of Riverside County Ordinance No. 695, you are hereby NOTIFIED, ORDERED and REQUIRED to abate the hazardous vegetation as specified below from your property, described as **282210072**. The Riverside County Assessor's records lists you as the owner.

If said hazardous vegetation is not removed within Thirty (30) days from the above date, the County Fire Chief, or other duly designated officers may order said vegetation removed by public employees, private contractors, or other persons, and the cost of said removal shall be levied with an added ADMINISTRATION FEE per parcel, and assessed against the property as a SPECIAL LIEN. Additionally, failure to remove said hazardous vegetation may result in other civil, administrative or criminal penalties.

APPEALS INFORMATION

An APPEAL from this order may be taken by presenting a WRITTEN APPEAL to the HAZARD REDUCTION OFFICE at PO Box 2047 Perris, CA 92572-2047 Tel: (951) 943-0640 within FIFTEEN (15) calendar days of the post mark on the Notice of Violation and Order to Abate. The Hazard Reduction Officer shall set the same for hearing, and shall notify the Applicant in writing of the hearing date.

IF YOU HAVE ANY QUESTIONS PLEASE CALL (951) 943-0640.
Monday - Thursday, 7:30 AM to 5:00 PM
Or visit Riverside County Fire's Web Site at: www.rvcfire.org

The requirements of this Notice of Violation and Order to Abate shall be satisfied by methods as described below:

Please see the Special Instruction area for any additional information.

The County Fire Chief has determined the unimproved parcel adjacent to a roadway require ___ feet of abatement of flammable vegetation adjacent to said roadway, for the protection of public health, safety and welfare of the environment

The County Fire Chief has determined the unimproved parcel adjacent to a structure require **100** feet of abatement of flammable vegetation adjacent to said structure(s), for the protection of public health, safety and welfare of the environment

The County Fire Chief has determined that the following clearance method(s) shall be employed for the removal of hazardous vegetation on the parcel:

The entire parcel must be cleared.

Special Instructions

None

Note: No owner, occupant or person in control of any such unimproved parcel of land or interest therein shall be authorized to abate hazardous vegetation unless said owner, occupant or person has received a Notice of Violation and Order to Abate or alternatively has been issued a grading permit pursuant to the requirements of Ordinance No. 457. The removal of vegetation pursuant to this ordinance shall not exceed that set forth in the Notice of Violation and Order to Abate or grading permit.

Attachment 2

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

712 B



FROM: TLMA - Planning Department SUBMITTAL DATE: June 7, 2002

SUBJECT: RESOLUTION NO. 2002-154, Adopting Specific Plan No. 317 (The Retreat) and RESOLUTION NO. 2002-156, Adopting Amendment No. 4 to Specific Plan No. 176 (Wild Rose) - First Supervisorial District - El Cerrito District and Glen Ivy Area - 1,032 Acres

RECOMMENDED MOTION:

ADOPTION of Resolution No. 2002-154 Adopting Specific Plan No. 317.

ADOPTION of Resolution No. 2002-156 Adopting Amendment No. 4 to Specific Plan No. 176.

ADOPTION of Ordinance No. 348.4076 adopting SP zoning for properties within Specific Plan No. 317.

BACKGROUND:

Public hearings concerning Specific Plan No. 317 (The Retreat) and Amendment No. 4 to Specific Plan No. 176 (Wild Rose), together with the related Change of Zone No. 6441, were held by the Board of Supervisors on April 16, 2002.

EACH DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED IS CERTIFIED TO BE A FULL, TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE AND OF RECORD IN MY OFFICE.

Date: 6/25/02

NANCY ROMERO
Clerk to the Board of Supervisors
County of Riverside, California

(Signature)
Deputy

(Signature)
Aleta J. Laurence, AICP, Planning Director

C.E.O. RECOMMENDATION:

APPROVE

(Signature)
County Executive Officer Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Buster, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione and Venable
Noes: Wilson
Absent: Mullen
Date: June 25, 2002
By: Planning, Applicant, COB, Co. Co., BPC

Nancy Romero
Clerk to the Board
(Signature)
Deputy

Department Recommendation: Consent Policy
County Executive Officer: Consent Policy

Drawn: Agg: Rat

Dist:

AGENDA NO.

2 RESOLUTION NO. 2002-154
3 ADOPTING
4 SPECIFIC PLAN NO. 317
5 (THE RETREAT)

6 WHEREAS, pursuant to the provisions of Government Code Section 65450 et seq. a public
7 hearing was held before the Riverside County Board of Supervisors in Riverside, California on April 9,
8 2002, and before the Riverside County Planning Commission in Hemet, California on February 27, 2002,
9 to consider Specific Plan No. 317 (The Retreat); and,

10 WHEREAS, all the procedures of the California Environmental Quality Act and the Riverside
11 County Rules to Implement the Act have been met, and Environmental Impact Report (EIR) No. 425,
12 prepared in connection with Specific Plan No. 317 and related cases (referred to alternatively herein as
13 "the project"), is sufficiently detailed so that all the potentially significant effects of the project on the
14 environment and measures necessary to avoid or substantially lessen such effects have been evaluated in
15 accordance with the above-referenced Act and Rules; and,

16 WHEREAS, the matter was discussed fully with testimony and documentation presented by the
17 public and affected government agencies; now, therefore,

18 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of Supervisors
19 of the County of Riverside, in regular session assembled on June 25, 2002, that:

20 A. Specific Plan No. 317 is a 1,032-acre master planned community located west of Interstate
21 15, between the city of Corona boundary and Forest Boundary Road. It proposes the
22 construction of 545 dwelling units on 204.14 acres; the remaining area would be devoted to
23 the following uses: 8.14 acres for park sites, 254.08 acres devoted to a golf course, 547.73
24 acres of open space, and 17.91 acres devoted to major roads.

25 B. Specific Plan No. 317 is associated with Comprehensive General Plan Amendment No.
486, Change of Zone Case No. 6441, and Specific Plan No. 176, Amendment No. 4, which
were considered concurrently at the public hearing before the Planning Commission.
Comprehensive General Plan Amendment No. 486 proposes to change the Open Space and
Conservation Map designation from "Areas Not Designated As Open Space" and "Adapted

JUNE 25 2002

2002 JUN 25 10 10 AM

1 compliance with the basin plan of the Regional Water Quality Control
2 Board, Santa Ana Region. In addition, the project will be required to obtain
3 updated will-serve letters from the Lee Lake Water District before project
4 implementation.

