

**CITY OF BEAUMONT
SUBDIVISION
CONDITIONS OF APPROVAL**

**TENTATIVE TRACT MAP NO. 32850
NEGATIVE DECLARATION NO. 04-ND-22
CONDITION MODIFICATION TM2022-0009
APN: 421428-110010-014018
BEAUMONT PROPERTIES**

<u>ORIGINAL</u> CITY COUNCIL APPROVAL DATE: JULY 15, 2005 <u>PLANNING COMMISSION</u> DATE: <u>SEPTEMBER 13, 2022</u> <u>CITY COUNCIL DATE:</u> <u>NOVEMBER 1, 2022</u>

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1.0 STANDARD CONDITIONS

- 1.1 The following conditions of approval are for **TENTATIVE TRACT NO. 32850**, and consist of Conditions 1.1 through 1.8, Conditions 2.1 through 2.6, Conditions 3.1 through 3.17, Conditions 4.1 through 4.15, Conditions 5.1 through 5.13, Conditions 6.1 through 6.9; and pages 1 through 10, inclusive.
- 1.2 The subdivider shall defend, indemnify, and hold harmless the City of Beaumont, its agents, officers, and employees from any claim, action, or proceeding against the City of Beaumont, its agents, officers, or employees to attack, set aside, void, or annul an approval of the City of Beaumont, its advisory agencies, appeal boards, or legislative body concerning **TENTATIVE TRACT NO. 32850 and Negative Declaration 04-ND-22** which action is brought within the time period provided for in California Government Code, Section 66499.37. The City of Beaumont will promptly notify the subdivider of any such claim, action, or proceeding against the City of Beaumont and will cooperate fully in the defense. If the City fails to promptly notify the subdivider of any such claim, action, or proceeding or fails to cooperate fully in the defense, the subdivider shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Beaumont.
- 1.3 The subdivision shall comply with the State of California Subdivision Map Act and to all the pertinent requirements of The Beaumont Municipal Code, unless modified by the conditions listed below.
- 1.4 This conditionally approved tentative map will expire two (2) years after the original approval date, unless extended as provided by the Beaumont Municipal Code, the State Subdivision Map Act or by a development agreement. Action on a minor change and/or revised map request will not extend the time limits of the tentative map. Approval of the tentative map by the City Council will occur on April 5, 2005. The subject map shall expire on March 12, 2023, per the second amendment to the Settlement Agreement entered into in February 2022.
- 1.5 The final map shall be prepared by a licensed land surveyor or registered civil engineer subject to all the requirements of the State of California Subdivision Map Act and The Beaumont Municipal Code.

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- 1.6 Within ten (10) days of approval by the City Council ten (10) copies of an Amended Per Final Conditions map shall be submitted to and approved by the Planning Director, if determined to be necessary, prior to release of the final conditions of approval. The amended map shall be in substantial conformance with Exhibit B.
- 1.7 Any subsequent review/approvals required by the conditions of approval, including but not limited to grading, landscaping, plot plan and/or building plan review, shall be reviewed on an hourly basis based on, or such fee as may be in effect at the time of submittal, listed in Ordinance No. 506.
- 1.8 The subdivider shall be fully responsible for maintenance and upkeep of any and all slopes, landscaped areas, open space areas, future development areas and irrigation systems until such time as maintenance responsibilities are assumed by other as approved by the Planning Director.

2.0 AGENCY CONDITIONS

- 2.1 The subdivider shall comply with the requirements set forth in the City Public Works Director conditions, a copy of which is attached hereto.
- 2.2 The subdivider shall comply with the requirements of the Beaumont Police Department.
- 2.3 The subdivider shall comply with the requirements set forth by the Riverside County Fire Department.
- 2.4 The subdivider shall comply with the requirements as set forth by the Beaumont-Cherry Valley Water District.
- 2.5 The subdivider shall comply with the requirements as set forth by the Southern California Gas Company.
- 2.6 The subdivider shall comply with the requirement as set forth by the Beaumont Unified School District, a copy of which is attached.

