



Staff Report

Agenda Item No.

C-1

To: City of Imperial Planning Commission

From: Lisa Tylenda, Planner

Date: April 10, 2019

Subject: Proposed Amendment to Mayfield Subdivision Conditions of Approval for Unit 3C
Martin D. Coyne
APN: 044-200-099; Imperial, CA 92251

Background:

The Planning Commission previously approved Conditions of Approval for the “Doyle Ranch Subdivision” in July 2004, which is now known as the Mayfield Subdivision. Historically, the Mayfield subdivision was owned by one developer. After the housing market crash, Mayfield became a failed subdivision. Since then, the parcels have been sold to different developers. The Conditions of Approval are outdated and are not tailored to existing conditions nor to the actual “phases” in which the subdivision has been developed since the crash.

The existing conditions of approval are tied to the entire subdivision as a whole. There are not any trigger areas in place for the required improvements, nor reimbursement agreements at the moment. Best practice is to treat every development in this subdivision as though nothing will ever be built out. In that scenario we require the developer to comply with all the conditions of approval.

PROPOSED CONDITION MODIFICATIONS/AMENDMENTS REQUESTED:

#’s10-11-12: Applicant requests that the city issue a will serve letter so it may be included to the applicants lender in its loan package and use it to complete it due diligence with the seller.

#14: Applicant is requesting in writing that the small park on the tentative map is to be eliminated in favor of the developer paying park fees with the funds going towards a large regional park.

#17: Applicant is requesting changing this condition as suggested and supported by staff to change wording from creating an HOA to adding 3C to the CFD services annual fee as being charged on Mayfield units 1 and 2. This would be equal to a LLMD [Landscape Lighting and Maintance District] as this levy system is already established. The city would take control and appropriate funding for landscaping and lighting will be in place.

#20: Applicant requests that this condition be eliminated as this condition is typically only requested for commercial projects or never.

#21: Applicant is requesting this condition be changed to granting all public areas to the city as there will not be an HOA and will be built out as a standard single family subdivision.

#22-23-24: Applicant requests the these conditions be eliminated as the applicant will be paying park fees instead to the city to develop a large regional park.

#29: Applicant requests direction and concurrence from staff, commission and council of where and what location of installing an east boundary wall of the subdivision.

Environmental Compliance:

The project has already been previously cleared/mitigated from CEQA during the original Tentative Map Process for the project.

Recommendation:

Staff recommends the Planning Commission conduct a public hearing to receive comments for and against the proposed amendments. Unless sufficient evidence to the contrary is presented at the public hearing, Staff recommends approval of **Resolution PC2019-09** approving the amendment to existing conditions of approval for the Mayfield Subdivision Unit 3C located at APN: 044-200-099; Imperial, CA 92251 subject to Conditions of Approval.

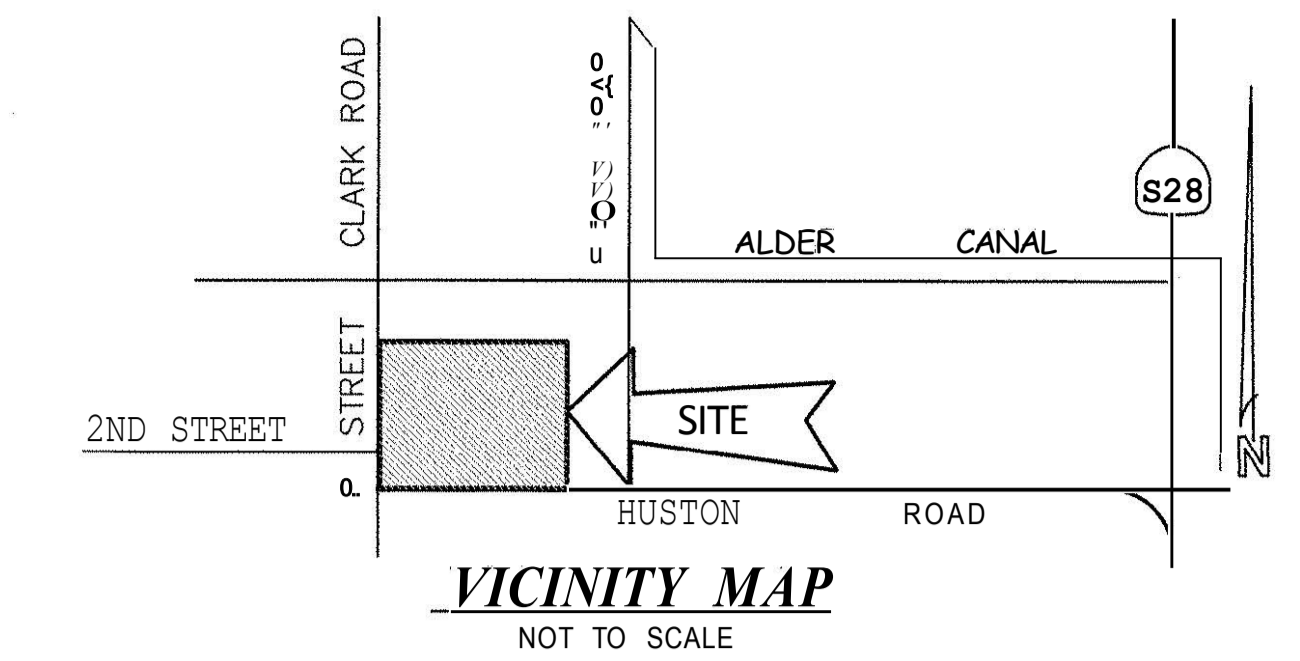
Attachments:

- Tentative Map
- Original Conditions of Approval with the proposed Conditions of Approval in red
- Resolution PC 2019-09
- Location Map