5 P. Fire Services

6 1. Impacts:

7 According to the Fire Department, the El Cerrito Station is the primary
8 station serving the project area and the other stations will provide the back
9 up required for adequate Category II response time.

10 2. Mitigation:

11 The applicant will participate in an existing Fire Protection Impact
12 Mitigation Program (\$400.00 per dwelling unit and \$25 per square foot for
13 commercial/industrial) that provides funds for the purchase of land to build
14 new fire stations, remodel existing fire stations or for the purchase of
15 equipment when necessary as development occurs. All water mains and
16 fire hydrants providing fire flows shall be constructed in accordance with
17 the appropriate sections of Riverside County Ordinance No. 460 and/or No.
18 787, subject to the approval by Riverside County Fire Department and the
19 Lee Lake Water District. Fire flows over 3000 gpm shall be for three hours
20 duration. All structures on-site shall be constructed with fire retardant
21 roofing material as described in the 1998 California Fire Code. Wood
22 shingles shall not be allowed within The Retreat Specific Plan area. Gated
23 communities are not encouraged and flag lots and dead-end streets in excess
24 of the county standard will not be allowed. All development will meet or
25 exceed standards addressed in Riverside County Ordinance 460 & 787 with
26 respect to access, fire flow, signage, and fire fuel modification, except for
27 maintained natural open space areas within the project boundary which

1 will conform to The Retreat Fire Fuel Modification Plan. Fuel modification
2 shall be achieved by establishing a minimum 30-foot zone consisting of two
3 (2) zones. This will allow for a graduated transition from native vegetation
4 into the irrigated landscaped building areas of the project. Maintenance of
5 the fuel modification zone shall be the responsibility of a homeowners
6 association or maintenance district. In the event, a lot is repossessed, the
7 unit/agency holding title to the lot will be responsible for the required
8 maintenance. Maintenance of manufactured slopes will be the
9 responsibility of the individual homeowners within the lot boundary and the
10 developer and/or builder outside the lot boundary. Once a HOA is formed,
11 then the developer will transfer responsibility to the HOA. Long-term
12 maintenance of natural fuel treatment will be the responsibility of the HOA.
13 These hillside slopes are to be maintained to Fuel Modification Zone 2
14 criteria by the developer/builder or by the HOA. Prior to approval of any
15 development plans for lands adjacent to open space areas, a Fire
16 Protection/Vegetation Management Plan shall be submitted to the County
17 Fire Department for review and approval. Additional fire protection
18 measures may be required to the satisfaction of the Riverside
19 County Fire Department. These measure may include: 1) above standard
20 water systems or storage facilities, 2) construction of roofs, eaves, and
21 siding of structures with fire resistant materials, and 3) clearing brush areas
22 and/or planting of fire resistant vegetation.

23 Q. Sheriff Services

24 I. Impacts

25 The Retreat Specific Plan project will result in a population increase of
26 1,677 residents in Riverside County and an additional 16 dependents
27 provide adequate protection to the site.

The Retreat Specific Plan

- *Fire Response Times.* Category II projects shall have a five minute response time, or shall provide adequate mitigation measures as determined by the County Fire Department.

Project Consistency. The project is within the required five minute response time (Class II) as served by the El Cerrito fire station and will be served in the future by a fire station built in the Sycamore Creek Specific Plan which lies southeast of the project site.

c. **MITIGATION MEASURES**

The proposed project will result in urban development requiring fire protection services. From a cumulative basis, when considered in conjunction with other projects in the area, the Fire Department's ability to serve the area may be adversely affected. In order to mitigate the project's contribution to fire services, the following measures would be implemented to reduce impact to below a level of significance:

- 1) The applicant will participate in an existing Fire Protection Impact Mitigation Program (\$400.00 per dwelling unit and \$0.25 per square foot for commercial/industrial) that provides funds for the purchase of land to build new fire stations, remodel existing fire stations or for the purchase of equipment when necessary as development occurs.
- 2) All water mains and fire hydrants providing fire flows shall be constructed in accordance with the appropriate sections of Riverside County Ordinance No. 460 and/or No. 787, subject to the approval by Riverside County Fire Department and the Lee Lake Water District. Fire flows over 3000 gpm shall be for three hours duration.
- 3) All structures on-site shall be constructed with fire retardant roofing material as described in the 1998 California Fire Code. Wood shingles shall not be allowed within THE RETREAT Specific Plan area. Gated communities are not encouraged and flag lots and dead-end streets in excess of the county standard will not be allowed.
- 4) Fuel modification shall be achieved by establishing a minimum 30 foot zone consisting of two (2) zones. This will allow for a graduated transition from native vegetation into the irrigated landscaped building areas of the project. Maintenance of the fuel modification zone shall be the responsibility of a homeowners association or maintenance district. In the event, a lot is repossessed, the unit/agency holding title to the lot will be responsible for the required maintenance. Maintenance of manufactured slopes will be the responsibility of the individual homeowners within the lot boundary and the developer and/or builder outside the lot boundary. Once a HOA is formed, then the developer will transfer responsibility to the HOA. Long term maintenance of natural fuel treatment will be the responsibility of the HOA. These hillside slopes are to be maintained to Fuel Modification Zone 2 criteria by the developer/builder or by the HOA. Prior to approval of any development plans for lands adjacent to open space areas, a Fire Protection/Vegetation Management Plan shall be submitted to the County Fire Department for review and approval.

The Retreat Specific Plan

- 5) Emergency vehicle access into open space areas shall be provided at intervals not to exceed 1,500 feet.
- 6) All development will meet or exceed standards addressed in Riverside County Ordinance 460 and 787 with respect to access, fire flow, signage, and fire fuel modification, except for maintained natural opens space areas within the project boundary which will conform to THE RETREAT Fire Fuel Modification Plan.
- 7) At the time of project implementation, additional fire protection measures may be required be required to the satisfaction of the Riverside County Fire Department. These measure may include: 1) above standard water systems or storage facilities, 2) construction of roofs, eaves, and siding of structures with fire resistant materials, and 3) clearing brush areas and/or planting of fire resistant vegetation.

d. SIGNIFICANCE AFTER MITIGATION

Implementation of the above mitigation measures will reduce impacts to below a level of significance for the proposed project.