3.0 RECORDATION CONDITIONS

Prior to the RECORDATION of any final map, all the following conditions shall be satisfied:

- 3.1 The subdivider shall submit written clearances to the Public Works Director that all pertinent requirements from the following agencies have been met:

County Fire Department
City Police Department
City Community ~~and Economic~~ Development Department
Beaumont Cherry Valley Water District

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Beaumont Unified School District

- 3.2 All road easements shall be offered for dedication to the public and shall continue in force until the governing body accepts or abandons such offers. All dedications shall be free from all encumbrances as approved by the Public Works Director. Street names shall be subject to the approval of the Public Works Director. Secondary access shall be offered for dedication and improved from the tract map boundary to a City maintained road as approved by the Public Works Director prior to recordation. The final street sections, configurations and improvements shall be subject to the approval of the Public Works Director.
- 3.3 All delinquent property taxes, special taxes and assessments shall be paid to the Riverside County Tax Collectors Office.
- 3.4 Easements, when required for roadway slopes, drainage facilities, utilities, etc., shall be shown on the final map if they are located within the land division boundary. All offers of dedication and conveyances shall be submitted and recorded as directed by the Public Works Director.
- 3.5 No lots fronting on knuckles, or cul-de-sacs shall have less than thirty-five (35) feet of frontage measured at the property line, with the exception of flag lots as approved by the Director of Planning.
- 3.6 This subdivision may be recorded in phases subject to the following:
- a. Phasing, including phase boundaries and sequencing, shall be subject to Planning Director approval.
 - b. Common open space area improvement phasing, as applicable, shall be required subject to Planning Director approval.
- 3.7 The subdivider is obligated to provide fully improved park space at a ratio of number of lots x 3.2 persons per household x 5 acres per 1,000 population. Said conditions of approval require park improvements and/or fees, and these requirements shall be applicable on a pro-rata basis for this subdivision. The plans for the required park area shall be approved prior to ~~recordation of the final map~~ [the issuance of the first residential building permit](#).
- 3.8 The subdivider shall convey to the approved landscape maintenance entity fee simple title at no cost to the entity all park and open space areas, free and clear of all liens, taxes, assessment, leases (recorded and unrecorded) and easements, except those easements which in the sole discretion of the entity are acceptable.
- 3.9 ~~The maintenance and management of common open space areas and common facilities shall be conducted as set forth herein and approved by the Director of Planning. All provisions of said condition shall be satisfied prior to map recordation.~~

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- 3.10 A hydrology study, to the satisfaction of the Public Works Director, shall be prepared and approved prior to recordation. Said hydrology study shall be based upon methodology which is acceptable to the Riverside County Flood Control and Water Conservation District, and shall address the potential impacts of the project, as well as downstream impacts resulting from the project, and shall identify the level of responsibility of the project in correcting any downstream problems.
- 3.11 Prior to recordation, the subdivider shall work with the City and the Public Works Director to establish the necessary financing and implementation measures to ensure the provision of a fair share of such necessary facilities.
- 3.12 A total of 20 final, blue-line, final maps shall be submitted to the Public Works Department for final distribution to the agencies.
- 3.13 All perimeter walls and/or walls that front streets must be block wall.
- 3.14 Conditions, Covenants, and Restrictions (CC&R's) may be recorded for this tract by the Subdivider. A note shall be placed on the cover page of said CC&R's which states as follows: "The City of Beaumont shall not be responsible for the enforcement of the CC&R's for Tract No. 32850."
- 3.15 Prior to recordation of any subdivision map or issuance of any permits, annexation of the site must be approved by the City Council and the Riverside County Local Formation Commission and shall be fully completed.
- 3.16 The minimum net lot size in this subdivision shall be 7,200 square feet. ~~The minimum usable pad depth shall be 90 feet.~~
- 3.17 Manzanita Park Road shall be developed to a divided collector status as specified in the General Plan Circulation Element.

