

PROJECT REPORT

TO: Planning Commission

AGENDA DATE: April 13, 2022

FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA TIME 9:00 a.m. / No. 6

HWP Heber, LLC

PROJECT TYPE: Time Extension #22-0008 for Tract Map #00944 SUPERVISOR DIST # 2

LOCATION: State Route 86 and Dogwood Road APN: 054-654-017-000 & 054-663-013-000

Heber, CA

PARCEL SIZE: 40+/-Acres

GENERAL PLAN (existing) Urban GENERAL PLAN (proposed) N/A

ZONE (existing) R-1 Single Family Residential Zone (proposed) N/A

GENERAL PLAN FINDINGS CONSISTENT INCONSISTENT MAY BE/FINDINGS

PLANNING COMMISSION DECISION:

HEARING DATE: 04/13/2022

APPROVED DENIED OTHER

PLANNING DIRECTORS DECISION:

HEARING DATE: _____

APPROVED DENIED OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: _____

INITIAL STUDY: _____

NEGATIVE DECLARATION MITIGATED NEG. DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
AG	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
APCD	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
E.H.S.	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
FIRE / OES	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
OTHER		<u>IID</u>		

REQUESTED ACTION:

IT IS RECOMMENDED THAT YOU CONDUCT A PUBLIC HEARING AND THAT YOU HEAR ALL THE OPPONENTS AND PROPONENTS OF THE PROPOSED PROJECT. STAFF WOULD THEN RECOMMEND THAT YOU TAKE THE FOLLOWING ACTION:

- 1) APPROVE TIME EXTENSION #22-0008 FOR TRACT MAP #00944 FOR THE SIXTH (6th) AND FINAL ONE-YEAR TIME EXTENSION, SUBJECT TO THE CONDITIONS LISTED UNDER SAID TRACT MAP.

STAFF REPORT
Planning Commission
TIME EXTENSION #22-0008
FOR HEBERWOOD ESTATES
TRACT MAP #00944

APPLICANT: HWP HEBER, LLC

PROJECT LOCATION:

The property is located at the northwest corner of Highway 86 and Dogwood Road, Heber, and further identified as the North ½ of Tract 49, Township 16 South, Range 14 East, SBB&M and further identified as Assessor Parcel Number 054-654-017-000 and 054-663-013-000 (formally 054-471-001-000).

PROJECT SUMMARY:

Tom Watson of HWP Heber, LLC has requested a one year time-extension for Tract Map #00944. The Board of Supervisors approved Tract Map #00944 subject to conditions on February 17, 1998, replacing the remaining undeveloped portions of Tract #00905 (Heberwood Estate Subdivision). Tract Map #00944 proposes to construct approximately 502 single family lots (R-1 Low Density Residential) along with five multi-family lots (R-3 High Density Residential) and one commercial lot (C-2 General Commercial).

The applicant has requested their final twelve (12) month time extension bringing the map's life span without recordation of any phase of the map to the maximum allowable limit of six (6) years.

This final time extension would be from May 14, 2022 to May 14, 2023.

PROJECT BACKGROUND:

In 1992, the existing Major Subdivision, Heberwood Estate Tract Map #00905 was reviewed and approved by both the County Planning Commission and Board of Supervisors, which also included the annexation to the Heber Public Utility District, a General Plan, and a Zone Change (from A-2-G to R-1, R-3 and C-2). The original 1992 approval project (Tract Map #00905) consisted of 512 lots for single family detached homes, seven R-3 lots for multiple family dwelling and three General Commercial lots.

The Heberwood Subdivision (Tract #00905) was conditionally approved by the Board of Supervisors on February 17, 1998 and given a twenty-four (24) year month time limit. Pursuant to the Imperial County Codified Land Use Ordinance, Title 9, Division 8, Chapter 3, Section 90803.05, the applicant requested and received three (3), twelve (12) month time extension (in 2001, 2002 and 2003).

