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



ITEM: 1.2 (ID # 23044) MEETING DATE: Tuesday, October 03, 2023

**FROM:** TLMA-PLANNING:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING: RECEIVE AND FILE THE PLANNING COMMISSION'S APPROVAL OF TENTATIVE TRACT MAP NO. 38122 – CEQA Exempt Section 15315 and 15062(b)(3) – Applicant: Rod Arsalan – Representative: Patricia Barraza – First Supervisorial District - Mead Valley Zoning District – Mead Valley Area Plan: Rural Community: Rural Community (VLDR) (1 Acre Minimum) – Location: North of Church Street, East of Clark Street, South of Mack Street, West of Old Elsinore Road – 2.48 Gross Acres - Zoning: Light Agriculture - (A-1-1) - REQUEST: Tentative Parcel Map No. 38122 is a proposal for a Schedule "H" subdivision of 2.48 gross acre lot into two residential lots that are 1.18 gross acres (Parcel 1) and 1.30 gross acres (Parcel 2), respectively. No grading or construction is proposed Parcel 1. Parcel 2 consists of an existing manufactures home on site. APN(s): 318-240-070. District 1. [Applicant Fees 100%]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Receive and File the Notice of Decision for the above referenced case acted on by the Director's Hearing Officer on September 4, 2023.

**ACTION:Consent** 

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Gutierrez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is received and filed as recommended.

Ayes:

Jeffries, Spiegel, Washington, Perez and Gutierrez

Nays:

None

Absent:

None

Date:

October 3, 2023

XC:

**Planning** 

1.2

Kimberly A. Rector

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost	
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	
SOURCE OF FUNDS: Applicant Fees 100%			Budget Ad	Budget Adjustment: No	
			For Fiscal	Year: N/A	

C.E.O. RECOMMENDATION: Approve

#### **BACKGROUND:**

#### Summary

Tentative Parcel Map No. 38122 is a proposal for a Schedule "H" – Parcel Map Division - for a subdivision of approximately 2.48 gross acres into two residential lots that are 1.18 gross acres (Parcel 1) and 1.30 gross acres (Parcel 2). No grading or construction is proposed Parcel 1. Parcel 2 consists of an existing manufactures home on site.

The "project" was approved by the Planning Director on September 4, 2023. The project planner sent a 10-day public notice for the project. The public notice was for an optional hearing. The Planning Department did not receive any phone calls or emails of concern. As a result, the Planning Department proceeded with approval of the application.

The project is categorically exempt from CEQA under Section 15315 (Minor Land Divisions) and Section 15061(b)(3)(Common Sense).

#### Impact on Residents and Businesses

The impacts of this project have been evaluated through the environmental review and public hearing process by the Planning Department.

#### **Additional Fiscal Information**

All fees are paid by the applicant. There is no General Fund obligation.

#### **Contract History and Price Reasonableness**

N/A

#### **ATTACHMENTS**

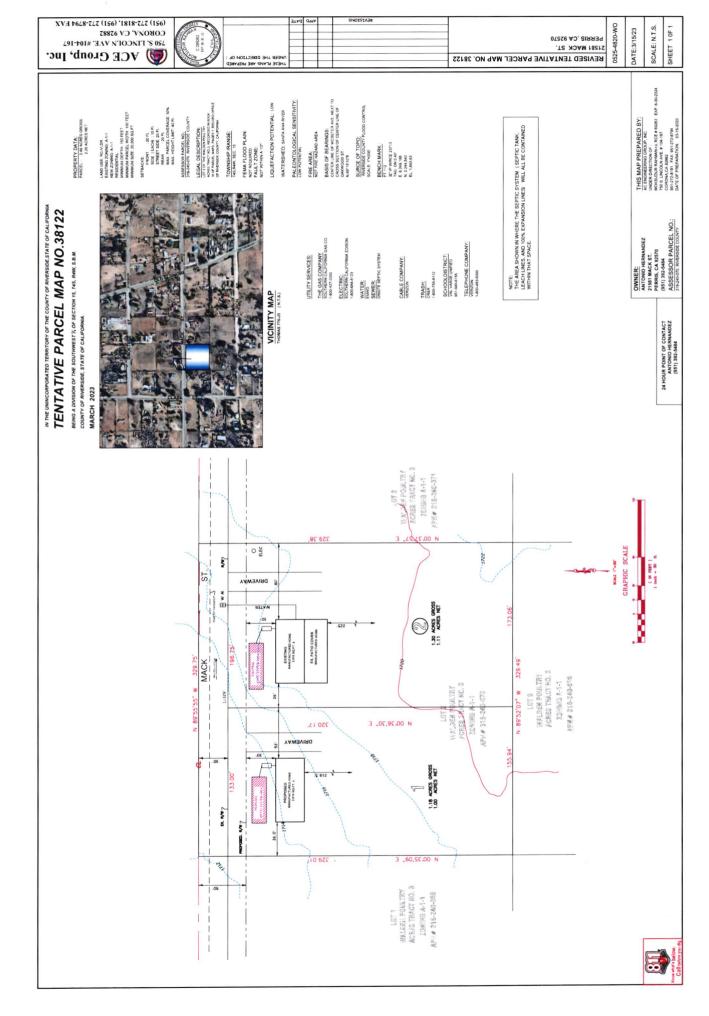
- A. Approval Letter and Staff Report
- B. Map Exhibit
- C. GIS Exhibits
- D. Conditions of Approval

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

E. Airport Land Use Commission

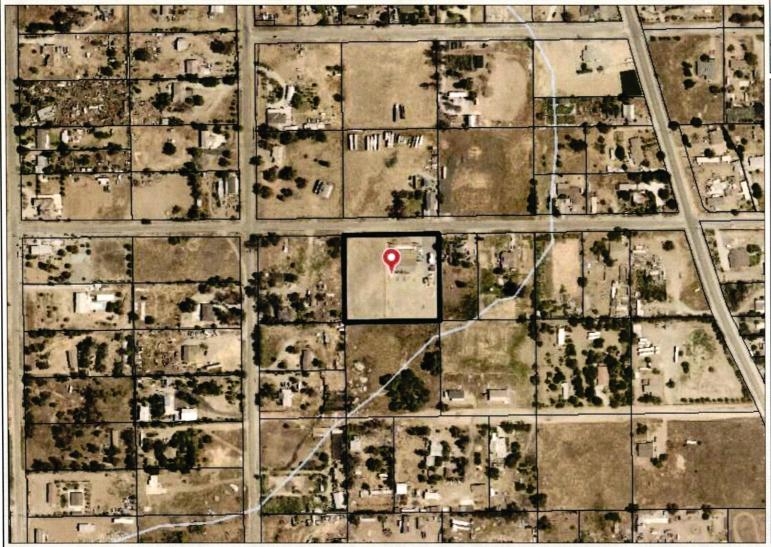
F. Mailing Labels

Jason Farin, Principal Management Analyst 9/26/2023



#### **TPM38122**

#### **Aerial Map**





#### Legend

- Parcels
  - Blueline Streams
- City Areas





\*IMPORTANT\* Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

376 752 Feet

REPORT PRINTED ON... 9/13/2023 9:18:34 AM

Notes

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#### RIVERSIDE COUNTY

### PLANNING DEPARTMENT

John Hildebrand Planning Director

September 12, 2023

**RE: TENTATIVE PARCEL MAP NO. 38122** 

From:

Rene Aguilar – Project Planner

Tim Wheeler - Principal Planner

To:

John Hildebrand, Planning Director

<u>Tentative Parcel Map No. 38122 (TPM38122)</u> proposes a Schedule "H" subdivision of 2.48 gross acre lot into two residential lots that are 1.18 gross acres (Parcel 1) and 1.30 gross acres (Parcel 2), respectively. No grading or construction is proposed on Parcel 1. Parcel 2 consists of an existing manufactures home on site. On <u>August 23<sup>rd</sup>, 2023</u>, property owners within a 600-foot radius of the project site were provided a project notice. The notice informed property owners of the proposed Tentative Parcel Map and provided instructions for anyone wishing to comment or to request a public hearing on the project. On <u>September 4<sup>th</sup>, 2023</u>, this noticing period concluded and no correspondence or request for a public hearing were received by the Riverside County Planning Department. Therefore, staff is prepared to approve the project administratively. Please see the attached Staff Report for your review and signature.

Sincerely,

RIVERSIDE COUNTY PLANKING DEPARTMENT

John Hildebrand, Planning Director





# COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

Administrative Approval: September 4, 2023

PROPOSED PROJECT		
Case Number(s):	TPM38122	Applicant(s): Rod Arsalan
Environmental:	Exempt 15315 and 15061(b)(3)	
Area Plan:	Mead Valley	Representative: Patricia Barraza
Zoning Area/District:	Mead Valley District	
Supervisorial District:	First District	
Project Planner:	Rene Aguilar	0 0 01
Project APN(s):	318-240-070	John Hildebrand Planning Director

#### PROJECT DESCRIPTION AND LOCATION

Tentative Parcel Map No. 38122 is a proposal for a Schedule "H" subdivision of 2.48 gross acre lot into two residential lots that are 1.18 gross acres (Parcel 1) and 1.30 gross acres (Parcel 2), respectively. No grading or construction is proposed Parcel 1. Parcel 2 consists of an existing manufactures home on site.

The above is hereinafter referred to as "The Project" or "Project."

The Project site is within the Mead Valley Area Plan. The Project is located north of Church Street, west of Old Elsinore Road, south of Mack Street, and east of Clark Street.

#### PROJECT RECOMMENDATION

#### STAFF RECOMMENDATIONS:

THAT THE PLANNING COMMISSION RECOMMENDS THAT THE DIRECTOR TAKE THE FOLLOWING ACTIONS:

<u>FIND</u> that the project is **EXEMPT** from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15315 (Minor Land Divisions) and Section 15061 (b)(3) (Common Sense Exemption), based on the findings and conclusions in the staff report; and,

<u>APPROVE</u> TENTATIVE PARCEL MAP NO. 38122, subject to the attached Advisory Notification Document, Conditions of Approval, and based upon the findings and conclusions provided in this staff report.

PROJECT DATA			
Land Use and Zoning:			
	Specific Plan: N	I/A	

Specific Plan Land Use:	N/A
Existing General Plan Foundation Component:	Rural Community (RC)
Proposed General Plan Foundation Component:	N/A
Existing General Plan Land Use Designation:	Very Low Density Residential (RC: VLDR)
Proposed General Plan Land Use Designation:	N/A
Policy / Overlay Area:	N/A
Surrounding General Plan Land Uses	
North:	Very Low Density Residential (RC: VLDR)
East:	Very Low Density Residential (RC: VLDR)
South:	Very Low Density Residential (RC: VLDR)
West:	Very Low Density Residential (RC: VLDR)
Existing Zoning Classification:	Light Agriculture, 1 acre minimum (A-1-1)
Proposed Zoning Classification:	N/A
Surrounding Zoning Classifications	
North:	Light Agriculture, 1 acre minimum (A-1-1)
East:	Light Agriculture, 1 acre minimum (A-1-1)
South:	Light Agriculture, 1 acre minimum (A-1-1)
West:	Light Agriculture, 1 acre minimum (A-1-1)
Existing Use:	Existing Residential Dwelling
Surrounding Uses	
North:	Residential Dwelling
South:	Residential Dwelling
East:	Residential Dwelling
West:	Residential Dwelling

**Project Details:** 

ltem .	Value	Min./Max. Development Standard
Project Site (Acres):	. (2.49 gross acres)	N/A
Proposed Minimum Lot Size:	Parcel 1: 1.18 gross acres Parcel 2: 1.30 gross acres	. 1 acre min.
Total Proposed Number of Lots:	2	
Map Schedule:	Schedule "H"	

#### **Located Within:**

City's Sphere of Influence:	Yes – City of Perris
County Service Area ("CSA"):	Yes – 117 – Mead Valley St Lighting
Special Flood Hazard Zone:	Yes – Flood Control Zn 4

Agricultural Preserve:	No
Liquefaction Area:	Yes – Low
Subsidence Area:	Yes – Susceptible
Fault Zone:	No
Fire Zone:	Yes – Moderate and SRA
Mount Palomar Observatory Lighting Zone:	Yes – Zone B
WRMSHCP Criteria Cell:	No
CVMSHCP Conservation Boundary:	No
Stephens Kangaroo Rat ("SKR") Fee Area:	Yes – In or Partially Within
Airport Influence Area ("AIA"):	Yes - March Air Base - Zone B

#### PROJECT LOCATION MAP



#### PROJECT BACKGROUND AND ANALYSIS

#### Background:

On March 10, 2021, the applicant, Rod Arsalan representing property owner Antonio Hernandez and Maria E. Hernandez, submitted Tentative Parcel Map No. 38122 (TPM38122) to the County of Riverside. The proposed subdivision is a Schedule "H" parcel map that seeks to subdivide 2.48 gross acres lot into two parcels. Parcel 1 proposed to be 1.18 acres (gross) and Parcel 2 proposed to be 1.30 acres (gross). The project will have frontage on Mack Street. If any future development is to occur on Parcel 1, it will be

consistent with the standards and uses allowed per the land use designation and zone classification and include the installation of a septic system.