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4.0 GRADING CONDITIONS

- 4.1 Prior to the issuance of GRADING PERMITS, the subdivider shall comply with all the following grading conditions:
 - a. The land divider or developer shall submit five (5) prints of a comprehensive grading plan to the Public Works Director which complies with the Uniform Building Code, Chapter 70, the Beaumont Municipal Code and as may be additionally provided for in these conditions.
 - b. A grading permit shall be obtained from the City Public Works Department prior to commencement of any grading.

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- c. Graded land shall be provided with erosion control measures as approved by the Public Works Director.
 - d. ~~All residential building pads shall have a minimum depth of 90 feet and pad width of 70 feet exclusive of any slope in excess of two feet in vertical height.~~
- 4.2 Detailed landscaping and irrigation plans shall be submitted to and approved by the Planning Director for the phase of development in process. The plans shall address all areas and aspects of the tract requiring landscaping and irrigation to be installed including, but not limited to, parkway planting, recreation trail, street trees, slope planting, common area and/or park landscaping. The plans shall be certified by a landscape architect, and shall provide for the following:
- a. Permanent automatic irrigation systems shall be installed on all landscaped areas requiring irrigation. Low water use systems shall be specified.
 - b. Landscape screening where required shall be designed to be opaque up to a minimum height of six (6) feet at maturity.
 - c. All utility service areas and enclosures shall be screened from view with landscaping and decorative barriers or baffle treatments, as approved by the Planning Director. Utilities shall be placed underground wherever feasible.
 - d. Landscaping plans shall incorporate the use of specimen accent trees (24" box minimum) at key visual focal points within the project.
 - e. Where street trees cannot be planted within the right-of-way of interior streets and project parkways due to insufficient road right-of-way, they shall be planted outside of the road right-of-way.
 - f. Landscaping plans shall incorporate native, low water using and drought tolerant plants where appropriate.
 - g. All specimen trees on the subject property shall be shown on grading plans. Trees intended for retention and/or removal shall be so noted on the project grading plans. Replacement trees for those to be removed shall also be shown on the project grading plans.
 - h. All trees shall be minimum double-staked. Weaker and/or slow-growing trees shall be steel-staked.
- 4.3 Three (3) sets of detailed landscaping and irrigation plans shall be submitted pursuant to the Conditions of Approval with a processing appropriate fee of ~~\$500.00~~ to the Community and ~~Economic~~ Development Department.

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- 4.4 No grading permits shall be issued for any proposed new structures outside the areas shown on the approved tentative map unless otherwise approved by the Planning Director and the Public Works Director.
- 4.5 If grading is proposed for five (5) or more acres or is part of a larger project that will disturb five (5) or more acres it shall require a National Pollutant Discharge Elimination System (NPDES) Construction General Permit from the State Water Resources Control Board. Grading permits shall not be issued until the Public Works Director has determined that the project has complied with the current City requirements for compliance with the NPDES Construction General Permit.
- 4.6 If the project grading is to be phased, prior to issuance of a grading permit, an overall conceptual grading plan shall be submitted to the Public Works Director and Planning Director for approval. The plan shall be used as a guideline for subsequent detailed grading plans for individual phases of development and shall include the following:
 - a. Techniques which will be utilized to prevent erosion and sedimentation during and after the grading process.
 - b. Approximate time frames for grading and identification of areas which may be graded during the higher probability rain months of December through March.
 - c. Preliminary pad and roadway elevations.
 - d. Areas of temporary grading outside of a particular phase.
- 4.7 Driveways shall be designed so as not to exceed a fifteen (15) percent grade.
- 4.8 The subdivider shall provide evidence to the Public Works Director that all off-site grading areas have recorded grading and drainage easements and that maintenance responsibilities have been assigned as approved by the Public Works Director.
- 4.9 A qualified paleontologist shall be retained by the subdivider for consultation and comment on the proposed grading with respect to potential paleontological impacts. Should the paleontologist find the potential is high for impact to significant resources, a pre-grade meeting between the paleontologist, the City Public Works Director and the grading contractor shall be arranged. When necessary, the paleontologist or representative shall have the authority to temporarily divert, redirect, or halt grading activity to allow recovery of fossils. The paleontologist shall submit in writing to the Planning Director the results of the initial consultation and details of the fossil recovery plan if recovery was deemed necessary.
- 4.10 The subdivider shall pay at his or her sole expense and shall notify the Public Works Director in writing that the appropriate California Department of Fish and Game notification pursuant to Sections 1601/1603 of the California Fish and Game Code has taken place, or obtain an

