

PLANNING COMMISSION RESOLUTION NO. 92-049

FILE
COPY

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MURRIETA APPROVING THE FINAL NEGATIVE DECLARATION AS ADEQUATE FOR TENTATIVE PARCEL MAP 92-016 INCLUDING THE REQUIRED FINDINGS PURSUANT TO THE TERMS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING TENTATIVE PARCEL MAP 92-016 (PM 26350) FOR THE DIVISION OF 27.4 ACRES INTO 9 LOTS LOCATED ON THE EAST SIDE OF HANCOCK ROAD, NORTH OF MURRIETA HOT SPRINGS ROAD, FILED BY SHARP HEALTH CARE MURRIETA/NBA WAYDAN

WHEREAS, an application for Parcel Map 92-016 (26350) has been filed by Sharp Temecula Health Care Murrieta/NBA Waydan for a land division in accordance with the provisions of Ordinance 348; and

WHEREAS, Parcel Map 92-016 (26350), is considered a "project" pursuant to the terms of the California Environmental Quality Act; and

WHEREAS, a Negative Declaration has been prepared for this project and has been distributed for public review on May 29, 1992; and

WHEREAS, the Planning Commission has evaluated the proposed Negative Declaration and determined it to be adequate and complete; and

WHEREAS, the Planning Commission has considered evidence presented by the applicant, the Planning Department, and other interested parties with respect to the subject Negative Declaration and project at a public hearing held on August 26, 1992, on the subject application.

NOW, THEREFORE, the Planning Commission of the City of Murrieta DOES HEREBY RESOLVE as follows:

SECTION 1. Pursuant to the California CEQA Guidelines for the implementation of the California Environmental Quality Act, it has been determined that based on the Initial Study and comments received during the public hearing process, there is no substantial evidence that the proposed project may have a significant effect on the environment. The Planning Commission having final approval authority over this project, has reviewed and conditioned the Negative Declaration and considered the information contained herewith and any comments received during the public review process prior to approving this project. Therefore, a Negative Declaration has been prepared and recommended for adoption, according to the California Environmental Quality Act.

ADOPTED
DATE 8-26-92 P.C.

SECTION 2. That the required findings by the City for approval of Parcel Map 92-016 (26350) have been met as follows:

1. That the site of the proposed Land Division is physically suitable for the proposed intensity of the development in the vicinity.
2. An Initial Study has been prepared by the City of Murrieta Planning Department for PM 92-016 (26350) so as to evaluate the potential for adverse environmental impact; and there is no evidence that the proposed project will have a potential adverse effect on the environment if constructed pursuant to the Mitigation Measures contained in the Negative Declaration.

SECTION 3. That the required Interim General Plan findings by the City of Murrieta for approval of this Land Division have been met as follows:

1. There is a reasonable probability that the land use or action proposed will be consistent with the General Plan being prepared.
2. There is little or no probability of substantial detriment to or interference with the future adopted General Plan or if the proposed action is ultimately inconsistent with the plan.
3. The proposed use or action complies with all applicable requirements of State law and local ordinances.

NOW THEREFORE, based on the above findings, the Planning Commission of the City of Murrieta DOES HEREBY FURTHER RESOLVE TO GRANT AND APPROVE Tentative Parcel Map 92-016 for a land division subject to the Conditions of Approval attached hereto.

PASSED, APPROVED AND ADOPTED this 26th day of August, 1992, by the following Roll Call vote:

AYES: Gilliss, Loelkes, Reynolds, Dobson

NOES:

ABSENT: Walsh

ABSTAINED:



CHAIR



SECRETARY

**CONDITIONS OF APPROVAL
TENTATIVE PARCEL MAP 92-016 (PM 26350)
AUGUST 26, 1992**

PLANNING DEPARTMENT:

1. Prior to the issuance of any grading or building permit the applicant shall submit and receive approval of the required entitlement applications for development of the subject property.
2. The approval of this parcel map is contingent upon adoption of Zone Change 92-017 by the City Council.
3. Pursuant to Section 711.4 of the State of California Fish and Game Code, the applicant is required to pay a fee of \$1,250.00. Said fee shall be paid to the clerk of the County of Riverside at the time the Notice of Determination is filed pursuant to Section 21152 of the Public Resources Code. If this fee is not paid, the approval of this project shall not be operative, vested, or final.
4. Prior to the issuance of any grading or building permit, the applicant shall comply with the provisions of any existing City ordinance which has been established as a mitigation measure for the Stephens' Kangaroo Rat. These ordinances may include fee schedules, mechanisms for protecting habitat sites, or a combination thereof.
5. This parcel map shall record within two (2) years from the approval date by the City Council or it shall become null and void unless an extension of time is granted pursuant to Ordinance 460 and the Subdivision Map Act.
6. The Subdivider shall defend (with attorneys approved by the City) indemnify, and hold harmless the City of Murrieta, its agents, officers, and employees from any claim damages, action, or proceedings against the City of Murrieta or its agents, officers, or employees to attack, set aside, void or null an approval of the City of Murrieta, its advisory agencies, appeal boards or legislative body concerning Tentative Parcel Map 92-016 (PM 26350).
7. To comply with the Mitigation Monitoring Program adopted as part of the Mitigated Negative Declaration for this parcel map, the applicant shall comply with the following mitigation measures identified as follows:

**MITIGATION MONITORING PROGRAM
TENTATIVE PARCEL MAP 92-016 (PM 26350)**

MITIGATION MEASURES

EARTH RESOURCES

- 7a. The design of all habitable structures shall use the most recently adopted version of the Uniform Building Code (UBC) and state of the art seismic design parameters of the Structural Engineer Association of California (SEAOC) utilizing the single and multiple story noncritical structural design.
- 7b. Prior to the issuance of building permits, the applicant shall locate and map cross sections for all special foundation setback zones. The final setback zones shall be shown on the Environmental Constraint Sheet and copies provided to the City Engineer and Planning Director for review and approval.
- 7c. Prior to the issuance of Certificates of Use and Occupancy, the applicant shall prepare a disaster preparedness emergency plans, in the event that underground utilities are interrupted during a seismic event.
- 7d. During all grading activities a geologist shall observe all cut exposures and upon completion of grading prepare a final report on footings and other earthwork preformed including a geotechnical map.
- 7e. Prior to the issuance of building permits, all undocumented fill material shall be removed form the site as specified in Section 4.2.3 of the Leighton and Associates Geotechnical Report dated April 10, 1992, on file in the City of Murrieta.
- 7f. The following building setbacks shall be maintained on either side of the fault identified below, and as shown on the Environmental Constraint Sheet:
- * Fault 2: No critical structure shall be permitted within 25 feet.
 - * Fault 4: No structure shall be permitted within 50 feet.
 - * Fault 7: No critical structures shall be permitted within 15 to 75 feet.
- 7g. Special foundations as described below (#8) shall be used for all structures proposed within the following setback zones as shown on the Environmental Constraint Sheet:
- * Within 25 feet of fault 2 for all non critical habitable structures.
 - * Within 45 feet of fault 6 for all habitable structures.
 - * Within 15 to 75 feet of fault 7 for all non critical habitable structures.

The above described Mitigation Monitoring Program and Mitigation Measures are part of the adopted Mitigated Negative Declaration for the subject parcel map and are made a part of these Conditions of Approval.

8. Prior to the approval of the final map the applicant shall prepare an Environmental Constraints sheet for review and approval by the City of Murrieta Planning Department. The sheet shall show the area impacted by the location of on-site faults 2, 4, 6, and 7 and associated setback and special foundation restrictions as stated in the Geotechnical Report by Leighton and Associates dated April 10, 1992.

ENGINEERING DEPARTMENT:

9. The Final Map shall be prepared by a Registered Civil Engineer subject to all the requirements of the State of California Subdivision Map Act and Ordinance No. 460. Improvement plans shall be based on centerline profile extending a minimum of 300 feet beyond the project boundaries at grade and alignment as approved by the City Engineer.
10. Dedicate right-of-way and improve Hancock Avenue adjacent to the site to the ultimate half width in accordance with Standard No. 101, (38/50).
11. The subdivider shall accept and properly dispose of all off-site drainage flowing onto or through the site.
12. When development occurs, the site shall be graded and improved to direct surface runoff toward on-site drainage facilities.
13. The subdivider shall protect all down stream properties from damages caused by alteration of the drainage patterns i.e. of diversion of flow. Protection shall be provided by constructing adequate drainage facilities including enlarging existing facilities and or securing a drainage easement. All drainage easements shall be shown on the final map and noted as follows: "Drainage Easement-no building obstructions or encroachments by land fills are allowed". The protection shall be approved by the City Engineer.
14. All grading shall be done in accordance with Chapter 70 of the Uniform Building Code and Ordinance 457, and all other relevant laws, rules and regulations governing grading. Additional erosion protection shall be required during the rainy season from October 15 to April 15.
15. A soils investigation study shall be completed and approved prior to the issuance of a grading permit. The soil study shall be subject to independent third party review at the expense of the subdivider. All recommended measures identified in the soils report shall be incorporated into the project design. Soils recommendation shall address design of public utilities within seismic fault zone location.
16. In instances where a grading permit involves import or export prior to obtaining a grading permit the subdivider shall obtain approval of the import/export location by the