**ORDINANCE NO. 695
(AS AMENDED THROUGH 695.4)
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 695 REQUIRING THE
ABATEMENT OF HAZARDOUS VEGETATION**

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. Ordinance No. 695 is hereby amended in its entirety to read as follows:

Section 1. FINDINGS.

- A. It is the intent of the Board of Supervisors that this ordinance shall apply to the abatement of hazardous vegetation on unimproved property;
- B. Riverside County generally has an arid climate conducive to wildfires and is prone to periodic Santa Ana wind events. Many of the County's native and non-native plant species can be highly flammable during normal dry periods and have contributed to significant wildfires within the County. Santa Ana wind events further exacerbate the fire danger and have resulted in catastrophic fire losses to life, property and the environment;
- C. Riverside County has a diverse and complex landscape which includes deserts, mountains and other brush covered wildlands which are home to many rare and sensitive plant and animal species;
- D. The Board of Supervisors has recognized the importance and uniqueness of this diverse and complex landscape through its adoption and implementation of the Western Riverside County Multiple Species Habitat Conservation Plan and the Coachella Valley Multiple Species Habitat Conservation Plan which preserves land for the protection of these species;
- E. Of paramount importance to the Board of Supervisors and the citizens of Riverside County is the protection of lives and property from the threat of fire and the safety of fire and law enforcement personnel during wildfires; and
- F. It is the purpose of this ordinance to establish a hazardous vegetation abatement program that protects the lives and property of the citizens of Riverside County while at the same time protecting rare and sensitive plant and animal species and the environment.

Section 6. ABATEMENT PROCEEDINGS.

- A. Notice of Violation and Order to Abate. If the County Fire Chief determines that any real property is being maintained or permitted to exist in a manner prohibited by this ordinance, the County Fire Chief shall issue a written notice to the property owner and any known person in possession of the property, of the violation and order the hazardous vegetation or combustible material to be immediately abated. The notice of violation and order to abate ("Notice/Order") shall specify the corrective actions required to be taken and order the property owners and persons in possession to abate the hazardous vegetation or combustible material within thirty (30) days and state that the failure to bring the real property into compliance with this ordinance could subject the owner or persons in possession to civil, administrative and criminal penalties. Furthermore, the Notice/Order shall provide the property owner and person in possession of the opportunity to appear before the Riverside County Board of Supervisors and be heard prior to the abatement by the County. The failure of the notice to set forth all required contents shall not affect the validity of the abatement proceedings.
- B. Manner of Giving Notice. The County Fire Chief shall cause a copy of the Notice/Order to be mailed or otherwise delivered to all known persons to be in possession and to the property owner as such person's name and address appears on the last county equalized assessment roll. If the address is unknown, that fact shall be so stated and the notice shall be addressed to the person at the county seat. Service by mail shall be deemed complete at the time of deposit in the US mail. The failure of any person in possession or owner of the property to receive such notice shall not affect the validity of these proceedings.
- C. Hearing.
- (1) Request for Hearing. Any person who is adversely affected by the Notice/Order may appeal the Notice/Order by filing a written request for a hearing with the Riverside County Hazard Reduction Office within fifteen (15) calendar days. The request shall be postmarked within fifteen (15) calendar days of the postmark on the Notice/Order. Timely appeal shall stay any further action for abatement until the date set for hearing.

If no request for a hearing is timely made, the Riverside County Board of Supervisors herein declares that abatement of the hazardous weeds or combustible material shall have been deemed

ordered by the Board of Supervisors as of the date of the postmark of the Notice/Order.

- (2) Hearing. Upon timely written request by the recipient of the Notice/Order, a hearing shall be scheduled with the Riverside County Board of Supervisors or its designee (hereinafter "Board") with notice thereof mailed or otherwise delivered to the requesting person at least fourteen (14) calendar days before the scheduled hearing. The failure of any owner or occupant to receive such notice shall not affect the validity of the proceedings.

At the time fixed in the notice of hearing, the Board shall receive evidence from the County Fire Chief and the owner or person in possession of the real property in violation, or their representatives and any other concerned persons who may desire to present oral or documentary evidence regarding the conditions of the real property or other relevant matter, if such persons are present at the hearing. In conducting the hearing, the Board shall not be limited by the technical rules of evidence. Failure of the owner or person in possession to appear shall not affect the validity of the proceedings or order issued thereon.

Upon conclusion of the hearing, the Board shall make its decision and in the event it so concludes, may declare the conditions on the real property to be in violation of this ordinance and to constitute a public nuisance. The Board may direct the owner or person in possession to abate the hazardous vegetation or combustible material within ten (10) days after mailing and posting of the Board's decision. The order shall include notice that if the hazardous vegetation is not abated as directed and within ten (10) days, the County Fire Chief may abate the hazardous vegetation and the abatement costs shall be a lien and an assessment against the real property.

The Board may grant any extension of time to abate such conditions that it may deem justifiable upon good cause being shown.

- D. Abatement of Hazardous Vegetation or Combustible Material by County Fire Chief. If, at the end of the time allowed for compliance in the original Notice/Order issued pursuant to Section 6.A. above, or as set forth in an order issued by the Board after a timely request for a hearing, and compliance has not been accomplished as directed, the County Fire Chief may order the hazardous vegetation or other combustible material to be removed by County fire officials

- I. Attorneys Fees. Reasonable attorneys' fees may be recovered by the prevailing party in any civil action, administrative proceeding or special proceeding established by this ordinance. In the event a hearing is requested pursuant to the notice described above in Section 6 and the Board of Supervisors deems the real property to be a public nuisance and orders the County Fire Chief to abate the hazardous vegetation or combustible material, the County shall be deemed the prevailing party.

Section 7. HEARING OFFICIAL.