The proposed Parcel 2 site is currently improved with a single-family residential dwelling. The primary dwelling residence was a 1,980 square foot structure constructed in 2019 and was permitted by-right. The lot was first improved with a single-family residence back in 1975 with BZ269842 (M/H Site Prep) and BZH04843 (MH Install 12 x 60 Skyline). In 2016, the single-family residence was replaced with a new mobile home with 3 separate permits that include the mobile home site prep (BMR160082), permanent foundation (BMR160083), and installation (BMR160232).

#### General Plan:

The Project site has a General Foundation of Rural Community, and a land use designation of Very Low Density Residential (VLDR). The Very Low-Density Residential land use designation allows a single-family residence per acre, as well as limited animal-keeping and agricultural activities. Neighborhood-serving small-scale commercial uses that are compatible with the surrounding uses are allowed. The density range is from 1 dwelling unit per acre. The proposed map is consistent with the General Plan as it will subdivide an existing parcel into two single-family residential lots. Each lot would be at least 1 acre and support one single family residence, thus within the density range for the VLDR land use designation. Therefore, the proposed map is consistent with General Plan.

#### Zoning and Development Standards:

No construction is proposed as part of the project. Future proposed single-family residences are allowed by right and will require a Building & Safety submittal. However, the applicant has demonstrated the general location/footprint of development on each parcel in order to show compliance with the applicable development standards of Ordinance No. 348, specifically the A-1-1 Zone Classification.

#### Schedule "H" Subdivision

The proposed Project would be a Schedule "H" parcel map division, which is any division of land into 4 or less parcels, where all parcels are not less than 1 acre in gross area. The Project, therefore, must be consistent with section 10.13 of Ordinance No. 460. The Project has been conditioned to comply with all applicable standards of Ordinance No. 460, and therefore will be in compliance with the Schedule "H" division.

#### **ENVIRONMENTAL REVIEW / ENVIRONMENTAL FINDINGS**

The proposed Schedule "H" subdivision map has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (CEQA pursuant to Article 19, Section 15315, Minor Land Divisions), and none of the exceptions to this categorical exemption defined by State CEQA Guidelines Section 15300.2 apply. Class 15 consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when divisions is in conformance with the General Plan and zoning, and no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in the division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

The subdivision would result in three parcels that would, as proposed, be in compliance with the land use designation of Rural Community-Very Low Density Residential (RC-VLDR) as set forth in the General Plan, as well as the development standards of Ordinance No. 348 for the zoning classification

of Light Agriculture (A-1-1). In addition, the subject site has not been involved in a land division within the previous 2 years. There is no proposed development or grading with this Project, no average slopes greater than 20 percent, and no variances or exceptions required for approval. The Project has been reviewed and cleared by all relevant agencies, and it has been determined that, per local standards, there would be accessibility and services to the site.

In regard to the location being within an "urbanized" area, State CEQA Guidelines Section 15387 provides that the Lead Agency is to determine whether a particular area meets the criteria of "urbanization" by examining the area or by referring to a map prepared by the U.S. Bureau of Census designating the area as "urbanized". Section 15387 further provides that urbanized areas include areas having a population density of at least 1,000 persons per square mile that are adjacent to a city or group of contiguous cities with a population of 50,000 or more. The subject site is adjacent the City of Perris, with a population size of 78,897 people (2020 U.S. Census). This city can be classified as "urbanized" areas; thus, this standard has been met. Also, as previously stated, the Project is in a developed area, surrounded by residentially zoned property, and does not propose grading or construction of the subject site.

In addition, the Project will not result in any specific or general exceptions to the use of the categorical exemptions as detailed under State CEQA Guidelines Section 15300.2. The Project would not lead to cumulative impacts that overtime would be significant since the proposed subdivision results in parcels that are within the anticipated growth of the area. Therefore, the Project would not create a greater level of potential impacts beyond what already exists or was anticipated for the area, and all future projects that are similar to or are located within the same area will be evaluated pursuant to CEQA. The Project's proposed residential subdivision does not qualify as an unusual circumstance since the residential land use and zoning classification allow this subdivision pursuant to the applicable sections of the General Plan and Ordinance No. 348 for these designations. As such, the Project has been conditioned to comply with all applicable General Plan policies, County Ordinances, and State law for the proposed use. The Project is not located adjacent to a road that is designated as a State Scenic, eligible State Scenic, or County Eligible Scenic Highway. Therefore, no foreseeable specific or general exceptions to the use of the categorical exemptions would result with approval of this Project.

The Project has also been determined to be exempt pursuant to State CEQA Guidelines Section 15061(b)(3) (the Commonsense Exemption). The Commonsense Exemption applies to projects that can be evaluated, with certainty, to have no possibility of a significant impact on the environment. The Project is for the division of land only, so it does not propose grading or construction on-site; however, it has been conditioned for review by the various Departments if grading and construction were to occur so that it may be evaluated at that time against the applicable County and State standards. Therefore, if any potential environmental impacts were to be found at that time, further analysis can be requested for review before permit issuance. In addition, the zone classification of A-1-1 is highly consistent with the Project site's existing land use designation of RC-VLDR. Therefore, the site is in compliance with the standards and vision of the General Plan. Any future development would be subject to all applicable requirements, permits, and approvals by the County, at which point pertinent environmental documentation would need to be provided for further discretionary review under CEQA. No further environmental review is required at this time.

Based on these findings, the Project, as proposed, complies with the guidelines of the California Environmental Quality Act Article 19, Section 15315 Class 15 (Minor Land Divisions) and Section 15061(b)(3) (Common Sense Exemption). Therefore, the Project, as proposed, is exempt.

#### FINDINGS AND CONCLUSIONS

In order for the County to approve a proposed project, the following findings are required to be made:

#### Land Use Findings:

- 1. The Project site has a General Plan Foundational Component of Rural Community and a Land Use Designation of Very Low Density Residential (VLDR). The RC Foundation Component identifies communities and neighborhoods having a rural lifestyle, where animal - keeping uses and limited infrastructure are prevalent. The VLDR land use designation provides for the development of detached single family residential dwelling units and ancillary structures on large parcels at a density range of 1 dwelling unit per acre to 1 dwelling unit per two acres. Equestrian and other animal- keeping uses are expected and encouraged, and agriculture and small-scale commercial uses are permitted in this designation. The Project is consistent with this designation as it is a residential subdivision that will result in two residential lots that range from 1.18 gross acres to 1.30 gross acres, both parcels meeting and exceeding the 1-acre minimum parcel size set by the RC-VLDR land use. Therefore, the resulting parcels would align with the VLDR designation standards for minimum lot size, meeting the requirement that land uses compatibly develop in accordance with the General Plan and area plans (LU 7.1). In addition, the proposed map has been reviewed and/or conditioned to be consistent with the Residential Area Plan Land Use policies of the General Plan (LU 22.1 – 22.6). For example, these parcels will remain large residential lots that would not adversely impact the open space and rural character of the surrounding area as it would not significantly impact the housing density or traffic of the surrounding area (LU 22.3). For these reasons, and those additionally discussed in the findings below, the proposed Project is consistent with the objectives, policies, general land uses, and programs of the General Plan.
- 2. The project site has a Zoning Classification of Light Agriculture One Acre Minimum (A-1-1), which is highly consistent with the RC-VLDR Land Use Designation. The proposed Project, as designed and conditioned, complies with the applicable standards identified in Section 13.2 (A-1-1 Development Standards) of Ordinance No. 348, as further discussed in the Development Standards section below.
- 3. The Project site is bordered by properties that are being utilized for purposes that are compatible with the proposed Project's use. The subject site is bordered by residential properties that similarly have land use designations of RC-VLDR. Since the Project seeks to create a subdivision of two parcels that will be utilized for residential purposes, the Project, as proposed, would be consistent with the land use pattern in the Project area.

#### **Entitlement Findings:**

Tentative Parcel No. 38122 is a proposal to subdivide 2.49-acres into 2 lots. The findings required to approve a Map, pursuant to the provisions of the Riverside County Zoning Ordinance 460, are as follows:

1. The proposed map, subdivision design and improvements are consistent with General Plan, applicable community, and specific plans and with all applicable requirements of State law and the ordinances of Riverside County, because it meets the density requirements, the lot depth and width

requirements, and has no improvements proposed at this time, as described in the General Plan Findings Section above.

- 2. The site of the proposed land division is physically suitable for the type of development and density proposed of the development. The proposed subdivision of the subject site would meet the density and development standards of the RC-VLDR land use and the A-1-1 zoning classification in terms of lot size, setback requirements, and building intensity. Therefore, the proposed Project is consistent with this finding.
- 3. The design of the proposed land division is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The Project, as reviewed and conditioned by the relevant Departments, would be consistent with all applicable environmental standards of the County's Ordinances. It is for the division of land only, so grading or construction on-site is not currently proposed. However, it has been conditioned for review by the various Departments if grading and construction were to occur so that it may be evaluated at that time against the applicable County and State standards. Therefore, if any potential environmental impacts were to be found at that time, further analysis can be requested for review before permit issuance. Additionally, the subject site is not located in an area that has been mapped for conservation, nor is it adjacent or within an identified habitat area. Therefore, no impacts to fish or wildlife habitat are anticipated. Per these findings, staff has determined that it would be unlikely that environmental damage or injury to wildlife and their habitat would occur as a result of approval.
- 4. The design of the proposed land division or the type of improvements are not likely to cause serious public health problems. The Project is proposing a subdivision that results in parcels that are within the anticipated growth of the area. Since the Project would not create a greater level of potential impacts beyond what already exists or was anticipated for the area, the quality of living of the surrounding residents would align closely with what they currently experience. Additionally, there would not be a drastic increase in the volume of traffic in the neighborhood as a result of the Project. Thus, it would be unlikely that the air quality and vehicular access would change or be significantly impacted. Therefore, no foreseeable public health problems would be caused from approval of the project.
- 5. As indicated in the included project conditions of approval, the proposed land division includes the type of improvements as required by the Riverside County Land Division Ordinance for a Schedule "H" Map. The minimum improvements for a Schedule "H" parcel map division shall be as follows:
  - a. <u>Streets & Street Improvement Plans</u>. The Project has been conditioned by the Transportation Department regarding the streets, improvements, and parcel access. Any easement not owned by a public utility, public entity, or subsidiary, not relocated or eliminated prior to final map approval, shall be delineated on the final map in addition to having the name of the easement holder, and the nature of their interests, shown on the map. Additional conditions of approval have been added as needed to require street improvements, improvement plans, and/or road dedications that are in accordance with Ordinance No. 460 and Riverside County Road Improvement Standards (Ordinance No. 461).
  - b. Other Improvements. Domestic water, electrical, and communications purveyors have been determined to be available to the subject site, as listed under the "Utility Purveyors" heading of the tentative map. These suppliers were reviewed and confirmed through will-

serve letters to the County Departments overseeing these various utilities, and the Project has been conditioned for final confirmation of on-site utilities prior to occupancy of any residential structures to be placed on the subdivided lots. In addition, the minimum requirements for fire protection shall be those requirements set forth in Ordinance No. 787. Fire Department emergency vehicle apparatus access road locations and design shall be in accordance with the California Fire Code, Riverside County Ordinance 460, Riverside County Ordinance No. 787, and Riverside County Fire Department Standards. Fire Department water system(s) for fire protection shall be in accordance with the California Fire Code, Riverside County Ordinance No. 787 and Riverside County Fire Department Standards. Plans will be submitted to the Fire Department for review and approval prior to building permit issuance if future development is proposed on the subject site. These conditions of approval have been applied to the Project; therefore, this standard has been met.