TENTATIVE MAP(RPL-2) - MAYFIELD RANCH SUBDIVISION

CITY OF IMPERIAL, IMPERIAL COUNTY, CALIFORNIA

UNIT 3C



LEGAL DESCRIPTION
 THE SOUTH HALF OF THE SOUTH HALF OF THE EAST 320 ACRES OF TRACT 106, TOWNSHIP 15 SOUTH, RANGE 14 EAST, S.8.M., IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM ALL OF THE OIL, GAS, HYDROCARBON SUBSTANCES AND ALL OTHER MINERALS, WHETHER SOLID, LIQUID OR GASEOUS, INCLUDING, BUT NOT LIMITED TO HOT WATER, STEAM, GEOTHERMAL RESOURCES, GEOTHERMAL ENERGY, AND EXTRACTABLE MINERALS, IN AND UNDER SAID LAND LYING BELOW A DEPTH OF 500 FEET FROM THE SURFACE THEREOF, WITHOUT HOWEVER THE RIGHT OF ENTRY THROUGH THE SURFACE THEREOF FOR THE PURPOSE OF PRODUCTION AND EXTRACTION OF THE FORESAID MINERALS AS RESERVED BY F.A.D. FARMS, INC., A CALIFORNIA CORPORATION IN DEED RECORDED APRIL 18, 1991, AS FILE NO. 91006921 IN BOOK 1670, PAGE 1730 OF OFFICIAL RECORDS.

ASSESSOR PARCEL NOS.
 A.P.N. 044-200-50-01 & 044-200-51-01
 AREA: 80.01 ACRES

OWNER
 WUJAM W. LO
 TITLE: PRESIDENT

DEVELOPER
 PACIFIC CENTURY HOMES
 2030 JAIN STREET, STE. 240
 IRVINE, CA 92614

CIVIL ENGINEER
 WILLIAM H. MCKNIGHT, P.E.
 HALE ENGINEERING
 7910 CONVOY COURT
 SAN DIEGO, CA 92111
 WILLIAM H. MCKNIGHT
 RCE 69028, EXP 6/30/08

DATE
 9-21-07

AERIAL TOPOGRAPHY:
 SAN-LO AERIAL SURVEYS
 4/29/04



DATUM
 BASIS OF BEARINGS: THE BASIS OF BEARINGS FOR THIS MAP IS 71E CCS 83, ZONE 6, GRID BEARING BETWEEN FIRST ORDER STATION 'VGN 38' AND FIRST ORDER STATION '7910 CONVOY COURT' PER RECORD OF SURVEY 13-55 I.E. N 30°28'54" E
 BENCHMARK: COUNTY OF IMPERIAL, L 1225
 ELEVATION: 57.18 (ALL ELEVATIONS RAISED 1000.00 FEET)

FLOOD ZONE
 ACCORDING TO FEMA FLOOD INSURANCE RATE MAP, PANEL 060605 0800 8, THE SITE IS LOCATED IN FLOOD ZONE C, AN AREA OF MINIMAL FLOODING.

- RECORDED EASEMENTS**
- ④ AN EASEMENT GRANTED TO THE COUNTY OF IMPERIAL FOR ROAD PURPOSES RECORDED IN BOOK 48, PAGE 164 OF DEEDS. REFERENCE IS MADE TO SAID DOCUMENT FOR FULL PARTICULARS. AFFECTS OVER THE EAST 30 FEET OF SAID PROPERTY.
 - ④ AN EASEMENT GRANTED TO SOUTHERN CALIFORNIA TELEPHONE COMPANY RECORDED IN BOOK 597, PAGE 274 OF OFFICIAL RECORDS. REFERENCE IS MADE TO SAID DOCUMENT FOR FULL PARTICULARS. AFFECTS THE WESTERN 20 FEET OF SAID PROPERTY.
 - ④ AN AGREEMENT BETWEEN ALLAN R. HEVENER AND H.F. McWILLIAMS RELATIVE TO MAINTENANCE AND USE OF AN EASEMENT FOR THE DRAIN OUTLET RECORDED 11-06-1952 IN BOOK 848, PAGE 274 OF OFFICIAL RECORDS. REFERENCE IS MADE TO SAID DOCUMENT FOR FULL PARTICULARS.
 - ④ AN EASEMENT GRANTED TO ALLAN HEVENER FOR A SUPPLY DITCH RECORDED APRIL 14, 1955 IN BOOK 860, PAGE 5 OF OFFICIAL RECORDS. REFERENCE IS MADE TO SAID DOCUMENT FOR FULL PARTICULARS. AFFECTS OVER THE EAST 30 FEET OF SAID LAND.
 - ④ AN EASEMENT GRANTED TO IMPERIAL IRRIGATION DISTRICT FOR OPEN AND/OR UNDERGROUND CONCRETE LINED CANALS, OVERHEAD AND/OR UNDERGROUND TELEPHONE AND/OR UNDERGROUND TELEPHONE AND/OR ELECTRIC POWER POLES RECORDED 04-3-1969 IN BOOK 1276, PAGE 533 OF OFFICIAL RECORDS. REFERENCE IS MADE TO SAID DOCUMENT FOR FULL PARTICULARS.
 - ④ SAID RIGHT-OF-WAY INCLUDED WITHIN A STRIP OF LAND 60 FEET IN WIDTH THE CENTER LINE OF WHICH SHALL BE THE CENTER LINE OF THE CONCRETE LINED DATE CANAL AS CONSTRUCTED ACROSS THE WEST SIDE OF SAID LAND, IT IS EXPRESSLY UNDERSTOOD THAT THE EAST BOUNDARY OF SAID RIGHT-OF-WAY SHALL BE 30 FEET EAST OF THE CENTER LINE OF THAT CERTAIN DATE CANAL, IS NOW CONSTRUCTED ALONG THE WEST SIDE OF THE HEREIN DESCRIBED LAND.
 - ④ AN EASEMENT GRANTED TO IMPERIAL IRRIGATION DISTRICT FOR OPEN AND/OR UNDERGROUND CONCRETE LINED CANALS, OVERHEAD AND/OR UNDERGROUND TELEPHONE AND/OR ELECTRIC POWER LINES RECORDED 11-02-1990 IN BOOK 1659, PAGE 1388 OF OFFICIAL RECORDS. REFERENCE IS MADE TO SAID DOCUMENT FOR FULL PARTICULARS.