- A. Delegation of Authority. The Riverside County Board of Supervisors may delegate its authority to conduct the administrative abatement proceedings set forth in Section 6, above, to either of the following:
 - (1) The County hearing officer appointed by the Board of Supervisors pursuant to Riverside County Ordinance No. 643 and Government Code Section 27720, as amended. The hearing officer shall have full authority and duty to preside over hearings in the manner set forth in Riverside County Ordinance No. 643, as amended.
 - (2) A Weed Abatement Hearing Board (WAHB) designated pursuant to Government Code Section 25845, as amended. The WAHB shall have full authority to act and may preside over hearings with the same authority, power and duties of the hearing officer. The WAHB shall be comprised of three (3) persons as follows: one (1) member shall be an officer of the Riverside County Fire Department selected by the County Fire Chief, (but not an employee involved in inspecting or issuing the Notice/Order; and two (2) members shall be selected by the Board of Supervisors. Members shall serve at the pleasure of the appointing entity.
- B. Recommended Action. At the conclusion of a hearing by either the hearing officer or WAHB, a recommended decision shall be issued to the owner or person in possession of the real property subject to the hearing, and to any other interested person previously requesting notice. The hearing officer or WAHB shall also file the recommended decision with the Board of Supervisors. The recommended decision may alter the Notice/Order in any fashion and may include an order to the owner or person in possession of the real property to abate the hazardous weeds or combustible material within ten (10) calendar days of issuance of the order.

- C. No Further Appeal. Upon receiving the recommended decision from either the hearing officer or WAHB, the Board of Supervisors may adopt the decision as recommended on the consent agenda at its next regularly scheduled public Board meeting without further notice or hearing, or may set the matter for a de novo hearing before the Board of Supervisors

Section 8. OTHER REMEDIES. The provisions of this ordinance are to be construed as an added remedy of abatement and not in derogation of any other civil or criminal actions or proceedings or remedies otherwise provided by law.

A. Civil Actions.

(1) Injunctive Relief and Abatement. Whenever, in the judgment of the County Fire Chief, any person is engaged in or about to engage in any act or practice which constitutes or will constitute a violation of any provision of this ordinance or notice or order issued pursuant hereto, the County Fire Chief may request the County Counsel or District Attorney to commence proceedings for the abatement, removal, correction and enjoinder thereof, and requiring the violator to pay civil penalties and/or abatement costs or in addition, be subject to criminal prosecution.

(2) Civil Remedies and Penalties. Any owner or person in possession of real property who willfully violates the provisions of this ordinance or any notice or order issued pursuant hereto shall be liable for a civil penalty not to exceed \$1,000.00 for each day or portion thereof that the violation continues to exist. In determining the amount of the civil penalty to impose, the court shall consider all relevant circumstances, including, but not limited to, the extent of the harm caused by the conduct constituting a violation, the nature and persistence of such conduct, the length of time over which the conduct occurred, the assets, liabilities, and net worth of the violator, whether corporate or individual, and any corrective action taken by the violator.

B. Criminal Actions.

(1) It shall be unlawful for any person to violate any provision of this ordinance. Any person violating any provision of this ordinance shall be deemed guilty of an infraction or misdemeanor as hereinafter specified. Such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of this ordinance is committed, continued or permitted.



CHAMPIONS CLUB
at
THE RETREAT

April 9, 2014

HAND DELIVERED

Hazard Reduction Office
Riverside County Fire Department
P.O. Box 2047
Perris, CA 92572-2047

Hazard Reduction Office
Riverside County Fire Department
88 E. Rider Street
Perris, CA 92572-2047

SUBJECT: Appeal Notices of Violation and Orders to Abate (9)

Dear Hazard Reduction Office:

Pursuant to Section 6.C.(1) of Riverside County Ordinance No. 695, please find attached the Champions Club appeal of nine Notices of Violation and Orders to Abate dated March 31, 2014.

We understand you will notify us 14 days prior to the hearing date. To avoid mail delays, please provide hearing notice information directly to the Champions Club at:

Flint A. Nelson, General Manager
Champions Club at The Retreat
8007 Softwinds Drive
Corona, CA 92883

You may also contact me directly by phone or email as shown below. We would be pleased to resolve this matter prior to a hearing for the convenience of all parties.

Regards,

Flint A. Nelson, General Manager
Champions Club at The Retreat
Phone: (951) 277-5363
Email: flint@ccrgolf.com

Attachment: Appeal Documentation

HAZARD REDUCTION APPEAL CHAMPIONS CLUB AT THE RETREAT

Summary

On March 31, 2014, the Riverside County Fire Department Hazard Reduction Office issued Notices of Violation and Orders to Abate for 9 land parcels owned by the Champions Club at The Retreat golf course (Attachment 1). The Champions Club is appealing these notices because they do not comply with the fuel modification policy for The Retreat community established by the Riverside County Board of Supervisors.

Explanation

The Riverside County Board of Supervisors adopted Resolution No. 2002-154 on June 25, 2002 approving Specific Plan 317 (The Retreat). The Plan and Board Resolution established the conditions, requirements, policies and obligations that form the legal foundation of The Retreat community's existence. The Specific Plan was adopted after extensive reviews, comments and approvals from a broad spectrum of local, county, regional, state and Federal agencies – including the Riverside County Fire Department.

Homeowners, builders, the HOA, the golf course and all governmental agencies are required to abide by the policies and obligations set forth in the Specific Plan and the Board Resolution.

As explained below, the Specific Plan and Board of Supervisors resolution require the Retreat Homeowners Association (HOA) to perform fuel modification for the community as set forth in the Specific Plan's fuel modification plan. Neither the Specific Plan nor the Board of Supervisors Resolution established any fuel modification obligations for the golf course.

Assigning The Retreat's fuel modification obligation to the HOA was a conscious and appropriate decision. Fuel modification exclusively benefits the homeowners, providing defensible space on golf course property to protect their homes. It therefore follows that the homeowners, through their HOA dues, should bear the cost of providing defensible space on golf course property. And since the golf course receives no benefit from fuel modification, it is neither equitable nor appropriate for the golf course to pay for the homeowners' protection.

The Champions Club golf course requests the current Notices of Violation be withdrawn, and the Champions Club further requests that the Fire Department work directly with The Retreat HOA on all fuel modification requirements.

Board of Supervisors Policy

Board Resolution 2002-154 contains a list of project impacts and mitigation measures for each impact. Pages 19-20 of the resolution (Attachment 2) summarize the Fire Services element of the Specific Plan and states:

“Maintenance of the fuel modification zone shall be the responsibility of a homeowners association or maintenance district. In the event a lot is repossessed, the unit/agency holding title to the lot will be responsible for the required maintenance. Maintenance of manufactured slopes will be the responsibility of the individual homeowners within the lot boundary and the developer/builder outside the lot boundary. Once a HOA is formed, then the developer will transfer responsibility to the HOA. Long term maintenance of natural fuel treatment will be the responsibility of the HOA. These hillside slopes are to be maintained to Fuel Modification Zone 2 criteria by the developer/builder or by the HOA.”