- c. <u>Sewage Disposal</u>. The County of Riverside Environmental Health Department has conditioned the Project to provide on-site waste plans to ensure proper septic tank sizing, as well as a percolation report, to verify the availability of on-site sewage disposal prior to construction of any residential structures to be placed on the subdivided lots (80 E-Health. 1). Therefore, this standard has been met.
- d. <u>Agricultural Lands</u>. The subject site is not located within an agricultural preserve. The land is zoned A-1-1; however, it is not 5 acres in size or larger. Thus, it is not identified in the Riverside County Comprehensive General Plan as important farmland. As such, the Project is not exempt from all improvement requirements specified within this section.
- e. <u>Exceptions</u>. The subject site is not located within a County Service Area, so the exceptions granted to any parcel map division located in its entirety within a community services district would not be applicable.
- 6. The design of the proposed land division or the type of improvements will not conflict with easements, acquired by the public at large, for access through, or use of, property within the proposed land division. As determined through the necessary Departmental review and conditioning, the design of proposed land division or improvements would not conflict with easements acquired by the public at large, for access through, or use of, property within the proposed land division. Therefore, the Project meets this finding.
- 7. The lots or parcels as shown on the Tentative Map are consistent with the minimum size allowed by the project site's Zoning Classification. The A-1-1 zone requires a minimum lot size of 1 acre, a minimum width of 100 feet, and minimum depth of 150 feet. Parcel 1 would be approximately 1.18 gross acres, with a 133-foot width and 329-foot depth. Parcel 2 would be approximately 1.30 gross acres, with an approximately 196-foot width and 329-foot depth. Therefore, the Project would be in compliance with this requirement as both resulting parcels would meet the minimum lot size standards of the zoning classification.

#### **Development Standards Findings:**

The following standards of development shall apply in the A-1 Zone of Ordinance No. 348:

- 1. Lot Size. Lot size shall not be less than 20,000 square feet, with a minimum average lot width of 100 feet and a minimum average lot depth of 150 feet. The A-1-1 zone requires a minimum lot size of 1 acre, a minimum width of 100 feet, and minimum depth of 150 feet. Parcel 1 would be approximately 1.18 gross acres, with a 133-foot width and 320.17-foot depth. Parcel 2 would be approximately 1.30 gross acres, with an approximately 19.75-foot width and 329.38-foot depth. Therefore, the Project would be in compliance with this requirement as both resulting parcels would meet the minimum lot size standards of the zoning classification.
- 2. Yard Requirements. Minimum yard requirements shall be 20 feet front yard, five feet side yard, and ten feet rear yard. The front, side, and rear yard as measured from the structure on proposed Parcel 1 is approximately 30 feet, 36 feet, and 218 feet, respectively. The front, side, and rear yard as measured from the structure on proposed Parcel 2, with the existing manufactured home is approximately 30 feet, 26 feet, and 225 feet, respectively. Since these measurements exceed the minimum yard requirements, the Project is in compliance.
- 3. <u>Height.</u> One family residence shall not exceed forty (40') feet in height. No other building or structure shall exceed fifty (50') feet in height. The subject site is currently improved with a manufactured home (Parcel 2) that do not exceed 40 feet in height. No additional buildings or structures are proposed at this time. The Project has also been conditioned to meet this standard if future development is to be proposed on-site (AND Planning. 8). Therefore, the Project is in compliance.
- 4. <u>Animals.</u> Animals on existing lots less than 100 feet in width. If the average lot width of an existing lot is less than 100 feet, animals shall be kept a minimum of 100 feet from the principal street frontage. If such lot is a corner lot, animals shall also be kept not less than 20 feet from the rear lot line. For purposes of this section, the principal street frontage is the street frontage with the shortest dimension. There are no animals currently present on-site or that are proposed to be on-site as part of this Project scope. The Project has also been conditioned to meet this standard if future development of this use is to be proposed on-site (AND Planning. 8). Therefore, the Project complies with this standard.
- 5. <u>Automobile Storage.</u> Automobile storage space shall be provided as required by Section 18.12. of this ordinance. Approval of an off-street parking plan is not required as the project only proposes a subdivision. Upon the approval of the subdivision, each lot will have the compacity for a residential dwelling on the site with a driveway access from Mack St. Any proposed driveway access to a residential dwelling built would provide enough room for automobile storage. Therefore, the Project complies with this standard.

#### Other Findings

- 1. The project site is not located within a Criteria Cell of the Multi-Species Habitat Conservation Plan, nor a Conservation Area of the Coachella Valley Multiple Species Habitat Conservation Plan.
- 2. The project site is located within the City of Perris Sphere of Influence. This project was provided to for review and comment. No comments were received either in favor or opposition of the project.
- 3. The project site is located within the March Air Reserve Base, Zone D Airport Influence Area ("AIA") boundary and is therefore subject to the Airport Land Use Commission ("ALUC") review. The ALUC found the Project to be consistent with the March Air Reserve Land Use Compatibility Plan on October 18, 2021 (File No.: ZAP1498MA21). The letter of consistency has been included as an attachment to

this staff report, and all recommending conditions of approval by ALUC have been incorporated in the project's conditions of approval (15.Gen - ALUC).

- 4. The project site is located within Zone B of the Mount Palomar Observatory Lighting Zone boundary, as identified by Ordinance No. 655 (Mt. Palomar). The Project is required to comply with all lighting standards specified within Ordinance No. 655, pursuant to Zone B.
- 5. The project site is located within the Fee Assessment Area of the Stephen's Kangaroo Rat Habitat Conservation Plan ("SKRHCP"). Per County Ordinance No. 663 and the SKRHCP, all applicants who submit for development permits, including maps, within the boundaries of the Fee Assessment Area who cannot satisfy mitigation requirements through on-site mitigation, as determined through the environmental review process, shall pay a Mitigation Fee of \$500.00 per gross acre of the parcels proposed for development. Payment of the SKRHCP Mitigation Fee for this Project, instead of onsite mitigation, will not jeopardize the implementation of the SKRHCP as all core reserves required for permanent Stephen's Kangaroo Rat habitat have been acquired and no new land or habitat is required to be conserved under the SKRHCP.

#### Fire Findings

- 1. The project site is located within a Cal Fire State Responsibility Area ("SRA") and is within a moderate fire hazard severity zone. As a part of being within an SRA, the Director of the Department of Forestry and Fire Protection or his/her designee must be notified of applications for building permits, tentative tract/parcel maps, and use permits for construction or development within an SRA. Riverside County Code Section 8.32.050 (C) (2) states that the Fire Chief is authorized and directed to enforce all applicable State fire laws and provisions of this ordinance and to perform such duties as directed by the Board of Supervisors. As designated, the Riverside County Assistant Fire Marshall shall have the authority to enforce all applicable State fire laws that the notification requirement of Title 14 has been met. The following additional findings are required to be met:
  - a. This land division has been designed so that each lot, and the subdivision as a whole, is in compliance sections 4290 and 4291 of the Public Resources Code by providing a defensible space within each lot of 100 feet from each side, front and rear of a pad site, requiring that the site have fuel modification standards acceptable to the Riverside County Fire Department, requiring a minimum 10-foot clearance of all chimneys or stovetop exhaust pipes, no buildings shall covered or have dead brush overhang the roof line and requiring that the roof structure shall be maintained free of leaves, needles, or other vegetation.
  - b. Fire protection and suppression services will be available for the subdivision through Riverside County Fire Department. The Riverside County Fire Department Station 59 is located within 1 mile away from the proposed subdivision.
  - c. The project meets the regulations regarding road standards for fire equipment access adopted pursuant to Section 4290 of the Public Resources Code and Riverside County Ordinance No. 787 by road standards for fire equipment access.

#### Conclusion

1. For the reasons discussed above, the proposed project conforms to all the requirements of the General Plan and with all applicable requirements of State law and the ordinances of Riverside

County. Moreover, the proposed project would not be detrimental to the health, safety, or general welfare of the community.

#### PUBLIC HEARING NOTIFICATION AND COMMUNITY OUTREACH

This project was advertised in the Press Enterprise Newspaper. Additionally, public hearing notices were mailed to property owners within 600 feet of the project site. As of the writing of this report, Planning Staff has not received written communication/phone calls from community members in support or opposition of the proposed project.

This project was not required to present before the Mead Valley MAC.

#### APPEAL INFORMATION

The Director's Hearing decision may be appealed to the Planning Commission. Such appeals shall be submitted in writing to the Clerk of the Board, with the required fee as set forth in Ordinance No. 671 (Consolidated Fees for Land Use and Related Functions), within 10 days after the Director's Hearing decision.



## COUNTY OF RIVERSIDE TRANSPORTATION AND LAND MANAGEMENT AGENCY



Charissa Leach, P.E.
Assistant CEO/TLMA Director

09/13/23, 9:12 am TPM38122

#### ADVISORY NOTIFICATION DOCUMENT

The following notifications are included as part of the recommendation of approval for TPM38122. They are intended to advise the applicant of various Federal, State and County regulations applicable to this entitlement and the subsequent development of the subject property.

#### **Advisory Notification**

#### Advisory Notification. 1 AND - Preamble

This Advisory Notification Document is included as part of the justification for the recommendation of approval of this Plan (TPM38122) and is intended to advise the applicant of various Federal, State and County regulations applicable to this entitlement and the subsequent development of the subject property in accordance with approval of that entitlement and are in addition to the applied conditions of approval.

#### Advisory Notification. 2 AND - Project Description & Operational Limits

Tentative Parcel Map No. 38122 is a proposal for a Schedule "H" subdivision of 2.48 gross acre lot into two residential lots that are 1.18 gross acres (Parcel 1) and 1.30 gross acres (Parcel 2), respectively. No grading o construction is proposed Parcel 1. Parcel 2 consists of an existing manufactures home on site.

The above is hereinafter referred to as "The Project" or "Project."

The Project site is within the Mead Valley Area Plan. The Project is located north of Church Street, west of Old Elsinore Road, south of Mack Street, and east of Clark Street.

#### Advisory Notification. 3 AND - Design Guidelines

Compliance with applicable Design Guidelines:

1. County Wide Design Guidelines and Standards

#### Advisory Notification. 4 AND - Exhibits

The development of the premises shall conform substantially with that as shown on APPROVED [MAP and/or] EXHIBIT(S)

APPROVED EXHIBIT A: Tentative Parcel Map No. 38122 dated 3/15/23.

#### Advisory Notification. 5 AND - Federal, State & Local Regulation Compliance

- 1. Compliance with applicable Federal Regulations, including, but not limited to:
  - National Pollutant Discharge Elimination System (NPDES)
  - Clean Water Act

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#### ADVISORY NOTIFICATION DOCUMENT

#### **Advisory Notification**

#### Advisory Notification. 5 AND - Federal, State & Local Regulation Compliance (cont.)

- Migratory Bird Treaty Act (MBTA)
- 2. Compliance with applicable State Regulations, including, but not limited to:
- The current Water Quality Management Plan (WQMP) Permit issued by the applicable Regional Water Quality Control Board (RWQCB.)
  - Government Code Section 66020 (90 Days to Protest)
  - Government Code Section 66499.37 (Hold Harmless)
  - State Subdivision Map Act
  - Native American Cultural Resources, and Human Remains (Inadvertent Find)
  - School District Impact Compliance
- Civil Code Section 815.3 & Government Code Sections 65040.2 et al SB 18 (Tribal Intergovernmental Consultation) {for GPAs, SPs, & SPAs
  - Public Resources Code Section 5097.94 & Sections 21073 et al AB 52 (Native Americans: CEQA)]
- 3. Compliance with applicable County Regulations, including, but not limited to:
  - Ord. No. 348 (Land Use Planning and Zoning Regulations)
  - Ord. No. 413 (Regulating Vehicle Parking)
  - Ord. No. 457 (Building Requirements)
  - Ord. No. 458 (Regulating Flood Hazard Areas & Implementing National Flood Insurance Program)
  - Ord. No. 460 (Division of Land)
  - Ord. No. 461 (Road Improvement Standards)
  - Ord. No. 625 (Right to Farm)
  - Ord. No. 630 (Regulating Dogs and Cats)
  - Ord. No. 716 (Abandoned, Neglected or Cruelly Treated Animals)
  - Ord. No. 771 (Controlling Potentially Dangerous & Dangerous Animals)
  - Ord. No. 878 (Regarding Noisy Animals)
  - Ord. No. 655 (Regulating Light Pollution)
  - Ord. No. 671 (Consolidated Fees)
  - Ord. No. 787 (Fire Code)
  - Ord. No. 847 (Regulating Noise)
  - Ord. No. 915 (Regulating Outdoor Lighting)
  - Ord. No. 916 (Cottage Food Operations)
  - Ord. No. 927 (Regulating Short Term Rentals)
- 4. Mitigation Fee Ordinances
  - Ord. No. 659 Development Impact Fees (DIF)
  - Ord. No. 663 Stephens Kangaroo Rat Habitat Conservation Plan (SKR)
  - Ord. No. 810 Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP)
  - Ord. No. 824 Western Riverside County Transportation Uniform Mitigation Fee (WR TUMF)

#### Advisory Notification. 6 AND - Hold Harmless

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside or its agents, officers, and employees (COUNTY) from the following:

(a) any claim, action, or proceeding against the COUNTY to attack, set aside, void, or annul an approval of

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#### ADVISORY NOTIFICATION DOCUMENT

#### **Advisory Notification**

#### Advisory Notification. 6 AND - Hold Harmless (cont.)

the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the Tentative Parcel Map, or its associated environmental documentation; and,

- (b) any claim, action or proceeding against the COUNTY to attack, set aside, void or annul any other decisior made by the COUNTY concerning the Tentative Parcel Map, including, but not limited to, decisions made in response to California Public Records Act requests; and
- (a) and (b) above are hereinafter collectively referred to as "LITIGATION."