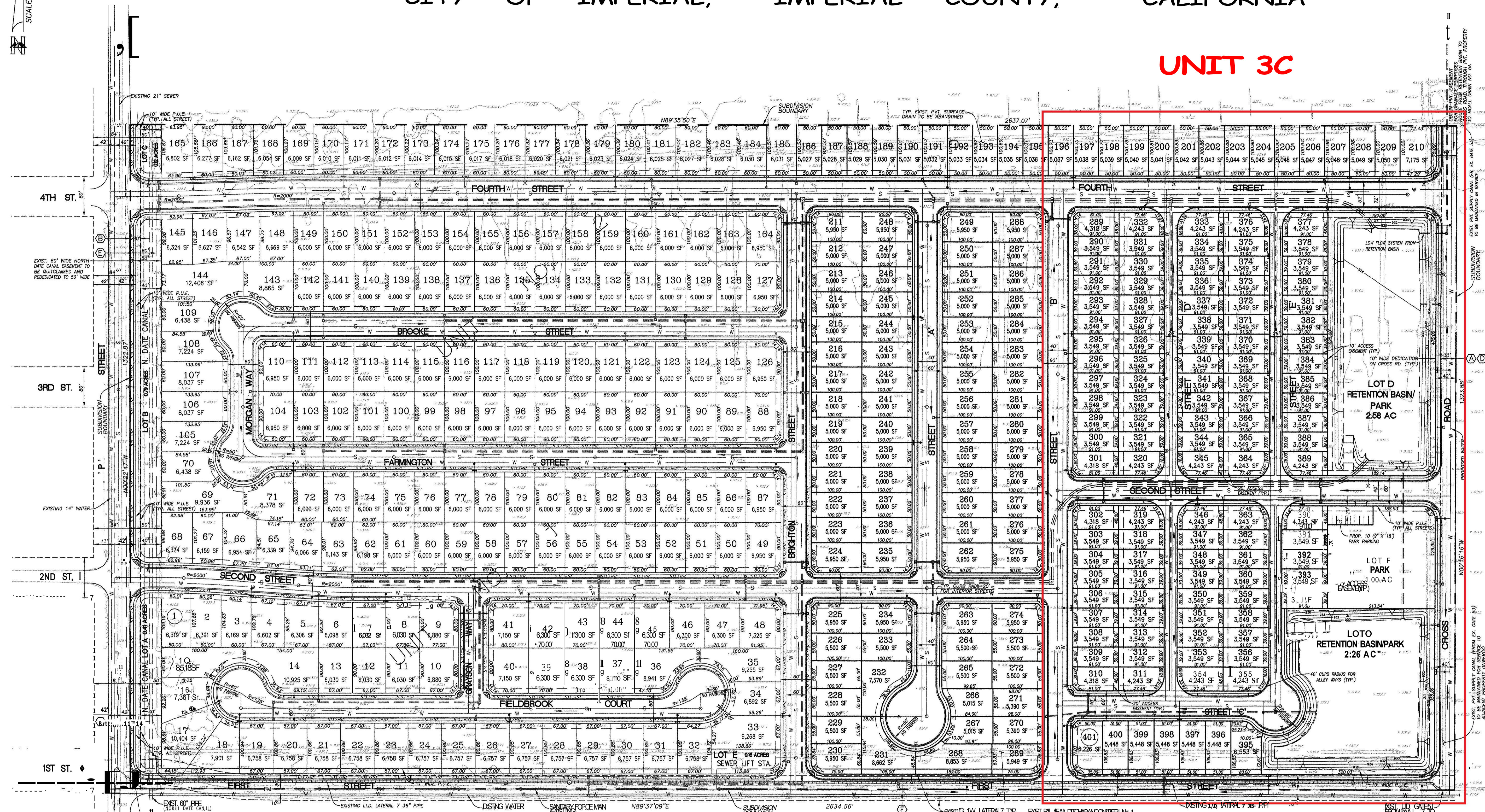
THAT PORTION OF SAID LAND LYING WITHIN A STRIP OF LAND 50 FEET IN WIDTH THE CENTER LINE OF WHICH IS THE CENTER LINE OF THE CONCRETE LINED DATE CANAL 7 CANAL (10-31-1990) CONSTRUCTED ACROSS THE SOUTH SIDE OF SAID LANDS.

EASEMENTS WITHIN UNIT NO 1 PER MAP RECORDED APRIL 18, 2006 IN BOOK 25, PAGES 15-18 OR OFFICIAL RECORDS.

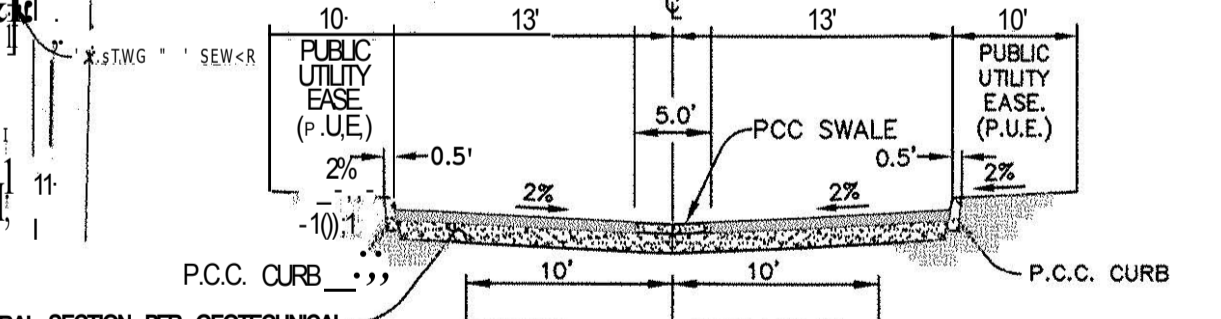
EASEMENTS WITHIN UNIT NO 2 PER MAP RECORDED APRIL 18, 2006 IN BOOK 25, PAGES 19-22 OF OFFICIAL RECORDS.