As noted above, the Board's clear intent was for the Retreat HOA to perform fuel modification maintenance for the community. While the golf course is mentioned often in the Board's 45-page resolution, the Board resolution did not establish any fuel modification obligations for the golf course. In fact, the golf course is not even mentioned in the Fire Services section of the resolution. Moreover, the golf course cannot be classified as a "maintenance district." Maintenance districts are established by local governments to finance the costs of maintaining open spaces, parks, playgrounds, and other public areas.

Specific Plan 317 (The Retreat) Policy

Section V.D.3.c. establishes the Fire Services Mitigation Measures for the community on pages V.D-40 and V.D-41 (Attachment 3). Mitigation measure #4 addresses fuel modification and states:

"Fuel modification shall be achieved by establishing a minimum 30 foot zone consisting of two (2) zones. This will allow for a graduated transition from native vegetation into the irrigated landscaped building areas of the project. Maintenance of the fuel modification zone shall be the responsibility of a homeowners association or maintenance district. In the event a lot is repossessed, the unit/agency holding title to the lot will be responsible for the required maintenance. Maintenance of manufactured slopes will be the responsibility of the individual homeowners within the lot boundary and the developer/builder outside the lot boundary. Once a HOA is formed, then the developer will transfer responsibility to the HOA. Long term maintenance of natural fuel treatment will be the responsibility of the HOA. These hillside slopes are to be maintained to Fuel Modification Zone 2 criteria by the developer/builder or by the HOA."

As with the Board resolution, the Specific Plan does not establish any fuel modification obligations for the golf course and designates the HOA as the responsible entity for this requirement.

Fire Department Approval of HOA Obligation

According to the documents reviewed by the Champions Club, the Riverside County Fire Department worked closely with the lead agency, the Riverside County Planning Department, and other agencies to review all of the emergency planning and response measures for The Retreat community, including fuel modification. The Fire Department prepared written comments, participated in meetings and ultimately agreed in writing to the language set forth in the Specific Plan. Since the HOA has been formed for several years, proper enforcement of the Specific Plan and Board Resolution is long overdue, and the Champions Club is simply asking the Fire Department to act in accordance with the procedures it agreed to use for The Retreat community.

Relationship to Riverside County Ordinance 695 (Abatement of Hazardous Vegetation)

The Fire Department's Notices of Violation were issued to the Champions Club pursuant to Ordinance No. 695, which designates the property owner as the responsible party for fuel modification. The Champions Club argues that this portion of Ordinance 695 does not apply for the following reasons.

While the Specific Plan's fuel modification requirements are generally consistent with Ordinance 695, they are considerably more detailed than the Ordinance with the establishment of specific

modification zones, recognition of unique terrain and recommended plantings. Similarly, the Specific Plan sets forth more detailed responsibilities, distinguishing between obligations borne by homeowners and those borne by the HOA. Some of these assigned responsibilities are consciously at variance with Ordinance 695 because of the unique relationships in The Retreat community as described above. In this context, the absence of any obligations assigned to the golf course is significant.

The provisions of Ordinance 695 were in effect long before The Retreat's Specific Plan was adopted, yet the Board of Supervisors and the Fire Department designated the HOA as the responsible entity, rather than the landowner.

Fire Department Authority

Approval of the Champions Club appeal does not in any way diminish the Fire Department's authority and capacity to have the fuel modification work performed. The HOA is subject to the Department's jurisdiction and authority, and the Department can rely on the detailed fuel modification requirements set forth in both the Board of Supervisors resolution and the Specific Plan adopted by the Board.

HOA Capacity To Perform

The Retreat HOA has substantial financial and technical capacity to meet its fuel modification requirements as established by the Board of Supervisors and the Specific Plan. The HOA has an operating budget in excess of \$1-million annually and a capital reserve of approximately \$1-million. It retains a well-known landscape maintenance company and spends over \$200,000 annually for landscape maintenance, plus water and electricity for irrigation. It also has the authority to increase HOA dues if required to meet community's obligations.

Conclusion

This appeal does not seek to diminish or eliminate any fuel abatement requirements. It does not seek to reduce the Fire Department's ability to prevent fires or defend life and property. And it does not question the Fire Department's authority.

The only thing this appeal asks is for the Fire Department to recognize and adhere to the policy it helped develop and was subsequently adopted by the Board of Supervisors Resolution 2002-154 and Specific Plan 317 (The Retreat) that legally designates the Retreat HOA as the entity responsible for fuel modification in The Retreat.



Riverside County Fire Department
Hazard Reduction Office
P.O. Box 2047
Perris, CA 92572-2047
(951) 943-0640

Notice of Violation and Order to Abate

Date: 3/31/2014
CHAMPIONS CLUB RETREAT
3810 WILSHIRE BLV NO 911

PARCEL #: 282150018

LOS ANGELES CA 90010

Pursuant to the provisions of Riverside County Ordinance No. 695, you are hereby NOTIFIED, ORDERED and REQUIRED to abate the hazardous vegetation as specified below from your property, described as 282150018. The Riverside County Assessor's records lists you as the owner.

If said hazardous vegetation is not removed within Thirty (30) days from the above date, the County Fire Chief, or other duly designated officers may order said vegetation removed by public employees, private contractors, or other persons, and the cost of said removal shall be levied with an added ADMINISTRATION FEE per parcel, and assessed against the property as a SPECIAL LIEN. Additionally, failure to remove said hazardous vegetation may result in other civil, administrative or criminal penalties.

APPEALS INFORMATION

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**IF YOU HAVE ANY QUESTIONS PLEASE CALL (951) 943-0640.
Monday - Thursday, 7:30 AM to 5:00 PM
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- The County Fire Chief has determined the unimproved parcel adjacent to a structure require 100 feet of abatement of flammable vegetation adjacent to said structure(s), for the protection of public health, safety and welfare of the environment
- The County Fire Chief has determined that the following clearance method(s) shall be employed for the removal of hazardous vegetation on the parcel:
- The entire parcel must be cleared.

