

RESOLUTION NUMBER 3933

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 35226 (06-0485) TO SUBDIVIDE A 0.37 ACRE PARCEL INTO TWO RESIDENTIAL LOTS IN THE R-6,000 ZONE OF THE PERRIS DOWNTOWN SPECIFIC PLAN LOCATED ON THE NORTHEAST CORNER OF "B" STREET AND SOUTH BLVD., AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, on November 27, 2006, the applicant filed Tentative Parcel Map 35226 (06-0485) to subdivide 0.37-net-acre lot into two parcels designated R-6,000 in the Perris Downtown Specific Plan area; and

WHEREAS, the project is categorically exempt from CEQA under Class 15, Minor Land Divisions. This class consists of the minor division of property in urbanized areas zoned for residential, commercial or industrial use into four or fewer parcels; and

WHEREAS, Tentative Parcel Map #35226 has been duly noticed; and

WHEREAS, on February 21, 2007, the Planning Commission conducted a duly noticed public hearing on the proposed Tentative Parcel Map, considered testimony and materials in the staff report and accompanying documents, and recommended approval of the proposed project to the City Council; and

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

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

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

Section 2. The City Council has reviewed and considered the environmental information included in the Staff Report and accompanying attachments prior to taking action on the application for the proposed project and finds that the project could not have a significant effect on the environment. Therefore, the project is categorically exempt from CEQA under Class 15, Minor Land Divisions. The City Council further finds that the City has complied with the California Environmental Quality Act, and that the Commission's determination reflects the independent judgment of the City.

Section 3. Based on the information contained within the Project Report and the accompanying attachments and exhibits, the City Council hereby finds that:

Tentative Parcel Map 35226

- A. The proposed project will not result in significant adverse environmental effects.
- B. The proposed project is consistent with the goals and policies of the Land Use Element of the General Plan in that the project design is consistent with the neighboring single-family lots.
- C. The proposed project and design, as conditioned, is in compliance with the applicable zoning ordinances and Subdivision Map Act.
- D. The proposed project and design, as conditioned, is consistent with city standards, ordinances and policies in that it is consistent with the neighboring tracts, and that the variance for lot depth is within the City's governing code because of unique physical limitations surrounding the property.
- E. The project will not affect health, safety, and welfare.

Section 4. The City Council hereby approves Tentative Parcel Map 35226 (06-0485) based on the information and findings presented in the Staff Report (dated February 21, 2007), and subject to the attached Conditions of Approval.

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

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

Attachments: Planning Conditions of Approval
Engineering Conditions of Approval

ADOPTED, SIGNED and APPROVED this 13th day of March, 2007.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Judy L. Haughney

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

I, Judy L. Haughney, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 3933 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 13th day of March, 2007, and that it was so adopted by the following called vote:

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

City Clerk, Judy L. Haughney

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

**CONDITIONS OF APPROVAL
(RESOLUTION NUMBER 3933)**

Tentative Tract Map (35226) P06-0485

March 13, 2007

PROJECT: A proposal to subdivide a .37 acre parcel into two (2) residential lots in the northeast corner of "B" Street and South Blvd (APN #313-253-011).

1. **Approval Period.** In accordance with the Subdivision Map Act, the recordation of the final map shall occur within two (2) years from the approval date unless an extension is granted. The applicant may apply for a maximum of five (5) one-year extensions, to permit additional time to record the final map. A written request for extension shall be submitted to the Planning Division at least thirty (30) days prior to the expiration of Tentative Map approval.
2. **Final Map.** A final map shall be submitted to the Planning Division with payment of appropriate fees for review and approval, concurrently with an application to the City Engineer. Prior to recordation of the Final Map, the developer shall obtain the following clearances or approvals:
 - a. Verification from the Planning Division that all pertinent conditions of approval have been met, as mandated by the Perris Municipal Code; and
 - b. Any other required approval from an outside agency.
3. **City Engineer.** The proposed project shall adhere to the requirements of the City Engineer as indicated in the February 13, 2007 memorandum, attached.
4. **ADA Compliance.** The project shall conform to all disabled access requirements in accordance with the State of California, Title 24, and Federal Americans with Act (ADA).

GENERAL REQUIREMENTS

5. **Indemnification/Hold Harmless.** The developer/applicant shall indemnify, protect, defend, and hold harmless the City, and any agency or instrumentality thereof, and/or any of its officers, employees and agents, from any and all claims, actions, or proceedings against the City, or any agency or instrumentality thereof, or any of its officers,

employees and agents, to attack, set aside, void, annul, or seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body, including actions approved by the voters of the City, concerning Tentative Parcel Map (35226) 06-0485. The City shall promptly notify the developer/applicant of any claim, action, or proceeding for which indemnification is sought and shall further cooperate fully in the defense of the action.

6. **Graffiti.** Graffiti located on site shall be removed within 48 hours. The site shall be maintained in a graffiti-free state at all times.