LEGEND

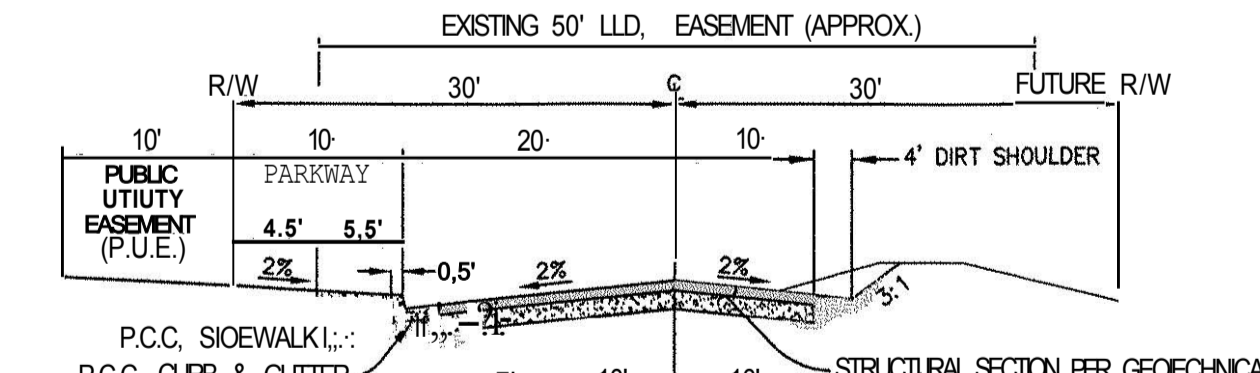
| | |
|-------------------------------|-------|
| PROPERTY BOUNDARY | --- |
| RIGHT OF WAY | --- |
| EXISTING CONTOURS | |
| EXISTING SPOT ELEVATIONS | |
| LOT NUMBERS | 9 |
| LOT LINES | --- |
| CURB & GUTTER | --- |
| WATER MAIN | -W- |
| SEWER MAIN | -S- |
| SEWER MANHOLE | + |
| SEWER FORCE MAIN (PER UNIT 1) | -FM- |
| CURB INLET | + |
| S.D./JUNCTION BOX | + |
| FIRE HYDRANT | + |
| STREET LIGHT | + |
| DIRECTION OF FLOW | --- |



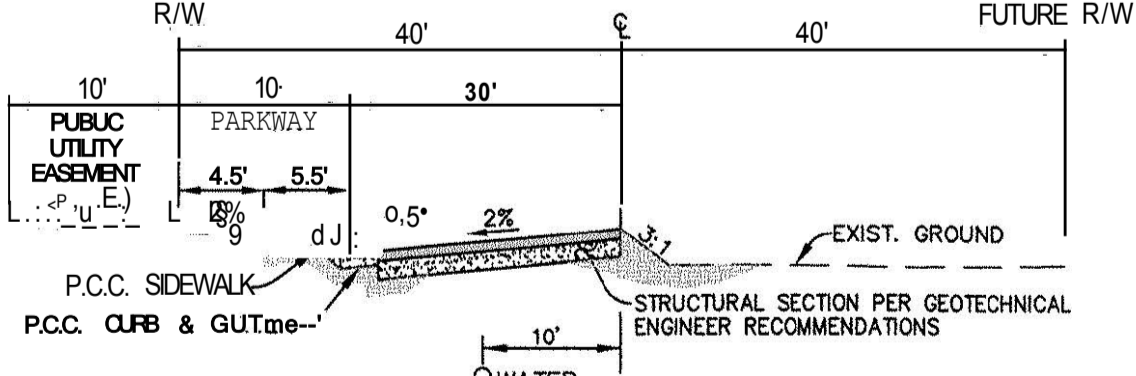
NOTES:
 UNIT 1 FINAL MAP RECORDED APRIL 18, 2006 IN BOOK 25, PAGES 15-18 (LOTS 1 - 87).
 UNIT 2 FINAL MAP RECORDED APRIL 18, 2006 IN BOOK 25, PAGES 19-22 (LOTS 88 - 185).



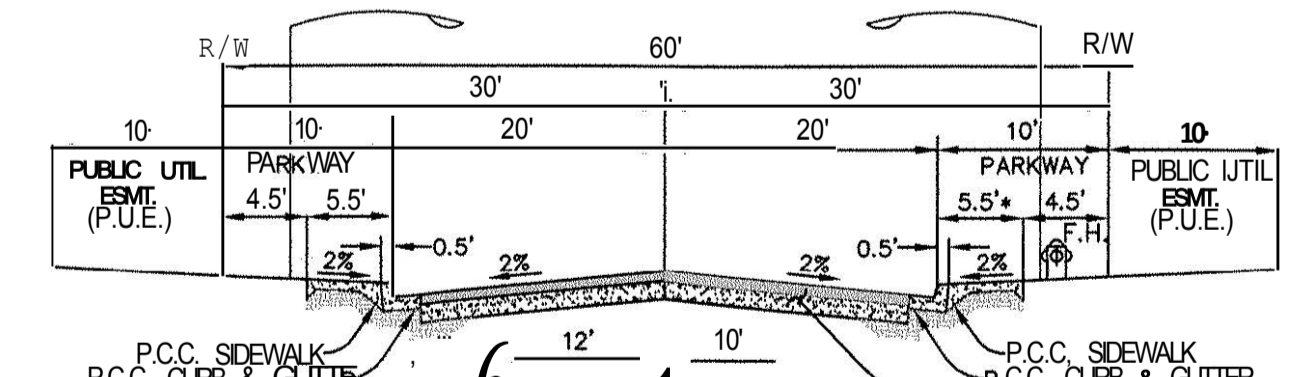
TYPICAL STREET SECTION
 STREETS "D" & "E"
 NOT TO SCALE