The COUNTY shall promptly notify the applicant/permittee of any LITIGATION and shall cooperate full in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such LITIGATION or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify or hold harmless the COUNTY.

The obligations imposed by this condition include, but are not limited to, the following: the applicant/permittee shall pay all legal services expenses the COUNTY incurs in connection with any such LITIGATION, whether it incurs such expenses directly, whether it is ordered by a court to pay such expenses, or whether it incurs such expenses by providing legal services through its Office of County Counsel.

Payment for COUNTY's costs related to the LITIGATION shall be made on a deposit basis. Within thirty (30) days of receipt of notice from COUNTY that LITIGATION has been initiated against the Project, applicant/permittee shall initially deposit with the COUNTY's Planning Department the total amount of Twenty Thousand Dollars (\$20,000). Applicant/permittee shall deposit with COUNTY such additional amounts as COUNTY reasonably and in good faith determines, from time to time, are necessary to cover costs and expenses incurred by the COUNTY, including but not limited to, the Office of County Counsel, Riverside County Planning Department and the Riverside County Clerk of the Board associated with the LITIGATION. To the extent such costs are not recoverable under the California Public Records Act from the records requestor, applicant/permittee agrees that deposits under this section may also be used to cover staff time incurred by the COUNTY to compile, review, and redact records in response to a Public Records Act request made by a petitioner in any legal challenge to the Project when the petitioner is using the Public Records Act request as a means of obtaining the administrative record for LITIGATION purposes. Within ten (10) days of written notice from COUNTY, applicant/permittee shall make such additional deposits.

#### **BS-Plan Check**

BS-Plan Check. 1

Gen - Custom

**NOTIFICATIONS:** 

CODE/ORDINANCE REQUIREMENTS:

The applicant shall obtain the required building permit(s) from the building department prior to any construction on the property. All building plans and supporting documentation shall comply with current adopted California Building Codes, Riverside County Ordinances regulations in effect at the time of building plan submittal and fee payment to the Building Department. All Building Department plan submittal and fee requirements shall apply.

NOTE: The new updated 2019 California Building Codes will be in effect as of January 1st 2020, as mandated

#### **BS-Plan Check**

#### BS-Plan Check. 1

Gen - Custom (cont.)

by the state of California. Any building plan and fee payment submitted to the building department on or after January 1st, 2020 will be subject to the new updated California Building Code(s). PERMIT ISSUANCE:

Per section 105.1 (2019 California Building Code, CBC): Where any owner or authorized agent intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical, or plumbing system, the regulation of which is governed by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

The applicant shall obtain the required building permit(s) from the building department prior to any construction or placement of any building, structure or equipment on the property.

The applicant shall obtain an approved final building inspection and certificate of occupancy from the building department prior to any use or occupancy of the building, or structure.

At no time shall the approval of the planning case exhibit allow for the construction or use of any building, structure, or equipment. In residential applications, each separate structure will require a separate building permit.

#### PERMITTED BUILDINGS:

#### CWP:

Where any building, structure, equipment, alteration, use, change of use, or utility has been fully or partially constructed, placed or installed on a property without permit, the applicant shall comply with current Building Department policies and procedures with regards to construction without permit (CWP).

The applicant may obtain a demolition permit to remove the CWP item from the property, or may begin the process to obtain the required building permit(s). Due to public safety concerns, time frames have been reduced to ensure that all minimum code and safety requirements per all applicable departments have been satisfied. Building plans and supporting documents and required verification documents shall be submitted to the building department with fee payment for review prior to any approval of the current planning case.

NOTE: Where a building and/or structure has been constructed, altered, or placed on the property without permit, the applicable building/structure shall not be occupied or in use until a final approved building inspection has been received. If the non-permitted/non- approved use and/or occupancy persists without full approval from applicable county departments, the applicant/owner is doing so at their own risk.

#### E Health

#### E Health. 1

#### **DEH ECP Comments**

If previously unidentified contamination or the presence of a naturally occurring hazardous material is discovered at the site, assessment, investigation, and/or cleanup may be required. Contact Riverside County Environmental Health - Environmental Cleanup Programs at (951) 955-8980, for further information.

#### **Fire**

Fire. 1

Gen - Custom

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#### ADVISORY NOTIFICATION DOCUMENT

**Fire** 

#### Fire. 1 Gen - Custom (cont.)

- 1. Fire Protection Water Supplies/Fire Flow Minimum fire flow for the construction of all buildings is required per CFC Appendix B(, NFPA 1142) or other approved method. Prior to building permit issuance for new construction, the applicant shall provide documentation to the Fire Department to show there exists a water system capable of delivering the required fire flow. Specific design features may increase or decrease the required fire flow. Reference CFC 507.3
- 2. Residential Fire Sprinklers: Residential fire sprinklers are required in all one and two-family dwellings per the California Residential Code (CRC) and manufactured homes per Riverside County Ordinance 787. Plans must be submitted to the Office of the Fire Marshal for review and be approved prior to installation. Reference CRC 313.2.

Modular Homes Fire Sprinklers: Residential fire sprinklers are required in all modular homes installed which were built on or after April 30, 2011. Plans must be submitted to the Office of the Fire Marshal for review and be approved prior to installation. Verification of adequate fire flow for the sprinkler system will be required. Reference CFC 903.2 as amended by the County of Riverside.

3. Wildfire Protection Building Construction - Projects in the Local Responsibility Area Very High Fire Hazard Severity Zone and State Responsibility Area Very High, High and Moderate Fire Hazard Severity Zones shall comply with Chapter 7A of the California Building Code and California Code of Regulations Title 14 Fire Safety Regulations. Reference CFC 4905.

Flood

#### Flood. 1

#### FLOOD HAZARD REPORT

FLOOD HAZARD REPORT: 04/21/2021

BB ID: 278-571-671

Tentative Parcel Map (TPM) 38122 is a proposal for a Schedule "H" subdivision of 2.26 acres into two (2) residential lots. The site is located in the Mead Valley area, north or Church Street, east of Clark Street, south of Mack Street, and west of Old Elsinore Road.

The exhibit provided, dated May 2020, proposes to divide the site into lots 1 and 2, which are 1.13 and 1.14 acres net respectively. Lot 2 (east half of the parcel map) has an existing residential structure, patio cover, septic system and driveway. Lot 1 (west half of the parcel map) is currently undeveloped, but exhibits show it could be developed to be identical to lot 2.

The area is generally sloped toward the northeast. There is a defined watercourse southeast of the property with a tributary of approximately 190 acres, for which the Mead Valley MDP proposed culverts "30 east of the site on Mack Street, and culvert "31" southwest of the project on Clark Street. There are also smaller tributaries to northwest of the project. There are no existing drainage facilities in the area, and the submitted plans do not propose any improvements. The site may be subject to offsite flooding from adjacent watercourses.

The project site is located within the bounds of the Lake Mathews Area Drainage Plan (ADP) for which drainage fees have been established by the Board of Supervisors. Applicable ADP fees will be due (in accordance with the Rules and Regulations for Administration of Area Drainage Plans) prior to issuance of permits for this project. Although the current fee for this ADP is \$3,815 per acre, the fee due will be based on the fee in effect at the time of payment. The fee is payable to the Flood Control District by cashier's

#### Flood

#### Flood. 1

#### FLOOD HAZARD REPORT (cont.)

check or money order only. The District will not accept personal or company checks. The drainage fee is required to be paid prior to the issuance of the grading permits or issuance of the building permits if grading permits are not issued.

Any questions pertaining to this project may be directed to Kelly O'Sullivan at 951-955-8851 or kosulliv@rivco.org.

#### **Planning**

#### Planning. 1

#### 90 DAYS TO PROTEST

The project applicant has 90 days from the date of approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the imposition of any and all fees, dedications, reservations and/or other exactions imposed on this project as a result of the approval or conditional approval of this project.

#### Planning. 2

#### **ALUC Conditions**

- 1. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
- 2. The following uses/activities are not included in the proposed project and shall be prohibited at this site, in accordance with Note A on Table 4 of the Mead Valley Area Plan:
- (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- (e) Hazards to flight.
- 3. The notice as attached in ALUC's July 12, 2021 letter shall be given to all prospective purchasers of the property and tenants of the building, and shall be recorded as a deed notice.
- 4. Any proposed detention basins or facilities shall be designed so as to provide for a maximum 48-hour detention period for the design storm (may be less, but not more), and to remain totally dry between

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#### ADVISORY NOTIFICATION DOCUMENT

#### **Planning**

#### Planning. 2 ALUC Conditions (cont.)

rainfalls. Vegetation in and around the detention basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. Landscaping in and around the detention basin(s) shall not include trees or shrubs that produce seeds, fruits, or berries.

Landscaping in the detention basin, if not rip-rap, should be in accordance with the guidance provided in ALUC "LANDSCAPING NEAR AIRPORTS" brochure, and the "AIRPORTS, WILDLIFE AND STORMWATER MANAGEMENT" brochure available at RCALUC.ORG which list acceptable plants from Riverside County Landscaping Guide or other alternative landscaping as may be recommended by a qualified wildlife hazard biologist. The infiltration basin shall be designed in accordance with all parameters identified in the Wildlife Hazard Management at Riverside County Airports: Background and Policy.

A notice sign in a form similar to that attached to ALUC's consistency letter, shall be permanently affixed to the stormwater basin with the following language: "There is an airport nearby. This stormwater basins is designed to hold stormwater for only 48 hours and not attract birds. Proper maintenance is necessary to avoid bird strikes." The sign will also include the name, telephone number or other contact information of the person or entity responsible to monitor the stormwater basin.

5. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive or irrigation controllers, access gates, etc.

#### Planning. 3 FEE BALANCE

Prior to issuance of grading permits, the Planning Department shall determine if the deposit based fees are in a negative balance. If so, any outstanding fees shall be paid by the applicant/developer.

#### Planning. 4 FEES FOR REVIEW

Any subsequent review/approvals required by the conditions of approval, including but not limited to grading or building plan review or review of any mitigation monitoring requirement, shall be reviewed on an hourly basis, or other appropriate fee, as listed in County Ordinance No. 671. Each submittal shall be accompanied with a letter clearly indicating which condition or conditions the submittal is intended to comply with.

#### Planning. 5 HOLD HARMLESS - 015 - PLANNING

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside or its agents, officers, and employees (COUNTY) from the following:

- (a) any claim, action, or proceeding against the COUNTY to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the TENTATIVE PARCEL MAP NO. 38122 or its associated environmental documentation; and,
- (b) any claim, action or proceeding against the COUNTY to attack, set aside, void or annul any other decision made by the COUNTY concerning the TENTATIVE PARCEL MAP NO. 38122 including, but not limited to,

#### **Planning**

#### Planning. 5

#### **HOLD HARMLESS - 015 - PLANNING (cont.)**

decisions made in response to California Public Records Act requests; and

(a) and (b) above are hereinafter collectively referred to as "LITIGATION."

The COUNTY shall promptly notify the applicant/permittee of any LITIGATION and shall cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such LITIGATION or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify or hold harmless the COUNTY.

The obligations imposed by this condition include, but are not limited to, the following: the applicant/permittee shall pay all legal services expenses the COUNTY incurs in connection with any such LITIGATION, whether it incurs such expenses directly, whether it is ordered by a court to pay such expenses, or whether it incurs such expenses by providing legal services through its Office of County Counsel.