Special Instructions

None

Note: No owner, occupant or person in control of any such unimproved parcel of land or interest therein shall be authorized to abate hazardous vegetation unless said owner, occupant or person has received a Notice of Violation and Order to Abate or alternatively has been issued a grading permit pursuant to the requirements of Ordinance No. 457. The removal of vegetation pursuant to this ordinance shall not exceed that set forth in the Notice of Violation and Order to Abate or grading permit.



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Hazard Reduction Office
P.O. Box 2047
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(951) 943-0640

Notice of Violation and Order to Abate

Date: 3/31/2014
CHAMPIONS CLUB RETREAT
3810 WILSHIRE BLV NO 911

PARCEL #: 282170010

LOS ANGELES CA 90010

Pursuant to the provisions of Riverside County Ordinance No. 695, you are hereby NOTIFIED, ORDERED and REQUIRED to abate the hazardous vegetation as specified below from your property, described as 282170010. The Riverside County Assessor's records lists you as the owner.

If said hazardous vegetation is not removed within Thirty (30) days from the above date, the County Fire Chief, or other duly designated officers may order said vegetation removed by public employees, private contractors, or other persons, and the cost of said removal shall be levied with an added ADMINISTRATION FEE per parcel, and assessed against the property as a SPECIAL LIEN. Additionally, failure to remove said hazardous vegetation may result in other civil, administrative or criminal penalties.

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Special Instructions
None

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Hazard Reduction Office
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Notice of Violation and Order to Abate

Date: 3/31/2014
CHAMPIONS CLUB RETREAT
3810 WILSHIRE BLV NO 911

PARCEL #: 282170015

LOS ANGELES CA 90010

Pursuant to the provisions of Riverside County Ordinance No. 695, you are hereby NOTIFIED, ORDERED and REQUIRED to abate the hazardous vegetation as specified below from your property, described as 282170015. The Riverside County Assessor's records lists you as the owner.

If said hazardous vegetation is not removed within Thirty (30) days from the above date, the County Fire Chief, or other duly designated officers may order said vegetation removed by public employees, private contractors, or other persons, and the cost of said removal shall be levied with an added ADMINISTRATION FEE per parcel, and assessed against the property as a SPECIAL LIEN. Additionally, failure to remove said hazardous vegetation may result in other civil, administrative or criminal penalties.

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- The County Fire Chief has determined that the following clearance method(s) shall be employed for the removal of hazardous vegetation on the parcel:
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Special Instructions

None

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**Riverside County Fire Department
Hazard Reduction Office
P.O. Box 2047
Perris, CA 92572-2047
(951) 943-0640**

Notice of Violation and Order to Abate

Date: 3/31/2014
CHAMPIONS CLUB RETREAT
3810 WILSHIRE BLV NO 911

PARCEL #: 282170023

LOS ANGELES CA 90010

Pursuant to the provisions of Riverside County Ordinance No. 695, you are hereby NOTIFIED, ORDERED and REQUIRED to abate the hazardous vegetation as specified below from your property, described as **282170023**. The Riverside County Assessor's records lists you as the owner.

If said hazardous vegetation is not removed within Thirty (30) days from the above date, the County Fire Chief, or other duly designated officers may order said vegetation removed by public employees, private contractors, or other persons, and the cost of said removal shall be levied with an added ADMINISTRATION FEE per parcel, and assessed against the property as a SPECIAL LIEN. Additionally, failure to remove said hazardous vegetation may result in other civil, administrative or criminal penalties.

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Special Instructions

None

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Notice of Violation and Order to Abate

Date: 3/31/2014
CHAMPIONS CLUB RETREAT
3810 WILSHIRE BLV NO 911

PARCEL #: 282210072

LOS ANGELES CA 90010

Pursuant to the provisions of Riverside County Ordinance No. 695, you are hereby NOTIFIED, ORDERED and REQUIRED to abate the hazardous vegetation as specified below from your property, described as 282210072. The Riverside County Assessor's records lists you as the owner.

If said hazardous vegetation is not removed within Thirty (30) days from the above date, the County Fire Chief, or other duly designated officers may order said vegetation removed by public employees, private contractors, or other persons, and the cost of said removal shall be levied with an added ADMINISTRATION FEE per parcel, and assessed against the property as a SPECIAL LIEN. Additionally, failure to remove said hazardous vegetation may result in other civil, administrative or criminal penalties.

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Special Instructions

None

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Notice of Violation and Order to Abate

Date: 3/31/2014
CHAMPIONS CLUB RETREAT
3810 WILSHIRE BLV NO 911

PARCEL #: 282210075

LOS ANGELES CA 90010

Pursuant to the provisions of Riverside County Ordinance No. 695, you are hereby NOTIFIED, ORDERED and REQUIRED to abate the hazardous vegetation as specified below from your property, described as 282210075. The Riverside County Assessor's records lists you as the owner.

If said hazardous vegetation is not removed within Thirty (30) days from the above date, the County Fire Chief, or other duly designated officers may order said vegetation removed by public employees, private contractors, or other persons, and the cost of said removal shall be levied with an added ADMINISTRATION FEE per parcel, and assessed against the property as a SPECIAL LIEN. Additionally, failure to remove said hazardous vegetation may result in other civil, administrative or criminal penalties.

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Special Instructions

None

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Notice of Violation and Order to Abate

Date: 3/31/2014
CHAMPIONS CLUB RETREAT
3810 WILSHIRE BLV NO 911

PARCEL #: 282630006

LOS ANGELES CA 90010

Pursuant to the provisions of Riverside County Ordinance No. 695, you are hereby NOTIFIED, ORDERED and REQUIRED to abate the hazardous vegetation as specified below from your property, described as 282630006. The Riverside County Assessor's records lists you as the owner.

If said hazardous vegetation is not removed within Thirty (30) days from the above date, the County Fire Chief, or other duly designated officers may order said vegetation removed by public employees, private contractors, or other persons, and the cost of said removal shall be levied with an added ADMINISTRATION FEE per parcel, and assessed against the property as a SPECIAL LIEN. Additionally, failure to remove said hazardous vegetation may result in other civil, administrative or criminal penalties.