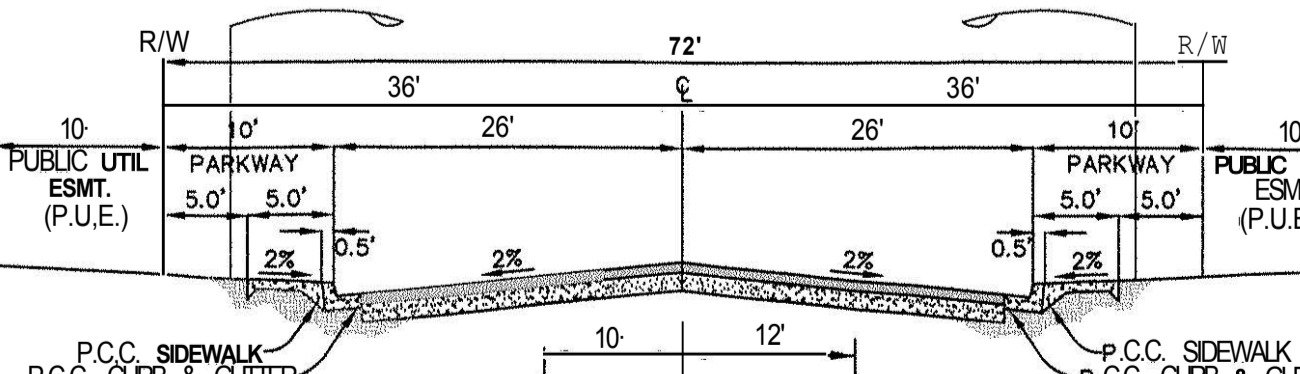
TYPICAL STREET SECTION
 FIRST ST. (FACING EAST)
 NOT TO SCALE



TYPICAL STREET SECTION
 CROSS RD. (FACING NORTH)
 NOT TO SCALE



TYPICAL STREET SECTION
 INTERIOR STREET
 NOT TO SCALE



TYPICAL STREET SECTION
 FOURTH STREET
 NOT TO SCALE

PUBLIC SERVICES & UTILITIES

| | |
|--------------------|--|
| SCHOOL DISTRICT(S) | IMPERIAL UNIFIED SCHOOL DISTRICT |
| FIRE SERVICE | IMPERIAL COUNTY FIRE DEPARTMENT EMERGENCY SERVICES |
| WATER | CITY OF IMPERIAL |
| SEWER | CITY OF IMPERIAL |
| ELECTRIC | IMPERIAL IRRIGATION DISTRICT |
| GAS | THE GAS COMPANY (SERRA ENERGY) |
| TELEPHONE | SCS |
| CABLE/TELEVISION | DELPHIA COMMUNICATIONS |

LAND USE DESIGNATIONS

| | |
|-----------------------|------------------|
| EXISTING ZONE, A (SP) | |
| NORTH | A (SP) |
| EAST | A (SP) |
| SOUTH | A (SP) |
| WEST | A (SP) |
| PROPOSED ZONE | LOTS 186-401 |
| P.U.D. | 1 LOT (1.12 AC) |
| PARK/RETENTION BASIN | 2 LOTS (4.84 AC) |

- DESIGN CRITERIA**
- WATER AND SEWER FACILITIES FROM THE CITY OF IMPERIAL.
 - GRADING AND DRAINAGE PLAN TO BE APPROVED BY THE CITY OF IMPERIAL CITY ENGINEER PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
 - TILL IMPROVEMENTS TO MEET AND COMPLY WITH ALL STANDARD CODES AND ORDINANCES OF THE CITY OF IMPERIAL.
 - SEWER LINES TO SLOPE A MINIMUM OF 0.004 FT/FT.
 - GUTTER FLOWLINE GRACES TO SLOPE A MINIMUM OF 0.02 FT/FT.
 - GUTTER NAMES TO BE APPROVED BY THE CITY OF IMPERIAL PLANNING DEPARTMENT.
 - UNDERGROUND CONDUITS FOR ELECTRICAL POWER, CABLE TELEVISION, AND TELEPHONE TO BE LOCATED IN PARKWAYS BETWEEN SIDEWALKS AND PROPERTY LINE.
 - ESTIMATED POPULATION EQUIVALENTS:
 R-1 4 PERSON/LOT
 R-1 (100 GALS/PERSON) 540 GALS/LOT
 - ESTIMATED AVERAGE DAY SEWAGE DISCHARGE:
 R-1 (100 GALS/PERSON) 400 GALS/LOT
 ESTIMATED DISCHARGE AT FULL DEV.(AVERAGE FLOW) 160,400 GALS/DAY
 ESTIMATED DISCHARGE AT FULL DEV.(200 GALS/PERSON/PEAK FLOW) 320,800 GALS/DAY
 - STORM DRAIN:
 RETENTION BASIN DESIGN TO STORE 100% OF A 100-YEAR STORM (3 INCHES OF RAIN). CONVEYANCE SYSTEM TO BE DESIGNED TO A 25-YEAR FREQUENCY STORM.
 - BUILDING SET-BACKS: LOTS 1-185
 FRONT YARD SET-BACK 20 FT.(MIN.) SIDE YARD SET-BACK AT CORNER 10 FT.(MIN.)
 SIDE YARD SET-BACK 5 FT.(MIN.) REAR YARD SET-BACK 10 FT.(MIN.)
 - A MINIMUM OF TEN OFF-STREET PARKING SPACES (18' X 9') SHALL BE PROVIDED AT THE PARK

uALE E'ATG Th'Er'are
 CML ENGINEERING SURVEYING LAND PLANNING

7910 CONVOY COURT
 SAN DIEGO, CA 92111
 (858) 715-1422
 (858) 715-1424

TENTATIVE MAP
 MAYFIELD RANCH SUBDIVISION
 CITY OF IMPERIAL
 COUNTY OF IMPERIAL, CALIFORNIA

SHEET
 1
 OF
 1

RESOLUTION NO. PC07-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IMPERIAL, CALIFORNIA, RECOMMENDING APPROVAL OF THE MAYFIELD RANCH PLANNED UNIT DEVELOPMENT TENTATIVE TRACT MAP AND REVISION TO THE DOYLE RANCH TENTATIVE TRACT MAP

WHEREAS, Pacific Century Homes, LLC has submitted an application for a Planned Unit Development, Zone Change and General Plan Amendment for certain real property described as follows:

The south half of the south half of the east 320 acres of Tract 106, Township 15 South, Range 14 East, San Bernardino Meridian, in an unincorporated area of the County of Imperial, State of California, according to Official Plant thereof.