The time frame for this Tract Map was also extended per State of California legislative action 66452.11,13, **21, 22, 23, 24, 25**, 26 & 27, are state legislative actions that extend subdivision maps statewide. During the national recession from 2008-2015 the State of California approved five (5) legislative actions **21, 22, 23, 24, 25** extending the majority of approved, but not completed, subdivisions statewide nine (9) years.

The County Ordinance Section 90803.05 is consistent with the Government Code Section 66452.6(e), in that the County has the discretion of approving the length of a time extension "...a period not to exceeding a total of six (6) years..."

Under the discretionary time extensions, Tract Map #00944 has used five (5) of the six (6) one year extensions, leaving 12 months for a final time extension request.

COUNTY ORDINANCE:

The applicable Title 9, Land Use Ordinance Sections are as follows:

Division 8, Chapter 6, Major Subdivision;
Division 25 Chapter 12A, (Townsite of Heber);
Section 66463.5 (Subdivision Map Act)

LAND USE ANALYSIS:

The property is designated by the County General Plan, Land Use Element, as "Urban", and is currently zoned R-1, R-3, and C-2.

SURROUNDING LAND USES, ZONING AND GENERAL PLAN DESIGNATIONS:

DIRECTION	CURRENT LAND USE	ZONING	GENERAL PLAN
Project Site	Residential	R-1/R-3/C-2	Urban
North	Residential	R-1/R-3	Urban
South	Farmland	R-1/C-2	Urban
East	Farmland	R-1	Urban
West	Residential	A-2-G/SPA	Specific Plan Area

STAFF RECOMMENDATION:

It is recommended that you conduct a public hearing and that you hear all the opponents and proponents of the proposed project. Staff would then recommend that you take the following action:

- 1) Approve Time Extension #22-0008 for Tract Map #00944 for the sixth (6th) and final one-year time extension, subject to the conditions listed under said tract map.

REVIEWED BY: 

Michael Abraham, Assistant Director
Planning & Development Services

APPROVED BY THE DIRECTOR: 