City Engineer

17. Provide reciprocal access easements or other documentation to provide legal access to lots 3, 4, 7, and 8 and between all parcels for vehicular traffic, parking, drainage and other items as required by the City.
18. Relinquish all rights of access to Hancock Avenue and Interstate 215 excluding the two access points on Hancock Avenue shown on the tentative parcel map.
19. Prior to Commencing any grading in excess of 50 cubic yards, the subdivider shall obtain a grading permit. Grading approval shall be obtained prior to issuance of a building permit.
20. Street lighting shall be required in accordance with Ordinance 460 and 461 throughout the subdivision. The County Service Area (CSA) Administrator determines whether this proposal qualifies under an existing assessment district or not. If not, the land owner shall file an application with LAFCO for annexation into or creation of a "Lighting Assessment District" in accordance with Governmental Code Section 56000.
21. Prior to the issuance of a grading permit, the subdivider shall obtain a National Pollutant Discharge Elimination System (NPDES) construction permit from the State Water Quality Control Board.
22. For all slopes manufactured by grading, plant and irrigate all slopes greater than or equal to 3 feet in vertical height with grass or ground cover to the satisfaction of the City Engineer. Slopes that exceed 15 feet in vertical height are to be planted with shrubs and/or trees per County Ordinance 357.
23. Prior to issuance of Building Permit, the subdivider shall pay all development impact fees in effect at the time of issuance of building permits. At present, the fees are as follows:

Drainage (Murrieta Valley Subarea)	\$3503/acre
Traffic Signal	\$2500/acre
Road and Bridge Benefit District	\$12600/acre
24. Prior to occupancy, the subdivider shall complete the following:
 - a. Construction of the improvements within the public right-of-way shall be completed in accordance with the approved plans to the satisfaction of the City Engineer. Public utilities within seismic fault zones may require seismic fault zones may require special design to address ground movement and lateral loads due to seismic activity.

- b. All public improvements shall be in accordance with Ordinance 460, 461 and all applicable City ordinances and standards.

MURRIETA FIRE PROTECTION DISTRICT:

25. The applicant/developer shall provide written certification from the appropriate water company that the require fire hydrants are either existing or that financial arrangements have been made to provide them.
26. All standards, regulations and policies established for public safety and the protection of property established in ordinances 348, 460, and 546 must be in compliance with the approval of all local authorities.
27. Prior to any building permit release the applicant /developer shall submit approved water plans and pay all required fees.
28. The Riverside County Ordinance #460 requires water mains to be designed with the capability of providing a potential fire flow of 4000 GPM and provide an actual fire flow available from any one hydrant of 2000 GPM for 2 hours duration at 20 PSI residual operating pressure.
29. The capability of a design system providing a limits amount required by county ordinance, limits the size of building area proposed for any individual lot within this project. Fire staff's recommendation is to design a system which is capable of providing fire flows adequate for commercial/industrial buildings without limiting the floor area. These calculations can be determined by fire staff when the civil engineer proposes to address this concern. Please have this matter addressed at that time.
30. Approved super fire hydrants, (6"x 4" x 2-2 1/2") shall be located at each street intersection and spaced not more than 330 feet apart in any direction with no portion of any lot frontage more than 165 feet from a fire hydrant.
31. The required fire system including fire hydrants shall be installed and accepted by then appropriate water agency prior to any combustible building material being placed on an individual lot.
32. Riverside County Resolution requires that fire impact mitigation fees 25 cents per square foot must be paid prior to release of a building permit. Refer to Plan Check Fee/Mitigation sheet attached to building Plan Check.
33. All commercial businesses shall be required to conform with all applicable fire prevention and emergency response provisions contained within the Fire Codes and local

fire ordinances.

34. The Fire Department requires one copy of the water plans for review prior to submittal to the water district having jurisdiction. These plans must conform to fire hydrant quantity, type, location and spacing, and they system shall be sized to accommodate the required fire flows established for this project.
35. If the water system is a private system, it must comply with NFPA Title No. 24. Mylars and/or final plans shall be signed and approved by a registered civil engineer and the water company having jurisdiction with the following certification statement:

"I certify that the design of the water system is in accordance with the requirements prescribed by the Murrieta Fire Protection District."

All access requirements shall be in place and approved by the Fire Marshal prior to the release of building permits.

COUNTY SERVICE AREA 143:

36. Prior to the issuance of building permits the following conditions shall be complied with:
 - a. The applicant shall annex the project into the County Service Area 143 Recreation and Parks District or other subsequently responsible Public Agency.
 - b. The applicant shall submit to the Planning Director an agreement with the CSA 143 which demonstrate to the satisfaction of the City of Murrieta that the applicant has provided for the payment of parks and recreation fees in accordance with Section 10.35 of Ordinance No. 460. The agreement shall be approved by the City Council.