Excepting therefrom all of the oil, gas, hydrocarbon substances and all other minerals, whether solid, liquid, or gaseous; including, but not limited to hot water, steam, geothermal resources, geothermal energy, and extractable minerals, in and under said land lying below a depth of 500 feet from the surface thereof; without however the right of entry through the surface thereof for the purpose and extraction of the aforesaid minerals as reserved by F.A.D. Farms, Inc., a California Corporation in Deed recorded April 18, 1991, as File No. 91006921 in Book 1670, Page 1730 of Official Records; and

WHEREAS, a duly notified public hearing was held by the Planning Commission on September 19, 2007; and

WHEREAS, upon hearing and considering all testimony and arguments, examining the Initial Environmental Study, analyzing the information submitted by staff and considering any written and oral comments received, the Planning Commission considered all facts relating to the Mayfield Ranch Planned Unit Development Tentative Tract Map and revision to the Doyle Ranch Tentative Tract Map.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Imperial as follows:

- A) That the foregoing recitations are true and correct; and
- B) That based on the evidence presented at the public hearing, the Planning Commission hereby recommends **APPROVAL** of the Mayfield Ranch Planned Unit Development Tentative Tract Map and revision to the Doyle Ranch Tentative Tract Map, subject to Conditions of Approval outlined in Exhibit A; and
- C) All recommendations made by the Planning Commission are based on the following findings:
 - 1. The project has been reviewed in accordance with the requirements set forth by the City of Imperial for implementation of the California Environmental Quality Act.
 - 2. The project is in compliance with the California Environmental Quality Act, Section 2100 through 21176 of the Public Resources Code.

3. The initial environmental assessment shows that there is no substantial evidence that the Tentative Tract Map may have a significant impact on the environment.
4. There are no sensitive resources located within the area of the project or adjacent to the area of the project so as to be significantly impacted by the project.
5. The proposed Tentative Tract Map and revised Tentative Tract Map are consistent with the intent of the Imperial General Plan to maintain land use designation consistency within the incorporated area of a City's and its sphere of influence.
6. The proposed Tentative Tract Map and revised Tentative Tract Map are consistent with the policies and the land uses of the existing City of Imperial General Plan.
7. The proposed Tentative Tract Map and revised Tentative Tract Map are consistent with the objective of the City of Imperial Zoning Ordinance.

PASSED, ADOPTED AND APPROVED by the Planning Commission of the City of Imperial, this 12th day of September 2007.

Planning Commission Chairman

ATTEST:

Planning Secretary

RESOLUTION PC07-22

EXHIBIT A

CONDITIONS OF APPROVAL

for

Mayfield Ranch Planned Unit Development Tentative Tract Map and revision to the Doyle Ranch Tentative Tract Map

1. The development plan shall be as shown on the following exhibits, collectively described as Exhibit "B," except as modified by the following conditions. Minor changes to the plans may be allowed subject to the approval of the Planning Director if found to be in substantial conformance to this development plan.
 - a. Mayfield Ranch Tentative Tract Map
 - b. Conceptual Landscape Plan
 - c. Floor Plans
 - d. Colored Elevations at Paseos
 - e. Colored Elevations at Drive Lanes

2. The project shall be subject to the use standards outlined in the Planned Unit Development Ordinance and site development standards as follows:

| Daybreak Development Standards | Requirements |
|---|---------------------|
| Front Setback | 20' minimum |
| Rear Yard Setback | |
| Living Area | 10' minimum |
| Porches/Patios | 5' minimum |
| Side Yard Setback | 5' minimum |
| Street Side Yard Setback | 10' minimum |
| Driveway Curb-Cuts | 20' maximum |
| Distance between structures | 5' minimum |

Kensington

Development Standards

Requirements

Front Yard Setback – for the purposes of this Planned Unit Development, the front yard shall be defined as that area occupied by the paseo and setback shall be measured from the property line

| | |
|-------------------|-------------|
| Living Area/House | 24' minimum |
| Covered Porch | 18' minimum |

Rear Yard Setback – for the purposes of this Planned Unit Development, the rear yard shall be that area adjacent to drive lanes and occupied by the garage

| | |
|----------------|-------------|
| Garages | 15' minimum |
| Porches/Patios | 20' minimum |

Side Yard Setback 5' minimum

Street Side Yard Setback 10' minimum

Distance between structures 5' minimum

3. Developer/Applicant shall comply with all local, State and Federal laws, regulations, rules, ordinances, and standards as they pertain to this project, whether specified herein or not. Where conflicts occur, the most stringent shall apply.
4. The Developer/Applicant shall offer for dedication all rights of way, easements, or parcels of land required for both on-site and off-site construction of streets, pipelines, utilities and the storm water retention basin.
5. The Developer/Applicant shall pay all impact and capacity fees.
6. The Developer/Applicant shall pay any and all amounts as determined by the City of Imperial to defray all costs for the review of maps, drawings, reports, field investigations, or other activities related to compliance of this project with City ordinances and/or any other laws, regulations, or requirements that apply. No Tract Map shall record until such costs have been paid to the City.
7. All maps, plans, studies, cost estimates, designs and calculations required for this project shall be subject to the review and approval of the City Engineer, Department of Public Works and Department of Community Development prior to submittal for approval to record the Tract Map.
8. All infrastructure improvements shall be constructed, or in lieu thereof, security provided to ensure construction, prior to the recordation of a Tract Map.
9. The Developer shall provide adequate financial assistance to offset the impacts to local law enforcement, fire and school services to ensure the level of service of these

departments are not adversely affected by the estimated population increase as a result of the development of this project.

10. The Developer shall comply with the City's Water Master Plan to ensure sufficient volume and flow of water. A hydraulic study must be submitted to the City to demonstrate that all water pipelines are adequately sized to serve domestic and fire protection demands. The Developer shall construct new water mains and storage facilities in the project area if necessary and built according to City development standards.

Proposed condition: Applicant requests that the city issue a will serve letter so it may be included to the applicants lender in its loan package and use it to complete it due diligence with the seller.