CONDITIONS FOR FUTURE CONSTRUCTION ON SITE

7. **Construction Practices.** To reduce potential noise and air quality nuisances, the following items shall be listed as "General Notes" on the construction drawings:
 - a. Construction activity and equipment maintenance is limited to the hours between 7:00 a.m. and 7:00 p.m. Per Zoning Ordinance, Noise Control, Section 7.34.060, it is unlawful for any persons between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day, or on a legal holiday, or on Sundays, to erect, construct, demolish, excavate, alter or repair any building or structure in a manner as to create disturbing excessive or offensive noise. Construction activity shall not exceed 80 dBA in residential zones in the City.
 - b. Stationary construction equipment that generates noise in excess of 65 dBA at the project boundaries must be shielded when located at within 100 feet of occupied residences. The equipment area with appropriate acoustic shielding shall be designated on building and grading plans. Equipment and shielding shall remain in the designated location throughout construction activities.
 - c. Construction routes are limited to City of Perris designated truck routes or otherwise approved by the Building Official.
 - d. Water trucks or sprinkler systems shall be used during clearing, grading, earth moving, excavation, transportation of cut or fill materials, and construction phases, to prevent dust from leaving the site and to create a crust after each day's activities cease. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
 - e. A person or persons shall be designated to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. The name and telephone number of such person(s) shall be provided to the City.
 - f. Project applicants shall provide construction site electrical hook-ups for electric hand tools such as saws, drills, and compressors, as practical, to eliminate the

need for diesel-powered electric generators or provide evidence that electrical hook-ups at construction sites are not practical or prohibitively expensive.

FEES

8. **School District.** The proposed project shall adhere to the standard requirements and mitigation fees established by the Perris Elementary and Perris Union High ~~Unified~~ School Districts.
9. **Fees.** The developer shall pay the following fees according to the timeline noted herein:
 - a. Prior to building permits, the applicant shall pay Stephen's Kangaroo Rat Mitigation Fees of \$500.00 per acre;
 - b. Prior to building permits, the applicant shall pay City Development Impact Fees in effect at the time of development;
 - c. Prior to building permits, the applicant shall pay Multi-Species Habitat Conservation Plan fees in effect at that time;
 - d. Prior to building permits, the applicant will pay the statutory school fees in effect at issuance of building permits to all appropriate school districts;
 - e. The applicant shall pay any outstanding development processing fees prior to occupancy;
 - f. Prior to the issuance of building permits, the developer shall pay Transportation Uniformed Mitigation Fees (TUMF) in effect at the time of development; and
 - g. The applicant shall pay all liens owed to the City prior to occupancy.

PRIOR TO ISSUANCE OF BUILDING PERMITS

10. **Assessment Districts.** The project shall be annexed into any assessment, community facilities, or similar district that provides funding for maintenance, services, or public improvements that benefit the project. The costs and benefits shall be described in the applicable district and annexation documents. The Developer shall complete all actions required to complete such annexation prior to the issuance of a certificate of occupancy. This condition shall apply only to districts existing at the time the Planned Development Overlay and Development Plan Review is approved. Such districts may include, but are not limited to, the following:
 - a. Landscape Maintenance District No. 1;
 - b. Flood Control Maintenance District No. 1 (may include Streets);
 - c. Maintenance District No. 84-1 (Street Lights and Traffic Signals);
 - d. North **or** South Perris Public Service Community Facilities District (Police, Fire and Parks Maintenance);
 - e. Ramona Mobility Group District (Transportation Improvements); and
 - f. Road and Bridge Benefit District (Transportation Improvements).

PRIOR TO THE INSSUANCE OF OCCUPANCY PERMITS:

11. **Planning Clearance.** The applicant shall first obtain clearance from the Planning

Division, verifying that all Conditions of Approval have been met and that the new single-family homes comply with the approved set of elevation and plot plans.

3-13-07
APPROVAL DATE

/s/ Diane Sbardellati
PLANNER



CITY OF PERRIS

HABIB MOTLAGH, CITY ENGINEER

CONDITIONS OF APPROVAL

P8-1052
February 13, 2007
TPM 35226 (Case # 06-0485)

With respect to the Conditions of Approval for the above referenced project, the City of Perris requires that the land divider provide the following street improvements and/or road dedication in accordance with the City of Perris Municipal Code Title 18. It is understood that the site plan correctly shows all existing and proposed easements, traveled ways, rights-of-way, and drainage courses with appropriate Q's and that their omission may require the map to be resubmitted for further consideration. These Ordinances and the following conditions are essential parts and requirement occurring in ONE is as binding as though occurring in all. They are intended to be complimentary and to describe the conditions for a complete design of the improvements. Unless otherwise noted, all offsite improvements as conditioned shall be installed prior to issuance of any occupancy permits. All questions regarding the true meaning of the conditions shall be referred to the City Engineer's office.

1. 6' concrete sidewalk shall be installed along South Blvd. and "B" Street fronting the properties including handicap ramp at the intersection per Riverside County standards.
2. One driveway access along South Blvd. per Riverside County Standards shall be constructed.
3. Existing curb and gutter fronting the property shall be cleared from weeds and any damaged curb to be replaced.
4. Install one streetlight (9,500 lumen) on existing pole adjacent to the site.
5. Proposed grading and sidewalk plan shall be submitted to City Engineer for review and approval.
6. The proposed grading concept and drainage to the back of lot requires approval by adjacent owner.

Habib Motlagh
Habib Motlagh
City Engineer