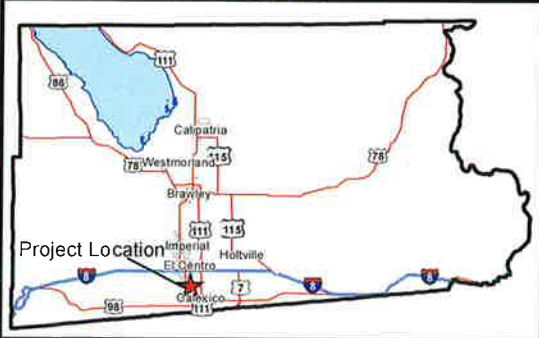
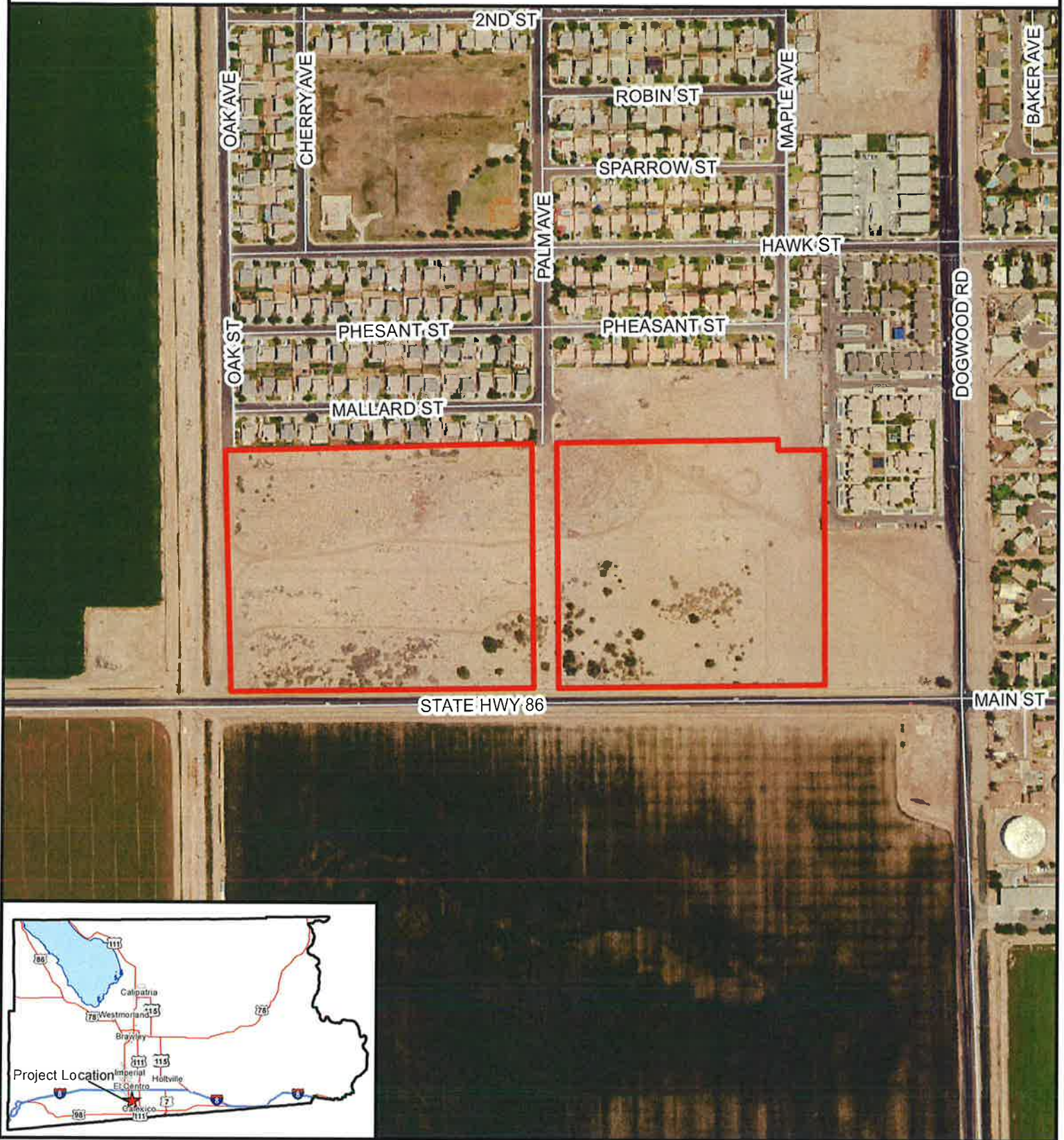
Jim Minnick, Director
Planning & Development Services

- Attachments:
- A. Vicinity Map
 - B. PC Resolution
 - C. Time Extension Request
 - D. Prior Time Extension Letter
 - E. TR #00944 Conditions of Approval



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Attachment – A
Vicinity Map

PROJECT LOCATION MAP



HWP HEBER LLC, TR00944
TIME EXTENSION #22-0008
APN 054-654-017 & 054-663-013

 Project Parcel
 Centerline



Attachment – B

PC Resolution

RESOLUTION No. 2022-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF IMPERIAL
APPROVING TIME EXTENSION #22-0008 FOR TRACT MAP #00944**

WHEREAS, Time Extension #22-0008 was filed by HWP Heber, LLC for a one (1) year time extension for Tract Map #00944; and,

WHEREAS, on February 17, 1998 the Board of Supervisors approved Tentative Tract Map #00944; and

WHEREAS, Assembly Bill (AB) 1185 (adding Government Code Section 66452.6(e)) was enacted on October 10, 2015, extended the discretionary time extension from five years to six years; and

WHEREAS, pursuant to Government Code Section 66452.6(e), Time Extension #22-0008 qualifies for the one (1) year statutory extensions; and

WHEREAS, the Planning Commission has considered evidence presented by the Imperial County Planning and Development Services Department and has heard, received and considered all oral and written protests, objections and evidence presented by interested parties at a public hearing held with respect to this item on April 13, 2022; and

NOW, THEREFORE, based on the above findings, the Imperial County Planning Commission **DOES HEREBY APPROVE** Time Extension #22-0008 for a one (1) year time period under Government Code Section 66452.6(e), subject to the conditions listed under Tract Map #00944.