Payment for COUNTY's costs related to the LITIGATION shall be made on a deposit basis. Within thirty (30) days of receipt of notice from COUNTY that LITIGATION has been initiated against the Project, applicant/permittee shall initially deposit with the COUNTY's Planning Department the total amount of Twenty Thousand Dollars (\$20,000). Applicant/permittee shall deposit with COUNTY such additional amounts as COUNTY reasonably and in good faith determines, from time to time, are necessary to cover costs and expenses incurred by the COUNTY, including but not limited to, the Office of County Counsel, Riverside County Planning Department and the Riverside County Clerk of the Board associated with the LITIGATION. To the extent such costs are not recoverable under the California Public Records Act from the records requestor, applicant/permittee agrees that deposits under this section may also be used to cover staff time incurred by the COUNTY to compile, review, and redact records in response to a Public Records Act request made by a petitioner in any legal challenge to the Project when the petitioner is using the Public Records Act request as a means of obtaining the administrative record for LITIGATION purposes. Within ten (10) days of written notice from COUNTY, applicant/permittee shall make such additional deposits.

#### Planning. 6

#### **Map Expiration Date**

The conditionally approved Tentative Map shall expire three years after the County of Riverside Planning Director's original approval date, unless extended as provided by the County Ordinance No. 460. A Tentative Map could have up to two (2) extension of times, of three (3) years each, for a total of nine (9) years to record. Action on a minor change and/or revised map request shall not extend the time limits of the originally approved Tentative Map. If the Tentative Map expires before the recordation of the Final Map, or any phase thereof, no recordation of the Final Map, or any phase thereof, shall be permitted.

#### Planning. 7

#### **PLANNING - MAP 90 DAYS TO PROTEST**

The land divider has 90 days from the date of approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the imposition of any and all fees, dedications, reservations and/or other exactions imposed on this project as a result of the approval or conditional approval of this project.

#### Planning. 8

PLANNING - MAP - Cause for Revocation - 015 - Planning

#### **Planning**

#### Planning. 8

#### PLANNING - MAP - Cause for Revocation - 015 - Planning (cont.)

In the event the use hereby permitted under this permit,

- a) is found to be in violation of the terms and conditions of this permit,
- b) is found to have been obtained by fraud or perjured testimony, or
- c) is found to be detrimental to the public health, safety or general welfare, of is a public nuisance, this permit shall be subject to revocation procedures.

#### Planning. 9

#### **Planning - MAP - EXPIRATION DATE**

The conditionally approved TENTATIVE MAP shall expire three years after the County of Riverside Board of Supervisors' original approval date, unless extended as provided by County Ordinance No. 460. Action on a minor change and/or revised map request shall not extend the time limits of the originally approved TENTATIVE MAP. If the TENTATIVE MAP expires before the recordation of the FINAL MAP, or any phase thereof, no recordation of the FINAL MAP, or any phase thereof, shall be permitted.

#### Planning. 10

#### Planning - Map - FEES FOR REVIEW - 015 - Planning

Any subsequent review/approvals required by the conditions of approval, including but not limited to grading or building plan review or review of any mitigation monitoring requirement, shall be reviewed on an hourly basis, or other appropriate fee, as listed in County Ordinance No. 671. Each submittal shall be accompanied with a letter clearly indicating which condition or conditions the submittal is intended to comply with.

#### Planning. 11

#### Planning - MAP - ZONING STANDARDS - 015 - Planning

Lots created by this TENTATIVE MAP shall be in conformance with the development standards of the Light Agriculture (A-1) Zone of Ordinance No. 348. The Development Standards are as follows:

A. Lot size shall not be less than 20,000 square feet, with a minimum average lot width of 100 feet and a minimum average lot depth of 150 feet, unless larger minimum lot area and dimensions are specified for a particular area or use

- B. Minimum yard requirements shall be 20 feet front yard, five feet side yard, and ten feet rear yard.
- C. One family residences shall not exceed forty (40') feet in height. No other building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to Section 18.34. of this ordinance. In no event, however, shall a building exceed seventy-five (75') feet in height or any other structure exceed one hundred five (105') feet in height, unless a variance is approved pursuant to Section 18.27. of this ordinance.
- D. Animals on existing lots less than 100 feet in width. If the average lot width of an existing lot is less than 100 feet, animals shall be kept a minimum of 100 feet from the principal street frontage. If such lot is a corner lot, animals shall also be kept not less than 20 feet from the rear lot line. For purposes of this section, the principal street frontage is the street frontage with the shortest dimension.

#### **Planning**

Planning. 11

Planning - MAP - ZONING STANDARDS - 015 - Planning (cont.)

E. Automobile storage space shall be provided as required by Section 18.12. of this ordinance

Planning. 12

**Zoning Standards** 

Lots created by this Tentative Map shall be in conformance with the development standards of the Ordinance No. 348 (A-1-1) zone.

#### Planning-CUL

#### Planning-CUL. 1

**Human Remains** 

If human remains are found on this site, the developer/permit holder or any successor in interest shall comply with State Health and Safety Code Section 7050.5.

#### Planning-CUL. 2

#### **Unanticipated Resources**

The developer/permit holder or any successor in interest shall comply with the following for the life of this permit.

If during ground disturbance activities, unanticipated cultural resources\* are discovered, the following procedures shall be followed:

All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted and the applicant shall call the County Archaeologist immediately upon discovery of the cultural resource. A meeting shall be convened between the developer, the project archaeologist\*\*, the Native American tribal representative (or other appropriate ethnic/cultural group representative), and the County Archaeologist to discuss the significance of the find. At the meeting with the aforementioned parties, a decision is to be made, with the concurrence of the County Archaeologist, as to the appropriate treatment (documentation, recovery, avoidance, etc.) for the cultural resource. Resource evaluations shall be limited to nondestructive analysis.

Further ground disturbance shall not resume within the area of the discovery until the appropriate treatment has been accomplished.

- \* A cultural resource site is defined, for this condition, as being a feature and/or three or more artifacts in close association with each other.
- \*\* If not already employed by the project developer, a County approved archaeologist shall be employed by the project developer to assess the significance of the cultural resource, attend the meeting described above, and continue monitoring of all future site grading activities as necessary.

#### **Transportation**

#### Transportation. 1

#### **RCTD - GENERAL CONDITIONS**

The Project shall submit a preliminary soils and pavement investigation report addressing the construction requirements within the road right-of-way.

Additional information, standards, ordinances, policies, and design guidelines can be obtained from the Transportation Department Web site: http://rctlma.org/trans/. If you have questions, please call the Plan

#### **Transportation**

Transportation. 1 RCTD - GENERAL CONDITIONS (cont.)

Check Section at (951) 955 6527.

Improvement plans for the required improvements must be prepared and shall be based upon a design profile extending a minimum of 300 feet beyond the limit of construction at a grade and alignment as approved by the Riverside County Transportation Department. Completion of road improvements does not imply acceptance for maintenance by County. Street Improvement Plans shall comply with Ordinance 460, 461, Riverside County Improvement Plan Check Policies and Guidelines, which can be found online http://rctlma.org/trans.

### Riverside County PLUS CONDITIONS OF APPROVAL

Page 1

Plan: TPM38122 Parcel: 318240070

50. Prior To Map Recordation

Flood

050 - Flood. 1

ADP Fee Notice

Not Satisfied

A notice of drainage fees shall be placed on the Environmental Constraint Sheet and Final Map. The exact wording of the note shall be as follows:

#### NOTICE OF DRAINAGE FEES

"Notice is hereby given that this property is located in the Lake Mathews Area Drainage Plan which was adopted by the Board of Supervisors of the County of Riverside pursuant to Section 10.25 of Ordinance No. 460 and Section 66483, et seq, of the Government Code and that said property is subject to fees for said drainage area. Notice is further given that, pursuant to Section 10.25 of Ordinance No. 460, payment of the drainage fees shall be paid to the Riverside County Flood Control and Water Conservation District at the time of issuance of the grading or building permit for said parcels, whichever occurs first, and that the owner of each parcel, at the time of issuance of either the grading or building permit, shall pay the fee required at the rate in effect at the time of issuance of the actual permit."

050 - Flood. 2

Submit ECS & Final Map

Not Satisfied

A copy of the Environmental Constraint Sheet and the Final Map shall be submitted to the District for review and approval. All submittals shall be date stamped by the engineer and include a completed Flood Control Deposit Based Fee Worksheet and the appropriate plan check fee deposit.

**Planning** 

050 - Planning. 1

ECS Note-Mt. Palomar Lighting

**Not Satisfied** 

The following Environmental Constraint Note shall be placed on the ECS: This property is subject to lighting restrictions as required by Ordinance No. 655, which are intended to reduce the effects of night lighting on the Mount Palomar Observatory. All proposed outdoor lighting systems shall be in conformance with Ordinance No. 655."

050 - Planning. 2

**ECS** Prepared

Not Satisfied

The land divider shall prepare an Environmental Constraints Sheet (ECS) in accordance with Section 2.2. E. & F. of Ordinance No. 460, which shall be submitted as part of the plan check review of the FINAL MAP.

050 - Planning. 3

**FEE BALANCE** 

Not Satisfied

Prior to recordation, the Planning Department shall determine is the deposit based fees for the TENTATIVE MAP are in a negative balance. If so, any unpaid fees shall be paid by the land divider and/or the land divider's successor in interest.

050 - Planning. 4

REQUIRED APPLICATIONS

Not Satisfied

No FINAL MAP shall record until TPM38122 has been approved and adopted by the Board of Supervisors and has been made effective. This land division shall conform with the development standards of the designation and/or zone ultimately applied to the property.

Survey

050 - Survey. 1

**RCTD - FINAL MAP REQUIREMENTS** 

Not Satisfied

The final map shall comply with the following requirements, as approved by the Transportation Department, to clear this condition:

### Riverside County PLUS CONDITIONS OF APPROVAL

Page 2

Plan: TPM38122 Parcel: 318240070

50. Prior To Map Recordation

Survey

050 - Survey. 1

RCTD - FINAL MAP REQUIREMENTS (cont.)

Not Satisfied

- Any easement not owned by a public utility, public entity or subsidiary, not relocated or eliminated prior to final map approval, shall be delineated on the final map in addition to having the name of the easement holder, and the nature of their interests, shown on the map.
- The Project shall install survey monumentation as directed by the Survey Division and Transportation Department, or bond and enter into an agreement with the Transportation Department.

#### Transportation

050 - Transportation. 1

RCTD - ROAD IMPROVEMENTS & DEDICATIONS

Not Satisfied

Approval of the Street Improvement plans by the Transportation Department will clear this condition. The Project shall provide the following improvements:

Mack Street along the project is a County-maintained road designated as a Secondary Highway. The applicant shall dedicated 50-feet half-width right-of-way in accordance with County Standard No. 94, Ord. No. 461. The existing pavement shall be reconstructed; or resurfaced as determined by the Transportation Department. In addition, Standard No. 206, Ord. No. 461 shall be utilized for new driveway installations and/or modifications to existing driveways. Gates are to be located 67-feet from the street centerline.

The Project shall provide/acquire sufficient dedicated public right-of-way, environmental clearances, and signed approval of all street improvement plans for the above improvements. The limits of the improvements shall be consistent with the approved tentative map unless otherwise specified in these conditions. Should the applicant fail to acquire the necessary off-site right of way, the map will be returned for redesign.

#### 60. Prior To Grading Permit Issuance

Flood

060 - Flood. 1

ADP Fee - Map

Not Satisfied

Parcel Map (PM) 38122 is located within the boundaries of the Lake Mathews Area Drainage Plan (ADP) for which the Board of Supervisors has adopted drainage fees pursuant to Ordinance No. 460. Applicable ADP fees will be due (in accordance with the Rules and Regulations for Administration of Area Drainage Plans) prior to issuance of permits for this project. Although the current fee for this ADP is \$3,815 per acre, the fee due will be based on the fee in effect at the time of payment. Drainage fees shall be paid directly to the District. Personal or corporate checks will not be accepted for payment.

#### **Planning**

060 - Planning. 1

**CEQA Filing** 

Not Satisfied

Prior to grading permit issuance, the applicant shall confirm filing of an NOD/NOE as applicable for the original entitlement application and filing of applicable filing fees.

060 - Planning. 2

Fee Balance

Not Satisfied

Prior to issuance of grading permits, the Planning Department shall determine if the deposit based fees for the TENTATIVE MAP are in a negative balance. If so, any outstanding fees shall be paid by the applicant/developer.