11. The Developer shall comply with the City's Sewer Master Plan to ensure sufficient handling of wastewater. The Developer shall improve the collection system through the construction of new sanitary sewer mains and lift stations where required and in accordance with City development standards.

Proposed condition: Applicant requests that the city issue a will serve letter so it may be included to the applicants lender in its loan package and use it to complete it due diligence with the seller.

12. Developer acknowledges that the potential pace of growth in the City and resulting demand on City services such as water and wastewater may result in such services not being available. Developer acknowledges particular concern with wastewater and agrees that capacity is not allocated until issuance of a building permit. Developer acknowledges that a building permit will not issue unless there is sufficient wastewater capacity based on the total amount of building permits already issued at that time. In order to address a shortage in wastewater capacity, the parties may agree upon the payment of the project's pro rata share for the construction of a new wastewater treatment plant to respond to this project's wastewater demand.

Proposed condition: Applicant requests that the city issue a will serve letter so it may be included to the applicants lender in its loan package and use it to complete it due diligence with the seller.

13. The Developer/Applicant shall submit a lighting plan prior to any construction activity. All lighting installed shall be shielded and directed so as to minimize significant off-site glare or adverse light intrusion into neighboring properties. Lighting improvements shall include street lights on Cross Avenue, interior streets, paseos, drive lanes, at all intersections, at bus stops and at mail kiosks. The lighting plan shall be reviewed and approved by the City of Imperial Planning and Building Departments.

14. A Landscaping Plan shall be submitted to the City of Imperial for review and approval prior to the recordation of a Tract Map. Landscaping shall be provided in all parks, front yards, drive lanes and paseos. Where perimeter walls are installed, landscaping shall also be provided. All landscaped areas shall be irrigated with automatic sprinkler systems.

Proposed Condition: Applicant is requesting in writing that the small park on the tentative map is to be eliminated in favor of the developer paying park fees with the funds going towards a large regional park.

15. Each front yard shall have a minimum of one (1) tree and five (5) shrubs planted by the Developer.
16. All trees used in landscaping, shall be a minimum of fifteen (15) gallons in size and all shrubs shall be a minimum of five (5) gallons.
17. The Applicant shall form a Home Owners Association (HOA) for all lots with a paseo and record Conditions, Covenants and Restrictions (CC&R's) prior to or concurrently with the Final Map. CC&R's shall include but not be limited to the following:
 - a. Conditions of Approval of this Tentative Tract Map/Planned Unit Development;
 - b. provisions for short and long term maintenance of the paseos;
 - c. reciprocal and public access on all paseos;
 - d. provisions for short term and long term maintenance of landscaping in the paseos and drive lanes;
 - e. provisions for lighting in the paseos;
 - f. provisions for lighting in the drive lanes; and
 - g. posting of no parking signage.

A copy of the recorded CC&R's shall be submitted to the Planning Department prior to issuance of a building permit. Membership in and support of a homeowners association shall be mandatory for all property owners of lots with paseos. The homeowners association shall control all common facilities and shall obtain approval from the Planning Director prior to any modifications of the CC&R's pertaining to or specifying the City or City requirements.

Proposed Condition: Applicant is requesting changing this condition as suggested and supported by staff to change wording from creating an HOA to adding 3C to the CFD services annual fee as being charged on Mayfield units 1 and 2. This would be equal to a LLMD [Landscape Lighting and Maintenance District] as this levy system is already established. The city would take control and appropriate funding for landscaping and lighting will be in place.

18. All mechanical equipment and air conditioning equipment shall be installed a minimum of five feet (5') from any property line.
19. The applicant shall effectively screen from view all ducts, vents, meters, air conditioning equipment, and any other mechanical equipment, whether on the structure, on the ground, or on the roof, with materials architecturally compatible with the main structure. Screening details shall be shown on the plans submitted for issuance of building permits, the adequacy of which shall be determined by the Planning Director. All required screening shall be provided prior to occupancy.

20. The location of any pad-mounted transformers shall be subject to approval by the Planning Director prior to issuance of permits by the Building and Safety Division. Such transformers shall be screened by landscaping or contained within an enclosure matching the building and with corrugated metal gates, subject to approval by the Imperial Irrigation District. All transformers shall be shown on the plans submitted for issuance of building permits. The applicant shall attempt to locate transformers at the rear of the site.

Proposed Condition: Applicant requests that this condition be eliminated as this condition is typically only requested for commercial projects or never.

21. Prior to the issuance of certificates of use and occupancy, all private open space lots shall be granted in fee to a homeowner's association who shall be responsible for their maintenance and upkeep.

Proposed Condition: Applicant is requesting this condition be changed to granting all public areas to the city as there will not be an HOA and will be built out as a standard single family subdivision.

22. The Developer shall improve the park with appropriate landscaping and playground equipment subject to the review and approval of the Parks Committee. Playground equipment shall consist of equipment suitable for children between the ages of 2 to 5 years old and additional equipment suitable for children between the ages of 5 to 12 years old. The Developer shall also improve the park to include active recreation pursuits such as tennis court or similar uses subject to the review and approval of the parks committee.

Proposed Condition: Applicant requests that these conditions be eliminated as the applicant will be paying park fees instead to the city to develop a large regional park.

23. The Developer shall comply with the Financial Responsibility clause of the Memorandum of Understanding between the City of Imperial and the Imperial Unified School District with regards to mitigation of school impacts. The terms of the Financial Responsibility shall be satisfied prior to the recordation of any Final Map as it relates to cash deposits, dedications and/or funding from a Community Facilities District (CFD). The Development Impact Fees for schools shall be paid prior to issuance of any building permit. The City and the School District will jointly confirm that the terms of the Financial Responsibility have been fulfilled.

Proposed Condition: Applicant requests that these conditions be eliminated as the applicant will be paying park fees instead to the city to develop a large regional park.

24. Prior to the start of any construction activity, a qualified California Department of Fish and Game (CDFG) biologist shall survey the site for any active owl burrows. Any burrows found shall be identified and flagged. Burrows shall not be disturbed during the mating season (February 15 to August 15). After the mating season ends, the burrows shall be destroyed by a qualified CDFG biologist to prevent the return of the owls to these burrows during the next mating season. All mitigation measures outlined in the Mitigated Negative Declaration shall apply.