Rudy Schaffner, Chairman
Imperial County Planning Commission

I hereby certify that the preceding resolution was taken by the Planning Commission at a meeting conducted on April 13, 2022 by the following vote:

AYES:
ZOOM CALL:
NOES:
ABSENT:

ATTEST:

Jim Minnick
Director of Planning & Development Services
Secretary to the Planning Commission

Attachment – C
Time Extension Request

Jim Minnick

From: Tom Watson <tom@tomwatsoninc.net>
Sent: Friday, March 11, 2022 3:26 PM
To: Jim Minnick
Subject: FW: Heberwood Estates - Map Extension
Attachments: Heberwood Estates - Map Extension Letter 2021.pdf

CAUTION: This email originated outside our organization; please use caution.

Hi Jim,

Nice talking to you on the phone regarding the Heberwood Property. I would like to apply for a map extension for one additional year. It looks like the map is expiring mid- May of this year. Could you please send me an invoice to get this moving forward?

Thank you so much for your help.

Tom

Tom Watson

P: 760-352-7776

M: 760-427-7778



From: Tom Watson
Sent: Monday, September 20, 2021 5:27 PM
To: Tom Watson
Subject: FW: Heberwood Estates - Map Extension

From: Linda Ewing
Sent: Monday, September 20, 2021 5:22 PM
To: Tom Watson
Subject: Heberwood Estates - Map Extension

Attachment – D
Prior Time Extension



Imperial County Planning & Development Services Planning / Building

Jim Minnick
DIRECTOR

December 18, 2020

Tom Watson
1199 Industry Way
El Centro, CA 92243

Subject: Heberwood Estates - Tract #00944

Dear Mr. Watson:

The purpose of this letter is to clarify the expiration date for the above-mentioned Heberwood Estates - Tract #00944. The most current action was the December 28, 2018 recording of Unit No. 5-A of Tract Map #00944. Prior to that, the Board of Supervisor approved a two-year time extension on May 17, 2016, pursuant to State of California Government Code Section 66452.25.

Tract Map #00944 current timeline is as follows:

1. State Regulation and Board of Supervisors approved a 24 Months extension from May 14, 2017 to May 14, 2019.
2. Developer recorded Final Map Unit No. 5-A, on December 28, 2018 extending the map 36 months to December 28, 2021.
3. The two extensions overlap by 137 days, therefore the Map is extend from December 28, 2021 to **May 14, 2022**.

Background on subdivision regulations and timeframes:

Tract Maps are larger subdivisions, creating five or more lots. Typically, Tract Maps create 100s of lots. In order to accomplish this the map is typically developed in portions called phases or units are recorder over time rather than recording the entire map at one time.

Under Government Code Sections 66410 - 66499.58 cited as the Subdivision Map Act, regulates all subdivision in the State of California. Under the Map Act, there are a number of timeframes that link together to provide an overall length of time a subdivision has to be completed. These timeframes include the original approval period, moratoriums, lawsuit, local discretionary time extensions, and state legislative actions.

Primary timeframes/extensions:

66452.6(a): is the main timeframe for completion of Tract Maps. Starting on the day of tentative approval by a local approval, a Tract Map an automatic 24 to 36 months period, then upon the recordation of each phase or unit map the Tract Map gets an additional 36 months. This process continues up to a total of 120 months from original date of tentative approval.

66452.6(e): locally approved discretionary time extensions. The purpose is to provide time extensions between the original approval period and the phases or units. These time extensions are for a period of 12 months at a time for a total of six (6) extensions.

66452.11,13, **21, 22, 23, 24, 25**, 26 & 27, are state legislative actions that extend subdivision maps statewide. During the national recession from 2008-2015 the State of California approved five (5) legislative actions **21, 22, 23, 24, 25** extending the majority of approved but not completed subdivisions statewide nine (9) years.