### Riverside County PLUS CONDITIONS OF APPROVAL

Page 3

Plan: TPM38122 Parcel: 318240070

60. Prior To Grading Permit Issuance

**Planning** 

060 - Planning. 2

Fee Balance (cont.)

Not Satisfied

060 - Planning. 3

**REQUIRED APPLICATIONS** 

Not Satisfied

No grading permits shall be issued until TPM38122 has been approved and adopted by the Board of Supervisors and has been made effective.

060 - Planning. 4

SKR FEE CONDITION

Not Satisfied

Prior to the issuance of a grading permit, the land divider/permit holder shall comply with the provisions of Riverside County Ordinance No. 663, which generally requires the payment of the appropriate fee set forth in that ordinance. The amount of the fee required to be paid may vary depending upon a variety of factors, including the type of development application submitted and the applicability of any fee reduction or exemption provisions contained in Riverside County Ordinance No. 663. Said fee shall be calculated on the approved development project which is anticipated to be 2.48 acres (gross) in accordance with the TENTATIVE MAP. If the development is subsequently revised, this acreage amount may be modified in order to reflect the revised development project acreage amount. In the event Riverside County Ordinance No. 663 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 663 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

060 - Planning. 5

#### SLOPE GRADING TECHNIQUES

Not Satisfied

The land divider/permit holder shall cause grading plans to be prepared which show all cut slopes located adjacent to ungraded natural terrain and exceed ten (10) feet in vertical height to be contour-graded incorporating the following grading techniques:

- 1. The angle of the graded slope shall be gradually adjusted to the angle of the natural terrain.
- 2. Angular forms shall be discouraged. The graded form shall reflect the natural rounded terrain.
- 3. The toes and tops of slopes shall be rounded with curves with radii designed in proportion to the total height of the slopes where drainage and stability permit such rounding.
- 4. Where cut and/or fill slopes exceed 300 feet in horizontal length, the horizontal contours of the slope shall be curved in a continuous, undulating fashion.

#### Planning-EPD

060 - Planning-EPD. 1 0060-EPD-30-Day Burrowing Owl Preconstruction Surve Not Satisfied

Pursuant to Objectives 6 & 7 of the Species Account for the Burrowing Owl included in the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), within 30 days prior to the issuance of a grading permit, a pre-construction presence/absence survey for the burrowing owl shall be conducted by a qualified biologist who holds a Memorandum of Understanding with the County. The survey results shall be provided in writing to the Environmental Programs Division (EPD) of the Planning Department. If the grading permit is not obtained within 30 days of the survey, a new survey shall be required. If it is determined that the project site is occupied by the Burrowing Owl, take of "active" nests shall be avoided pursuant to the MSHCP and the Migratory Bird Treaty Act. Burrowing Owl relocation shall only be allowed to take place outside of the burrowing owl nesting season (nesting season is March 1 through August 31) and is required to be performed by a qualified biologist familiar with relocation methods. The County Environmental Programs Department shall be consulted to determine appropriate type of relocation (active or

### Riverside County PLUS CONDITIONS OF APPROVAL

Page 4

Plan: TPM38122 Parcel: 318240070

60. Prior To Grading Permit Issuance

Planning-EPD

060 - Planning-EPD. 1 0060-EPD-30-Day Burrowing Owl Preconstruction Surve Not Satisfied passive) and potential translocation sites. Burrowing Owl Protection and Relocation Plans and Biological Monitoring Plans are required to be reviewed and approved by the California Department of Fish and Wildlife.

060 - Planning-EPD. 2

0060-EPD-Nesting Bird Survey (MBTA)

Not Satisfied

Birds and their nests are protected by the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Wildlife (CDFW) Codes. Since the project supports suitable nesting bird habitat, removal of vegetation or any other potential nesting bird habitat disturbances shall be conducted outside of the avian nesting season. Nesting bird season is February 15st through August 31st. If habitat or structures that support nesting birds must be cleared during the nesting season, a preconstruction nesting bird survey shall be conducted.

The preconstruction nesting bird survey must be conducted by a biologist who holds a current MOU with the County of Riverside. If nesting activity is observed, appropriate avoidance measures shall be adopted to avoid any potential impacts to nesting birds. The nesting bird survey must be completed no more than 3 days prior to any ground disturbance. If ground disturbance does not begin within 3 days of the survey date a second survey must be conducted. Prior to the issuance of a grading permit the project proponent must provide written proof to the Riverside County Planning Department, Environmental Programs Division (EPD) that a biologist who holds an MOU with the County of Riverside has been retained to carry out the required survey. Documentation submitted to prove compliance prior to grading permit issuance must at a minimum include the name and contact information for the Consulting Biologist and a signed statement from the Consulting Biologist confirming that they have been contracted by the applicant to conduct a Preconstruction Nesting Bird Survey. In some cases EPD may also require a Monitoring and Avoidance Plan prior to the issuance of a grading permit.

Prior to finalization of a grading permit or prior to issuance of any building permits the projects consulting biologist shall prepare and submit a report to Environmental Programs Division (EPD) documenting the results of the pre-construction nesting bird survey.

80. Prior To Building Permit Issuance

**BS-Grade** 

080 - BS-Grade. 1

NO GRADING VERIFICATION

**Not Satisfied** 

Prior to the issuance of any building permits, the applicant shall comply with the County of Riverside Department of Building and Safety "NO GRADING VERIFICATION" requirements. The "NO GRADING VERIFICATION" is not required if the applicant obtains a grading permit.

E Health

080 - E Health. 1

DEH- Health Clearance

Not Satisfied

Established water is required if any structures are proposed for this project that will utilize an Onsite wastewater treatment system OWTS.

080 - E Health. 2

**OWTS Plans** 

Not Satisfied

OWTS Report consistent with Riverside County current DEH- LAMP is required prior to building permit issuance.

### Riverside County PLUS CONDITIONS OF APPROVAL

Page 5

Plan: TPM38122 Parcel: 318240070

80. Prior To Building Permit Issuance

E Health

080 - E Health. 2

OWTS Plans (cont.)

Not Satisfied

Flood

080 - Flood. 1

ADP Fee - Map

Not Satisfied

Parcel Map (PM) 38122 is located within the boundaries of the Lake Mathews Area Drainage Plan (ADP) for which the Board of Supervisors has adopted drainage fees pursuant to Ordinance No. 460. Applicable ADP fees will be due (in accordance with the Rules and Regulations for Administration of Area Drainage Plans) prior to issuance of permits for this project. Although the current fee for this ADP is \$3,815 per acre, the fee due will be based on the fee in effect at the time of payment. Drainage fees shall be paid directly to the District. Personal or corporate checks will not be accepted for payment.

#### **Planning**

080 - Planning. 1

Fee Balance

Not Satisfied

Prior to issuance of building permits, the Planning Department shall determine if the deposit based fees for project are in a negative balance. If so, any outstanding fees shall be paid by the applicant/developer.

080 - Planning. 2

Planning-Map - School Mitigation

Not Satisfied

Impacts to the Val Verde Unified School District shall be mitigated in accordance with California State law.

080 - Planning. 3

**Roof Mountated Equipment** 

Not Satisfied

Roof-mounted mechanical equipment shall not be permitted within the subdivision, however, solar equipment or any other energy saving devices shall be permitted with County Planning Department approval.

080 - Planning. 4

School Mitigation

Not Satisfied

Impacts to the \_\_\_\_\_ School District shall be mitigated in accordance with California State law.

080 - Planning. 5

**Underground Utilities** 

Not Satisfied

All utility extensions within a lot shall be placed underground.

90. Prior to Building Final Inspection

E Health

090 - E Health. 1

E Health Clearance

Not Satisfied

Prior to building permit final, clearance must be obtained from the Department of Environmental Health.

**Planning** 

090 - Planning. 1

Ordinance No. 659 DIF

Not Satisfied

Prior to the issuance of either a certificate of occupancy or prior to building permit final inspection, the applicant shall comply with the provisions of Riverside County Ordinance No. 659, which requires the payment of the appropriate fee set forth in the Ordinance. Riverside

Page 6

Plan: TPM38122 Parcel: 318240070

#### 90. Prior to Building Final Inspection

**Planning** 

090 - Planning. 1 Ordinance No. 659 DIF (cont.)

Not Satisfied

County Ordinance No. 659 has been established to set forth policies, regulations and fees related to the funding and construction of facilities necessary to address the direct and cumulative environmental effects generated by new development projects described and defined in this Ordinance, and it establishes the authorized uses of the fees collected.

The fee shall be paid for each residential unit to be constructed within this land division. In the event Riverside County Ordinance No. 659 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 659 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

090 - Planning 2 Planning - Map - SKR FEE CONDITION - 090 - PlanningNot Satisfied

Prior to the issuance of a certificate of occupancy, or upon building permit final inspection, whichever comes first, the land divider/permit holder shall comply with the provisions of Riverside County Ordinance No. 663, which generally requires the payment of the appropriate fee set forth in that ordinance. The amount of the fee required to be paid may vary depending upon a variety of factors, including the type of development application submitted and the applicability of any fee reduction or exemption provisions contained in Riverside County Ordinance No. 663. Said fee shall be calculated on the approved development project which is anticipated to be 2.48 acres (gross), in accordance with the TENTATIVE MAP. If the development is subsequently revised, this acreage amount may be modified in order to reflect the revised development project acreage amount.

090 - Planning. 3 USE - ORD 810 O S FEE (MSHCP) - 090 - Planning Not Satisfied

Prior to the issuance of a certificate of occupancy upon building permit final inspection prior to use or occupancy for cases without final inspection or certificate of occupancy (such as an SMP), whichever comes first, the applicant shall comply with the provisions of Riverside County Ordinance No. 810, which requires the payment of the appropriate fee set forth in the Ordinance. The fee shall be paid for each residential unit to be constructed within this land division.

090 - Planning. 4 USE - ORD NO. 659 (DIF) - 090 - Planning Not Satisfied

Prior to the issuance of either a certificate of occupancy or prior to building permit final inspection, the applicant shall comply with the provisions of Riverside County Ordinance No. 659, which requires the payment of the appropriate fee set forth in the Ordinance. Riverside County Ordinance No. 659 has been established to set forth policies, regulations and fees related to the funding and construction of facilities necessary to address the direct and cumulative environmental effects generated by new development projects described and defined in this Ordinance, and it establishes the authorized uses of the fees collected.

The fee shall be paid for each residential unit to be constructed within this land division. In the event Riverside County Ordinance No. 659 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 659 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

Transportation

### Riverside County PLUS CONDITIONS OF APPROVAL

Page 7

Plan: TPM38122 Parcel: 318240070

90. Prior to Building Final Inspection

Transportation

090 - Transportation. 1

RCTD - FEE PAYMENT (cont.)

Not Satisfied

Prior to the time of issuance of a Certificate of Occupancy or upon final inspection, whichever occurs first, the Project shall pay fees in accordance with the fee schedule in effect at the time of payment:

• All Transportation Uniform Mitigation Fees (TUMF) in accordance with Ordinance 824.

# RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

October 18, 2021

Mr. Jason Allin, Project Planner County of Riverside Planning Department 4080 Lemon Street, 12<sup>th</sup> Floor Riverside CA 92501

VICE CHAIR Steve Manos Lake Elsinore

Palm Springs

Steven Stewart

CHAIR

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW – DIRECTOR'S DETERMINATION

COMMISSIONERS

Arthur Butler Riverside

> John Lyon Riverside

Russell Betts Desert Hot Springs

> Richard Stewart Moreno Valley

Michael Geller Riverside

STAFF

Director Paul Rull

Simon A. Housman Jackie Vega Barbara Santos

County Administrative Center 4080 Leman St., 14th Floor. Riverside, CA 92501 (951) 955-5132

www.rcaluc.org

File No.: ZAP1498MA21

Related File No.: TPM38122 (Tentative Parcel Map)

APN: 318-240-070

Airport Zone: Compatibility Zone D

Dear Mr. Allin:

Under the delegation of the Riverside County Airport Land Use Commission (ALUC) pursuant to Policy 1.5.2(d) of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan, staff reviewed County of Riverside Case No. TPM38122 (Tentative Parcel Map), a proposal to divide 2.49 acres into 2 parcels located at 21581 Mack Street, easterly of Clark Street, westerly of Old Elsinore Road, and northerly of Church Street.

The site is located within Airport Compatibility Zone D of the March Air Reserve Base/Inland Port Airport Influence Area (AIA). Within Compatibility Zone D of the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, residential density is not restricted.