constructed along all side yards adjacent to streets and in locations as approved by the Planning Director. The wall plan shall be consistent with the acoustical report and recommendations prepared for the project.

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

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5.4 Building separation between all buildings shall not be less than ten (10) feet. Fireplaces and media niches when connected to fireplaces may encroach one (1) foot into the side yard setback. Additional encroachments are allowed as approved by the Planning Director pursuant to an application for a setback adjustment.

5.5 All street side yard setbacks shall be a minimum of ten (10) feet.

5.6 All front yards shall be provided with landscaping and automatic irrigation systems, as approved by the Planning Director.

5.7 Wood fencing shall not be permitted in this subdivision. Acceptable materials include masonry, stucco or vinyl, as approved by the Planning Director.

5.8 All utility connections and easements shall be placed underground and shall not encroach into the driveway area unless otherwise approved by the Public Works Director.

5.9 A minor plot plan for all residential buildings, garages and accessory buildings shall be submitted to the Planning Director accompanied by applicable filing fees for a plot plan not subject to the California Environmental Quality Act and not subject to review by any governmental agency other than the City of Beaumont. The minor plot plan shall be reviewed and approved by the City Council, per the City Council at the April 17, 2007, City Council meeting. The meeting shall be publicly noticed in a newspaper of general circulation not less than 10 days prior to the hearing, in addition to notifying property owners within a 300-foot radius of the subject property. The minor plot plan shall contain the following elements:

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a. A final site plan (1"=30' minimum scale precise grading plan) showing all lots, building footprints, setbacks, walls, fencing, the floor plan and elevations of individual lots.

b. One (1) color and materials sample board containing precise color texture and material swatches or photographs (which may be from supplier's brochures). Indicate on the sample board the name, address and phone number of the preparer and the project applicant, the tract number, and the manufacturer and product numbers when feasible (trade names also acceptable).

c. One (1) set of architectural elevations colored to represent the selected color combinations, with symbols keyed to the color and materials sample board. Brief written color and material descriptions shall be located on the colored elevations.

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Director.

- 6.5 A licensed landscape architect shall provide a Compliance Letter to the Planning Director and the Public Works Director stating that the landscape and irrigation system has been installed in compliance with the approved landscaping and irrigation plans and conditions of approval. The Compliance Letter shall be submitted at least three (3) working days prior to any final building inspection or issuance of any occupancy permits, whichever occurs first.
- 6.6 All landscaping and irrigation shall be installed in accordance with approved plans and shall be verified by a City field inspection at the direction of the Planning Director.
- 6.7 All driveways shall be concrete paved.
- 6.8 The required park facilities shall be completed and issued a final building permit inspection consistent with the phasing schedule to be developed in the implementation of the Recordation Conditions set forth herein.
- 6.9 The subdivider shall submit to the Planning Director a duly and completely executed agreement with a CFD or other maintenance entity approved by the Planning Director which demonstrates to the satisfaction of the City Attorney, Planning Director and Public Works Director that the subdivider has provided for the dedication and maintenance of landscaping, irrigation and open space areas. Model homes shall be exempt from this condition.

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