Other timeframes:

66452.6(b): a government-imposed moratorium that creates an unexpected constraint to the development can provide additional time to the life of the Tract Map. The additional time would correspond with the time of the moratorium up to five years.

66452.6(c): a lawsuit pertaining to the approval of the Tract Map that creates an unexpected constraint to the development can provide additional time to the life of the Tract Map. The additional time would correspond with the time of the lawsuit up to five years.

Based on the timeframes explained above and the history of Tract Map #00944 the following is the remaining available time beyond May 14, 2022.

The main timeframe from initiation on February 17, 1998 through the current Unit No. 5-A, has used the max 120 months, leaving 0 months for the remaining units.

Under the discretionary time extensions, Tract Map #00944 has used five (5) of the six (6) one year extensions, leaving 12 months for a final time extension request.

Tract Map #00944 could potentially be extended from May 14, 2022 to May 14, 2023.

There will be no addition time extensions beyond this date. A new Tract Map would need to be processed for any remaining unmapped areas of Tract Map #00944.

Additionally, attached is a copy of the Department's February 20, 2018 letter detailing the Tract Map's timeline from 1998 to 2018.

It is hopeful that this clarifies the expiration date for Tract Map #00944.

Should you have any questions, please do not hesitate to contact me at 442-265-1736, extension 1776 or by email at jimminnick@co.imperial.ca.us.

Sincerely,



Jim Minnick, Director
Planning & Development Services

CC: Jim Minnick, ICPDS Director
Michael Abraham, AICP, Assistant ICPDS Director
Tom Dubos, Dubos Design Group
File: APN 054-160-005/TR00944, 10.141

JMS:\AllUsers\APN\054\160\05\Tract Map #00944 ltr to Tom Watson 12-16-2020.docx

Attachment – E
Tract Map #00944
Conditions of Approval

CONDITIONS FOR MAJOR SUBDIVISION
HEBER WOOD ESTATES TRACT 944

In 1992, the Heberwood Estates Tract 905, Zone Change and General Plan Amendment was approved by the County Board of Supervisors. The General Plan Amendment changed the site from the A-2-G Zone to the C-2, R-3, and R-1 Zones. The 1997 proposal is to reduce certain portions of the C-2 and R-3 zoned areas to become an R-1 Zone and reducing the total number of C-2 and R-3 parcels and also reducing the number of single family residential parcels from 512 to 502 parcels.

The Environmental Evaluation Committee recommended a "Mitigated Negative Declaration" for the proposal and the following conditions include both the 1992 conditions for Tract 905 and the 1997/98 conditions for Tract 944. The latest 1997/98 conditions for the project are in "**bold**" type for easy reference, which include but are not limited to those mitigation measures found in the Final EIR (SCH #9001097).

Subject to the approval, which may include modification or rescission in whole or in part, by the PLANNING COMMISSION and/or the BOARD OF SUPERVISORS, the Developer shall comply with all of the **CONDITIONS** specified below.

- (1) The Developer shall pay any and all amounts as determined by the County to defray all costs for the review of reports, field investigations, or other activities related to compliance with this permit/approval, County Ordinances, and/or any other laws that apply.¹
- (2) The Developer shall comply with all local, state and/or federal laws, rules, regulations and/or standards as they may pertain to this project, whether specified herein or not.¹
- (3) The Developer shall provide a grading and drainage study/plan to provide for proper grading and erosion control which shall also include the prevention of sedimentation or damage to off-site properties. The study/plan shall be submitted to the Department of Public Works for review and approval and the Developer shall implement the approved plan.^{1,2}
- (4) Each parcel created or affected by this map shall abut a maintained road and/or have legal and physical access to a public road.^{1,2}
- (5) An encroachment permit shall be secured from the Department of Public Works for any and all alterations to public roads and/or connections to public roads.^{1,2}

(6) The Developer shall comply with County Fire Department regulations, rules and standards. The Developer shall secure from the Fire Department all requirements necessary to obtain compliance. Any physical improvements required by the Fire Department shall be inspected and approved by the County Fire Department prior to a building permit being issued by the Planning/Building Department.^{1,4}