The elevation of Runway 14-32 at March Air Reserve Base/Inland Port Airport at its southerly terminus is approximately 1,488 feet above mean sea level (AMSL). At a distance of 18,530 feet from the runway to the project, Federal Aviation Administration Obstruction Evaluation Services (FAA OES) review could be required for any structures with a top of roof exceeding 1,673 feet AMSL. The project site elevation is 1,717 feet AMSL. No building permits for new structures are in process at this time, and review by the Federal Aviation Administration Obstruction Evaluation Services (FAA OES) is not a prerequisite to land division. Therefore, FAA OES review for height/elevation reasons was not required. However, a condition has been included that all future buildings will require FAA OES review before permit issuance.

As ALUC Director, I hereby find the above-referenced project **CONSISTENT** with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, provided that the County of Riverside applies the following recommended conditions:

#### **CONDITIONS:**

1. Any new outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be

#### AIRPORT LAND USE COMMISSION

downward facing.

- 2. The following uses/activities are not included in the proposed project and shall be prohibited at this site.
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, wastewater management facilities, artificial marshes, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)
  - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
  - (e) Hazards to flight.
- 3. The attached "Notice of Airport in Vicinity" shall be provided to all prospective purchasers and occupants of the property.
- 4. Any proposed detention basins or facilities shall be designed and maintained to provide for a maximum 48-hour detention period following the design storm, and remain totally dry between rainfalls. Vegetation in and around the detention basins that would provide food or cover for birds would be incompatible with airport operations and shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. Landscaping in and around the detention basin(s) shall not include trees or shrubs that produce seeds, fruits, or berries.

Landscaping in the detention basin, if not rip-rap, should be in accordance with the guidance provided in ALUC "LANDSCAPING NEAR AIRPORTS" brochure, and the "AIRPORTS, WILDLIFE AND STORMWATER MANAGEMENT" brochure available at <u>RCALUC.ORG</u> which list acceptable plants from Riverside County Landscaping Guide or other alternative landscaping as may be recommended by a qualified wildlife hazard biologist.

A notice sign, in a form similar to that attached hereto, shall be permanently affixed to the stormwater basin with the following language: "There is an airport nearby. This stormwater basin is designed to hold stormwater for only 48 hours and not attract birds. Proper maintenance is necessary to avoid bird strikes". The sign will also include the

#### AIRPORT LAND USE COMMISSION

name, telephone number or other contact information of the person or entity responsible to monitor the stormwater basin.

- 5. Prior to issuance of building permits for any new buildings, the permittee shall provide to the Building and Safety a "Determination of No Hazard to Air Navigation" letter from the Federal Aviation Administration Obstruction Evaluation Service.
- 6. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.

If you have any questions, please feel free to contact me at (951) 955-6893.

Sincerely,

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Paul Rull, ALUC Director

Attachments: Notice of Airport in Vicinity

cc: Rod Arsalan (applicant/representative)

Antonio and Maria Hernandez (property owner)

Gary Gosliga, Airport Manager, March Inland Port Airport Authority

David Shaw, Base Civil Engineer, March Air Reserve Base

**ALUC Case File** 

X:\AIRPORT CASE FILES\March\ZAP1498MA21\ZAP1498MA21.LTR.doc

## NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) (13)(A)

## NOTICE

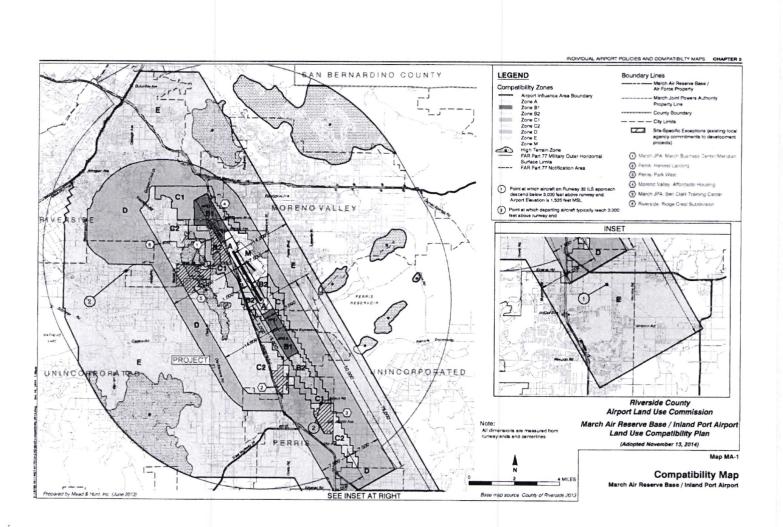
# THERE IS AN AIRPORT NEARBY. THIS STORM WATER BASIN IS DESIGNED TO HOLD STORM WATER FOR ONLY 48 HOURS AND NOT TO ATTRACT BIRDS

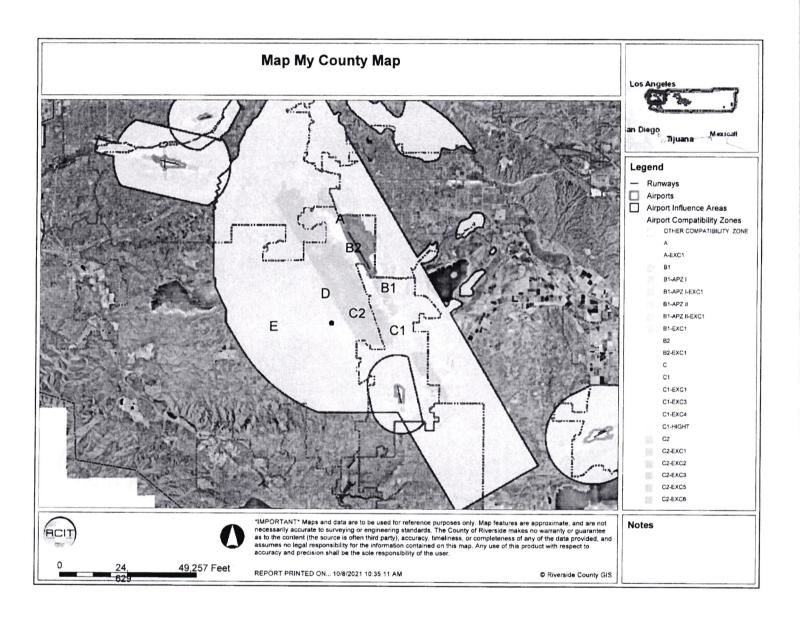
## PROPER MAINTENANCE IS NECESSARY TO AVOID BIRD STRIKES

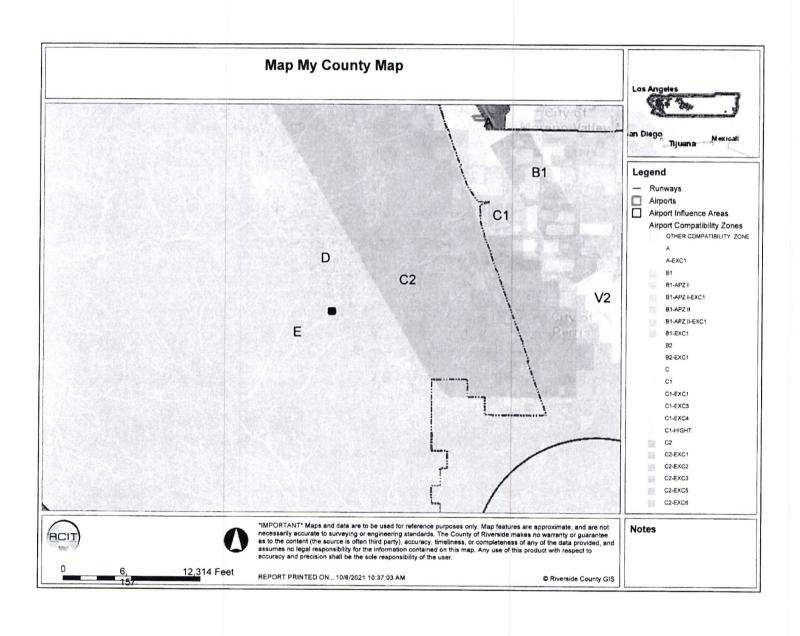
IF THIS BASIN IS OVERGROWN, PLEASE CONTACT:

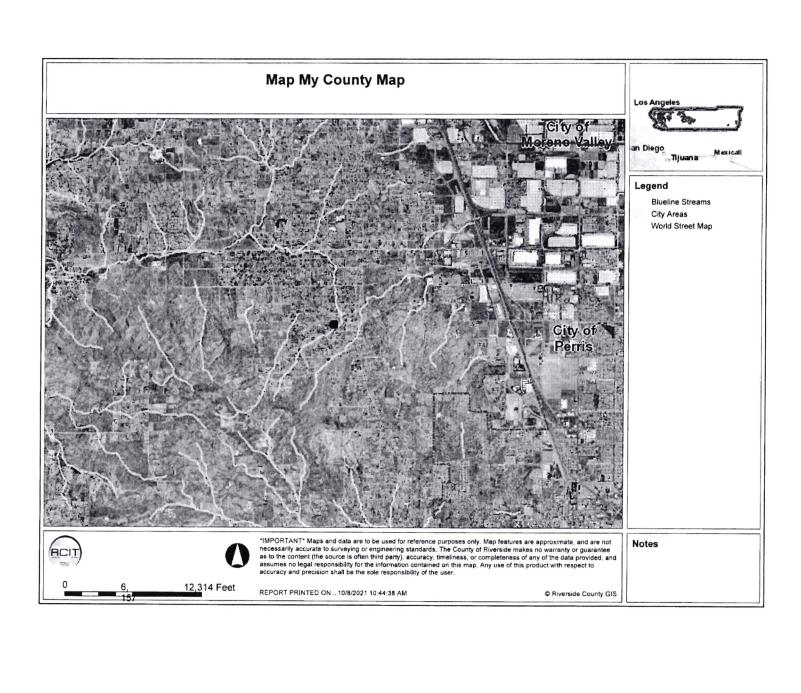


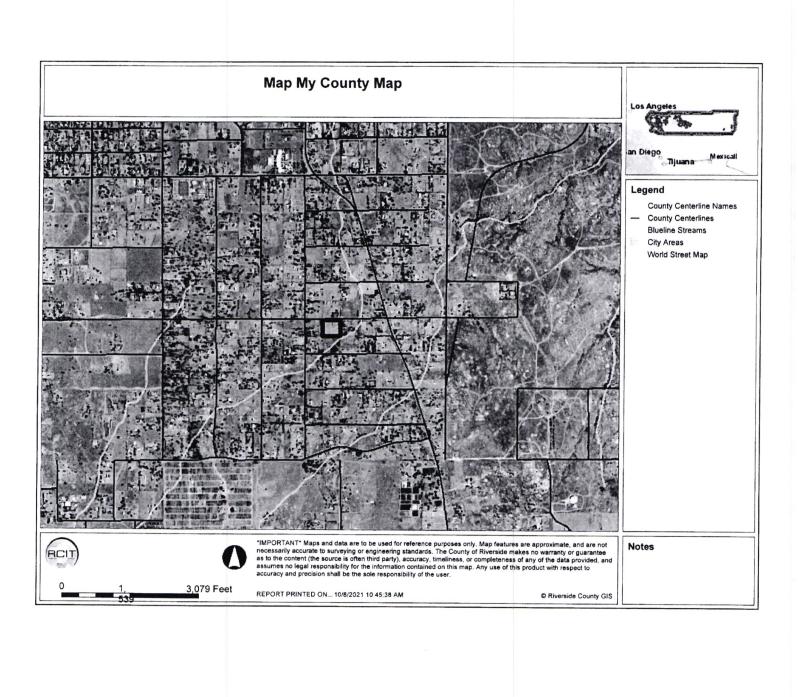
M = = -	Diamer	
Name:	Phone:	