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Special Instructions

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Notice of Violation and Order to Abate

Date: 3/31/2014
 CHAMPIONS CLUB RETREAT
 3810 WILSHIRE BLV NO 911

PARCEL #: 282630007

LOS ANGELES CA 90010

Pursuant to the provisions of Riverside County Ordinance No. 695, you are hereby NOTIFIED, ORDERED and REQUIRED to abate the hazardous vegetation as specified below from your property, described as 282630007. The Riverside County Assessor's records lists you as the owner.

If said hazardous vegetation is not removed within Thirty (30) days from the above date, the County Fire Chief, or other duly designated officers may order said vegetation removed by public employees, private contractors, or other persons, and the cost of said removal shall be levied with an added ADMINISTRATION FEE per parcel, and assessed against the property as a SPECIAL LIEN. Additionally, failure to remove said hazardous vegetation may result in other civil, administrative or criminal penalties.

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Notice of Violation and Order to Abate

Date: 3/31/2014
CHAMPIONS CLUB RETREAT
3810 WILSHIRE BLV NO 911

PARCEL #: 282630023

LOS ANGELES CA 90010

Pursuant to the provisions of Riverside County Ordinance No. 695, you are hereby NOTIFIED, ORDERED and REQUIRED to abate the hazardous vegetation as specified below from your property, described as 282630023. The Riverside County Assessor's records lists you as the owner.

If said hazardous vegetation is not removed within Thirty (30) days from the above date, the County Fire Chief, or other duly designated officers may order said vegetation removed by public employees, private contractors, or other persons, and the cost of said removal shall be levied with an added ADMINISTRATION FEE per parcel, and assessed against the property as a SPECIAL LIEN. Additionally, failure to remove said hazardous vegetation may result in other civil, administrative or criminal penalties.

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SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

712 B



FROM: TLMA - Planning Department SUBMITTAL DATE: June 7, 2002

SUBJECT: RESOLUTION NO. 2002-154, Adopting Specific Plan No. 317 (The Retreat) and RESOLUTION NO. 2002-156, Adopting Amendment No. 4 to Specific Plan No. 176 (Wild Rose) - First Supervisorial District - El Cerrito District and Glen Ivy Area - 1,032 Acres

RECOMMENDED MOTION:

ADOPTION of Resolution No. 2002-154 Adopting Specific Plan No. 317.

ADOPTION of Resolution No. 2002-156 Adopting Amendment No. 4 to Specific Plan No. 176.

ADOPTION of Ordinance No. 348.4076 adopting SP zoning for properties within Specific Plan No. 317.

BACKGROUND:

Public hearings concerning Specific Plan No. 317 (The Retreat) and Amendment No. 4 to Specific Plan No. 176 (Wild Rose), together with the related Change of Zone No. 6441, were held by the Board of Supervisors on April 16, 2002.

EACH DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED IS CERTIFIED TO BE A FULL, TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE AND OF RECORD IN MY OFFICE.

Date: 6/25/02

NANCY ROMERO
Clerk to the Board of Supervisors
County of Riverside, California
[Signature] Deputy

[Signature]
Aleta J. Laurence, AICP, Planning Director

Department Recommendation: Policy Consent
Per Executive Office: Policy Consent

G.E.O. RECOMMENDATION:

APPROVE

[Signature]
County Executive Officer Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Buster, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione and Venable
Noes: Wilson
Absent: Mullen
Date: June 25, 2002
xc: Planning, Applicant, COB, Co.Co., BPC

[Signature]
Nancy Romero
Clerk to the Board
Deputy

Prev. Agn. Ref.

Dist.

AGENDA NO.

3 60

RESOLUTION NO. 2002-154
ADOPTING
3 SPECIFIC PLAN NO. 317
4 (THE RETREAT)

5 WHEREAS, pursuant to the provisions of Government Code Section 65450 et seq. a public
6 hearing was held before the Riverside County Board of Supervisors in Riverside, California on April 9,
7 2002, and before the Riverside County Planning Commission in Hemet, California on February 27, 2002,
8 to consider Specific Plan No. 317 (The Retreat); and,

9 WHEREAS, all the procedures of the California Environmental Quality Act and the Riverside
10 County Rules to Implement the Act have been met, and Environmental Impact Report (EIR) No. 425,
11 prepared in connection with Specific Plan No. 317 and related cases (referred to alternatively herein as
12 "the project"), is sufficiently detailed so that all the potentially significant effects of the project on the
13 environment and measures necessary to avoid or substantially lessen such effects have been evaluated in
14 accordance with the above-referenced Act and Rules; and,

15 WHEREAS, the matter was discussed fully with testimony and documentation presented by the
16 public and affected government agencies; now, therefore,

17 BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of Supervisors
18 of the County of Riverside, in regular session assembled on June 25, 2002, that:

19 A. Specific Plan No. 317 is a 1,032-acre master planned community located west of Interstate
20 15, between the city of Corona boundary and Forest Boundary Road. It proposes the
21 construction of 545 dwelling units on 204.14 acres; the remaining area would be devoted to
22 the following uses: 8.14 acres for park sites, 254.08 acres devoted to a golf course, 547.73
23 acres of open space, and 17.91 acres devoted to major roads.

24 B. Specific Plan No. 317 is associated with Comprehensive General Plan Amendment No.
25 486, Change of Zone Case No. 6441, and Specific Plan No. 176, Amendment No. 4, which
were considered concurrently at the public hearing before the Planning Commission.
Comprehensive General Plan Amendment No. 486 proposes to change the Open Space and
Conservation Map designation from "Areas Not Designated As Open Space" and "Adopted

COUNTY CLERK

JUNE 25 2002

BY 

6/25/02 3 60

1
2 compliance with the basin plan of the Regional Water Quality Control
3 Board, Santa Ana Region. In addition, the project will be required to obtain
4 updated will-serve letters from the Lee Lake Water District before project
5 implementation.

6 P. Fire Services

7 1. Impacts:

8 According to the Fire Department, the El Cerrito Station is the primary
9 station serving the project area and the other stations will provide the back
10 up required for adequate Category II response time.