Proposed Condition: Applicant requests that these conditions be eliminated as the applicant will be paying park fees instead to the city to develop a large regional park.

25. A Grading and Drainage Plan/Study shall be submitted to the City Engineer for review and approval. The Grading and Drainage Plan/Study shall address property grading and erosion control which shall include the prevention of sedimentation or damage to off-site properties. A Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the City of Imperial for review and approval. Best Management Practices shall be utilized to minimize or prevent storm water pollution. Prior to the recordation of a Tract Map, the Developer/Applicant shall provide the City with a letter from the Imperial Irrigation District (IID) stating that the plans have been reviewed and approved for the discharge of storm water onto IID facilities.
26. Construction sites shall control dust (PM-10) generation through implementation of the construction mitigation measures detailed in Regulation VIII of the Air Pollution Control District's CEQA handbook and as outlined in the Mitigation Monitoring Program.
27. The Developer/Applicant shall construct a six-foot (6') solid masonry wall along the eastern boundaries of all lots abutting retention basins and parks. A six-foot solid masonry wall shall also be installed on the eastern boundary of Lot 210. Landscaping shall be provided along all walls or fencing abutting roadways. The material and color of all walls required by this section shall be decorative split-faced masonry units consistent with the walls installed along "P" Street/Clark Avenue.
28. All residential development within the project site shall be constructed using building materials and techniques such as dual pane windows, and increased insulation to decrease interior noise levels within dwelling areas to 45 dba or lower.
29. All on-site utilities including power lines, telephone lines, and cable television lines shall be installed underground. In the event that the utility companies, such as the Imperial Irrigation District, determines that on-site utilities cannot be located underground, the Developer/Applicant may install such utilities as needed above ground.

Proposed Condition: Applicant requests direction and concurrence from staff, commission and council of where and what location of installing an east boundary wall of the subdivision.

30. The Developer/Applicant shall provide a soils report indicating, among other things, the suitability of the site for the proposed development, specifications for earthwork, design guidelines for slabs and foundations and recommended roadway sections.
31. The conditional approval of the Tentative Subdivision Map shall not constitute the waiver of any requirement of the City's Ordinances or regulations, except where a condition set forth herein specifically provides for a waiver. All mitigation measures outlined in the Doyle Ranch Mitigated Negative Declaration are hereby incorporated and made conditions of approval whether restated herein or not.
32. The Developer/Applicant shall obtain, pay for and comply with all permits from the Imperial Irrigation District, and other applicable agencies for all improvements within, across, or affecting the respective rights of way.
33. All Final Tract Maps shall provide for 10-foot public utility easements adjacent to all street rights of way for underground power, communications and cable television systems.

34. All off-site and on-site improvements shall comply with the City of Imperial Development Standards. Where no standards exist, the improvements shall be completed in accordance with the City Engineer's recommendations.
35. The Developer/Applicant shall comply with all requirements of the Imperial County Fire Department. Such requirements may include, but are not limited to, the location and sizing of fire hydrants, premise identification numbers (address numbers), and roadway access. All residential water pipelines shall be adequately sized to sustain 1,500 gallons per minute (gpm) for two hours plus peak demand in accordance with the latest edition of the National Fire Protection Association (NFPA) Codes and Standards. Pipeline sizes shall be the next largest standard size with readily available replacement parts (i.e., 12" pipelines for those identified as 10").
36. All cul-de-sacs shall have a minimum unobstructed radius of 60'. For the purposes of this section, obstructions to the cul-de-sac radius include parked cars.
37. Blow-off valves shall be installed for all dead-end water lines.
38. A 26-foot clear area shall be provided along drive lanes, and no parking shall be allowed in the drive lanes. No parking areas shall be clearly marked.
39. The Tentative Subdivision Map shall be valid for a period of two years following the City Council approval and the appeal period. The Developer may request time extensions in accordance with the Subdivision Map Act, but the granting of such time extensions is not automatic and is at the discretion of the City Council.
40. The Developer/Applicant shall record agricultural easements, to put new homeowners on notice regarding the noise, dust, odors and other potential impacts associated with active farming of nearby lands. The Developer/Applicant shall also make homeowners aware of the Imperial County Right to Farm Ordinance when they purchase new homes in the project area.
41. The Tract Map shall include an avigation easement for all lots created. In addition, all lots will be developed and sold with a hold harmless agreement with the City of Imperial and the County of Imperial Airport, and the US Naval Air Facility – El Centro. The avigation easement shall be reviewed and approved by the Imperial County Airport Manager and shall be consistent with the avigation easement recorded for the Sky Ranch Subdivision.
42. The Developer/Applicant shall agree to defend, indemnify and hold harmless the City of Imperial, Imperial County Airport, and the US Naval Air Facility – El Centro and their agents, including consultants, officers and employees from any claim, action or proceeding against the City, County Airport, or Naval Air Facility or their agents, including consultants, officers and employees to attack, set aside, void, or annul the approval of the Tentative Tract Map and associated Zone Change, General Plan Amendment and Mitigated Negative Declaration. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorneys fees, or expert witness costs that may be asserted by any person or entity, including the Developer/Applicant arising out of or in connection with the approval of the Tentative Tract Map and associated Zone Change, General Plan Amendment and Mitigated Negative Declaration, including any claim for private attorney general fees claimed by or awarded to any party from the City, County Airport or Naval Air Facility.

43. All conditions of approval for this Tentative Map shall be reprinted and included as a plan sheet(s) with the building permit plan check sets submitted for review and approval. These conditions of approval shall be on, at all times, all grading, landscaping, and construction plans kept on the project site. It is the responsibility of the applicant to ensure that the project contractor is aware of, and abides by, all conditions of approval. It is the responsibility of the applicant to ensure that the project landscape contractor is aware of, and adheres to, the approved landscape and irrigation plans. Prior approval from the Planning Department must be received before any changes are constituted in site design, grading, building design, building colors or materials, landscape material, etc.