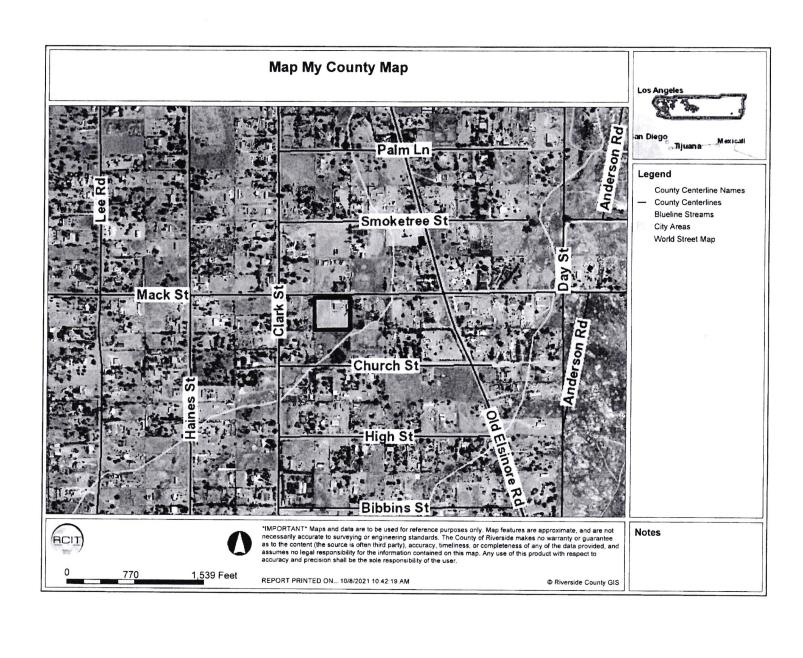


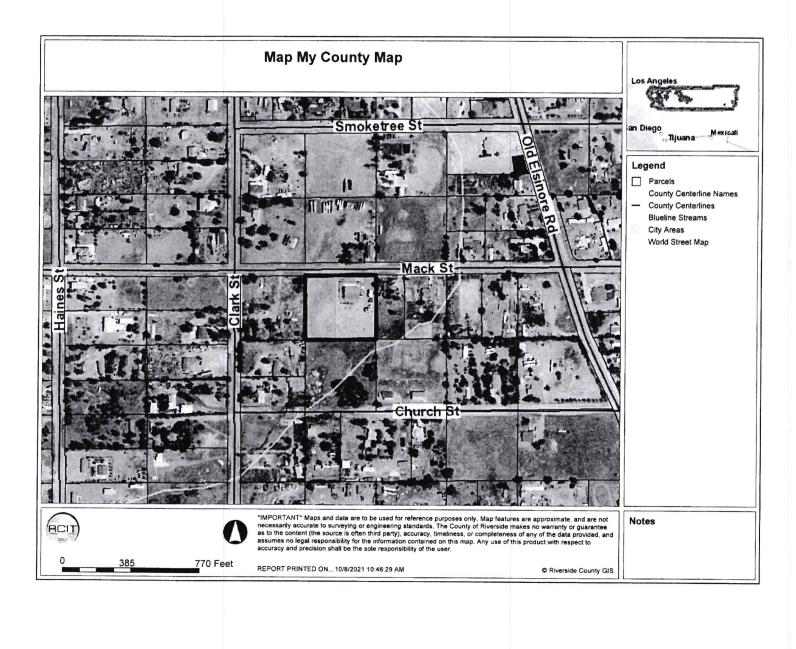


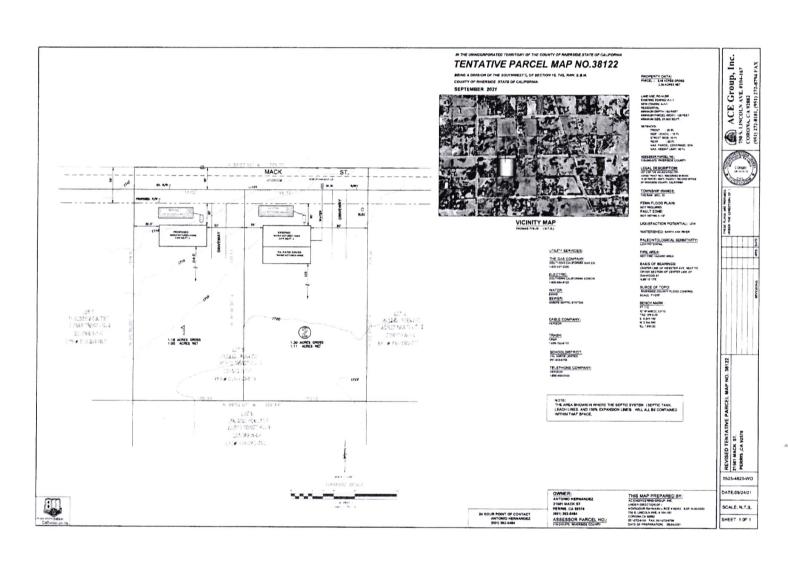












318221044 MIGUEL ANGEL CASTILLO 21450 MACK ST PERRIS CA 92570 318230036 MARIA BLANCA TREVINO 20441 OLD ELSINORE RD PERRIS CA 92570

318230085 MARILYN ALEJANDRA CASTANEDA 21675 PINEWOOD ST PERRIS CA 92570 318230086 YASSO-GUDINO ALISON TRUST 21747 SMOKETREE ST PERRIS CA 92570

318221045 ARMANDO CASTELLANOS 20455 CLARK ST PERRIS CA 92570 318221046 RAUL CAUDILLO 20421 CLARK ST PERRIS CA 92570

318230027 MARIA MUNOZ 20421 OLD ELSINORE RD PERRIS CA 92570 318230037 MARIA BLANCA TREVINO 20441 OLD ELSINORE RD PERRIS CA 92570

318230065 COLLEEN D. JACKSON 849 MANZANITA ST PASADENA CA 91103 318230066 GEORGE A. JONES 21590 MACK ST PERRIS CA 92570

318230067 DAVID H. VALDEZ 1835 ALHAMBRA ST NORCO CA 92860 318230068 ALBERT VEGA 21700 MACK ST PERRIS CA 92570

318230069 HAYDEE FRANCO 20451 OLD ELSINORE RD PERRIS CA 92570 318230084 BRAULIO R. CORTEZ-MARTINEZ 20515 BURNS ST PERRIS CA 92570 318240013 GENARO B. LOPEZ 21720 CHURCH ST PERRIS CA 92570 318240014 VEGA HUERTA LIVING TRUST 1472 PALERMO DR PERRIS CA 92571

318240019 ANTONIO MUNOZ 1755 W 38TH ST LOS ANGELES CA 90037 318240036 CHARLIE FRANCO MORENO 21701 CHURCH ST PERRIS CA 92570

318240037 MANUEL ORTEGA-PEREZ 21571 CHURCH ST PERRIS CA 92570 318240064 WHITE HATTIE M REVOCABLE TRUST 20594 CLARK ST PERRIS CA 92570

318240066 DAVID K. CARTER 1271 N RAMONA BLVD SAN JACINTO CA 92582 318240070 ANTONIO HERNANDEZ 21581 MACK ST PERRIS CA 92570

318240073 PEDRO CONTRERAS 112 PEROU ST PERRIS CA 92570 318251048 ISIDRO U. SILVAR 20641 CLARK ST PERRIS CA 92570

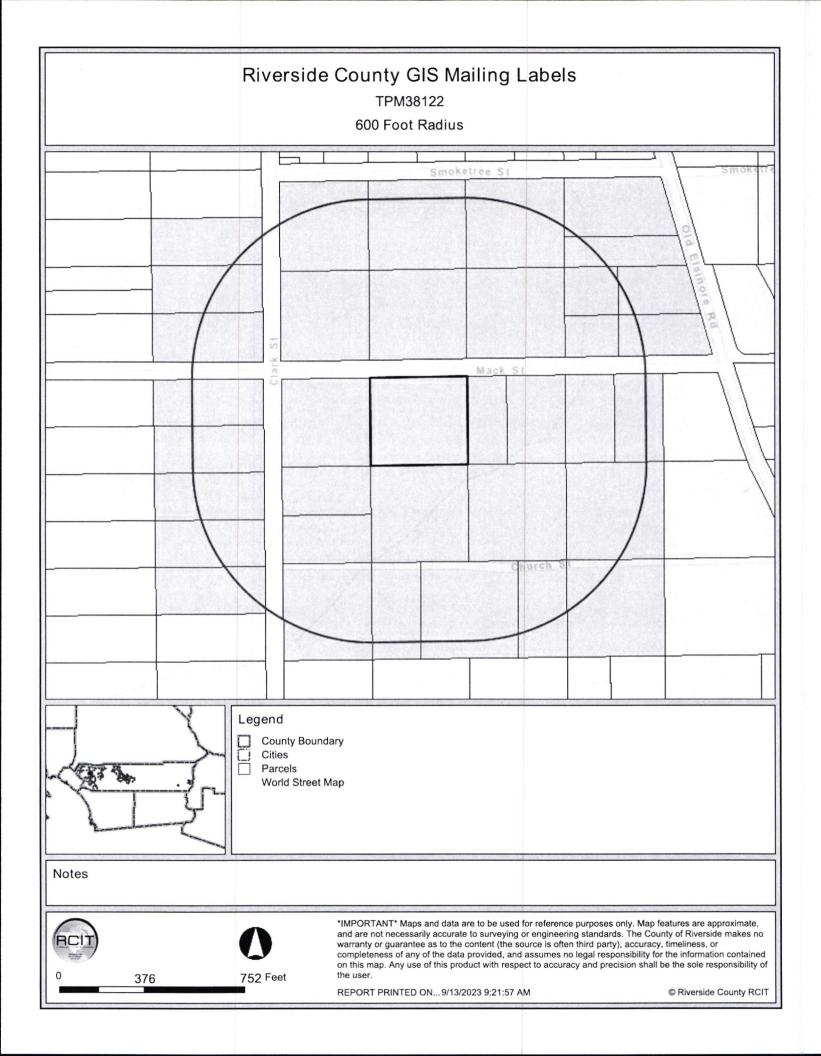
318251051 JUAN ALEMAN PENALOZA JOSE 20553 CLARK ST PERRIS CA 92570 318230095 ANA LUISA LOPEZ 20470 CLARK ST PERRIS CA 92570

318240015 IRA ARTHELL NEIGHBORS 1122 W 56TH ST SAN BERNARDINO CA 92407 318240020 WANDA MARIE LITTLE 2151 W RIALTO AVE SPC 50 SAN BERNARDINO CA 92410 318240067 MANUEL MORALES BALTAZAR 20598 CLARK ST PERRIS CA 92570 318240068 EVANGELINA MACIAS 946 S FLORE ST ANAHEIM CA 92802

318240071 RMT PROP 31902 AVENIDA EVITA SAN JUAN CAPISTRANO CA 92675 318240072 CARLIN M. GOODE 21665 MACK ST PERRIS CA 92570

318240074 DOMINGO RODRIGUEZ 21731 MACK ST PERRIS CA 92570 318251049 GUSTAVO LOPEZ 20621 CLARK ST PERRIS CA 92570

318251050 HOOPER LUTHER J 20595 CLARK ST PERRIS CA 92570 318251052 LACEY K. OLIVER PO BOX 363982 N LAS VEGAS NV 89036



### PROPERTY OWNERS CERTIFICATION FORM APN 318-240-070

,Rene Aguilar_			, certify that on			
			Print Name)			
8/202023 (Date)	the att	ached proper	ty owners list			
'	ared by	Rene A	Aguilar			
1 1	J			ompany or Indivi	dual's Name)	
Distance	Buffered: _	600'				
Pursuant	to applicati	on requirem	ents furnished b	by the Riverside	: County Plan	ning Department;
Said list	is a comple	te and true c	ompilation of the	he owners of the	e subject prop	perty and all other
property	owners with	hin 600 feet	of the property	y involved, or i	f that area yi	ields less than 25
different	owners, all	property own	ners within a no	tification area ex	xpanded to yi	eld a minimum of
25 differ	ent owners,	to a maximu	ım notification	area of 2,400 fe	et from the p	roject boundaries,
based up	on the lates	t equalized a	ssessment rolls.	If the project	is a subdivisi	on with identified
off-site a	ccess/impro	vements, said	l list includes a	complete and tru	ie compilation	of the names and
mailing	addresses o	f the owner	s of all prope	rty that is adja	acent to the	proposed off-site
improve	ment/alignm	ent.				
I further	certify that	the informa	tion filed is true	e and correct to	the best of i	my knowledge. I
understa	nd that incor	rect or incon	plete information	on may be grour	nds for rejection	on or denial of the
applicati	on.					
NAME:	F	Rene Aguila	r			
TITLE/I	REGISTRA	TION	Urban Reg	gional Planner I	Ι	
ADDRE	ESS:4080	Lemon St l	Foor 12			
		Riverside, (	CA 92501			
TELEPI	HONE (8 a	m – 5 n m	)· (951	1) 955-6573		