11 2. Mitigation:

12 The applicant will participate in an existing Fire Protection Impact
13 Mitigation Program (\$400.00 per dwelling unit and \$.25 per square foot for
14 commercial/industrial) that provides funds for the purchase of land to build
15 new fire stations, remodel existing fire stations or for the purchase of
16 equipment when necessary as development occurs. All water mains and
17 fire hydrants providing fire flows shall be constructed in accordance with
18 the appropriate sections of Riverside County Ordinance No. 460 and/or No.
19 787, subject to the approval by Riverside County Fire Department and the
20 Lee Lake Water District. Fire flows over 3000 gpm shall be for three hours
21 duration. All structures on-site shall be constructed with fire retardant
22 roofing material as described in the 1998 California Fire Code. Wood
23 shingles shall not be allowed within The Retreat Specific Plan area. Gated
24 communities are not encouraged and flag lots and dead-end streets in excess
25 of the county standard will not be allowed. All development will meet or
26 exceed standards addressed in Riverside County Ordinance 460 & 787 with
27 respect to access, fire flow, signage, and fire fuel modification, except for
28 maintained natural opens space areas within the project boundary which

1 will conform to The Retreat Fire Fuel Modification Plan. Fuel modification
2 shall be achieved by establishing a minimum 30-foot zone consisting of two
3 (2) zones. This will allow for a graduated transition from native vegetation
4 into the irrigated landscaped building areas of the project. Maintenance of
5 the fuel modification zone shall be the responsibility of a homeowners
6 association or maintenance district. In the event, a lot is repossessed, the
7 unit/agency holding title to the lot will be responsible for the required
8 maintenance. Maintenance of manufactured slopes will be the
9 responsibility of the individual homeowners within the lot boundary and the
10 developer and/or builder outside the lot boundary. Once a HOA is formed,
11 then the developer will transfer responsibility to the HOA. Long-term
12 maintenance of natural fuel treatment will be the responsibility of the HOA.
13 These hillside slopes are to be maintained to Fuel Modification Zone 2
14 criteria by the developer/builder or by the HOA. Prior to approval of any
15 development plans for lands adjacent to open space areas, a Fire
16 Protection/Vegetation Management Plan shall be submitted to the County
17 Fire Department for review and approval. Additional fire protection
18 measures may be required to the satisfaction of the Riverside
19 County Fire Department. These measure may include: 1) above standard
20 water systems or storage facilities, 2) construction of roofs, eaves, and
21 siding of structures with fire resistant materials, and 3) clearing brush areas
22 and/or planting of fire resistant vegetation.

23 Q. Sheriff Services

24 I. Impacts:

25 The Retreat Specific Plan project will result in a population increase of
26 1,635 residents in Riverside County and an additional 16 deputies to
27 provide adequate protection to the site
28

The Retreat Specific Plan

- Fire Response Times.** *Category II projects shall have a five minute response time, or shall provide adequate mitigation measures as determined by the County Fire Department.*

Project Consistency. The project is within the required five minute response time (Class II) as served by the El Cerrito fire station and will be served in the future by a fire station built in the Sycamore Creek Specific Plan which lies southeast of the project site.

c. MITIGATION MEASURES

The proposed project will result in urban development requiring fire protection services. From a cumulative basis, when considered in conjunction with other projects in the area, the Fire Department's ability to serve the area may be adversely affected. In order to mitigate the project's contribution to fire services, the following measures would be implemented to reduce impact to below a level of significance:

- 1) The applicant will participate in an existing Fire Protection Impact Mitigation Program (\$400.00 per dwelling unit and \$0.25 per square foot for commercial/industrial) that provides funds for the purchase of land to build new fire stations, remodel existing fire stations or for the purchase of equipment when necessary as development occurs.
- 2) All water mains and fire hydrants providing fire flows shall be constructed in accordance with the appropriate sections of Riverside County Ordinance No. 460 and/or No. 787, subject to the approval by Riverside County Fire Department and the Lee Lake Water District. Fire flows over 3000 gpm shall be for three hours duration.
- 3) All structures on-site shall be constructed with fire retardant roofing material as described in the 1998 California Fire Code. Wood shingles shall not be allowed within THE RETREAT Specific Plan area. Gated communities are not encouraged and flag lots and dead-end streets in excess of the county standard will not be allowed.
- 4) Fuel modification shall be achieved by establishing a minimum 30 foot zone consisting of two (2) zones. This will allow for a graduated transition from native vegetation into the irrigated landscaped building areas of the project. Maintenance of the fuel modification zone shall be the responsibility of a homeowners association or maintenance district. In the event, a lot is repossessed, the unit/agency holding title to the lot will be responsible for the required maintenance. Maintenance of manufactured slopes will be the responsibility of the individual homeowners within the lot boundary and the developer and/or builder outside the lot boundary. Once a HOA is formed, then the developer will transfer responsibility to the HOA. Long term maintenance of natural fuel treatment will be the responsibility of the HOA. These hillside slopes are to be maintained to Fuel Modification Zone 2 criteria by the developer/builder or by the HOA. Prior to approval of any development plans for lands adjacent to open space areas, a Fire Protection/Vegetation Management Plan shall be submitted to the County Fire Department for review and approval.

The Retreat Specific Plan

- 5) Emergency vehicle access into open space areas shall be provided at intervals not to exceed 1,500 feet.
- 6) All development will meet or exceed standards addressed in Riverside County Ordinance 460 and 787 with respect to access, fire flow, signage, and fire fuel modification, except for maintained natural opens space areas within the project boundary which will conform to THE RETREAT Fire Fuel Modification Plan.
- 7) At the time of project implementation, additional fire protection measures may be required to the satisfaction of the Riverside County Fire Department. These measure may include: 1) above standard water systems or storage facilities, 2) construction of roofs, eaves, and siding of structures with fire resistant materials, and 3) clearing brush areas and/or planting of fire resistant vegetation.

d. SIGNIFICANCE AFTER MITIGATION

Implementation of the above mitigation measures will reduce impacts to below a level of significance for the proposed project.

The Retreat Specific Plan

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- 6) All development will meet or exceed standards addressed in Riverside County Ordinance 460 and 787 with respect to access, fire flow, signage, and fire fuel modification, except for maintained natural opens space areas within the project boundary which will conform to THE RETREAT Fire Fuel Modification Plan.
- 7) At the time of project implementation, additional fire protection measures may be required be required to the satisfaction of the Riverside County Fire Department. These measure may include: 1) above standard water systems or storage facilities, 2) construction of roofs, eaves, and siding of structures with fire resistant materials, and 3) clearing brush areas and/or planting of fire resistant vegetation.

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Implementation of the above mitigation measures will reduce impacts to below a level of significance for the proposed project.