(7) The Developer shall provide to the Planning/Building Department a letter from Central Union High School District verifying an agreement between the Developer and the District in regards to mitigation measures prior to recordation of the final map.¹

(8) The Developer shall provide to the Planning/Building Department a letter from the Heber Elementary School District verifying an agreement between the Developer and the District in regards to mitigation measures prior to recordation of the final map.¹

(9) The Developer shall provide to the Planning/Building Department a letter from the Imperial County Fire Department/Office of Emergency Services verifying an agreement between the Department and the Developer, with regards to the \$231 per lot fire mitigation fee. The letter shall be provided prior to recordation of the final map.^{1,4}

(10) The Developer shall pay to the County of Imperial a Sheriff (police protection) mitigation fee of \$400 per residential unit, with the provision that the County develop a procedure to reimburse Developer from future development fees to help reimburse fair share. The \$400 fee shall be subject to further negotiations prior to the recording of First Phase Final Map.¹

(11) The Developer shall provide to the Imperial County Planning/Building Department a "will-serve" letter from the Heber Public Utility District for all services provided from Heber Public Utility District to this subdivision.¹

(12) The Developer shall provide to the Planning/Building Department and Environmental Health Services, a letter signed by the licensed engineer for Heber Public Utility District stating that they have or will have water and sewer service capacity for the subdivision.^{1,2,3}

(13) Developer shall pay his share of the cost to underground Dogwood Canal from Highway 86 to Hawk Road.²

(14) Six-foot wall or approved fencing will be required to separate commercial area from residential lots.²

(15) The Developer shall construct an eight-foot sound barrier, (2 foot earthen berm and 6 foot wall) made of masonry, stucco, or any other permanent heavy 25 pound per s. f. minimum material, along state Highway 86 separating residential areas.²

(16) The Developer shall construct a seven-foot sound barrier, made of masonry, stucco, or any other permanent heavy 25 pound per s. f. minimum material, along Dogwood Road separating residential area.²

(17) The Developer shall provide six foot (6') security fencing along entire west boundary lines of the project.²

(18) Street lighting shall be installed by the Developer with all costs borne by the Developer. Street lighting shall be installed to the requirements and standards of the Heber Public requirements and standards of the Heber Public Utility District. The Developer shall enter into a maintenance agreement with the Heber Public Utility District for said lighting.^{1,2}

(19) The Developer shall install fire hydrants to specifications approved by Imperial County Fire Department, and the Heber Public Utility District with all costs borne by the Developer.^{1,4}

(20) Developer shall design and construct Correll Road to one half road section.²

(21) All road sections must be A. C., three inches (3") thick and Class II aggregate base nine inches (9") thick.²

(22) Hawk Avenue street section right-of-way shall be seventy feet (70') in width and the paved section shall be forty-eight feet (48').²

(23) Change typical road section for Palm Avenue to an eight-four foot (84') right-of-way and sixty-four foot (64') paved section.²

(24) Right-of-ways: All interior streets except Palm Avenue to be sixty foot (60') right-of-way. Correll half-road right-of-way to be fifty foot (50') right-of-way. Dogwood Road right-of-way to be one hundred foot (100') right-of-way, (improvements constructed to Public Works requirements).²

(25) Public Utility Easement: Provide all easements shown on Tentative Map.²

(26) Easement: The Developer must provide easements from sewage plant to subdivision, as needed.²

(27) Roads: Construct all roads to County standards, three inch (3") A.C. paving, nine inch (9") Class II base. Construct sixty-four foot (64') paving on Palm Avenue, curb to curb. Construct forty-eight foot (48') paving on Hawk Road, curb to curb.²

(28) Concrete curb and gutter to be contiguous to sidewalks.²

(29) All improvement plans shall be reviewed and approved by the Department of Public Works prior to construction by the Developer.²

(30) Developer shall pay to the Department of Public Works forty-five percent (45%) of actual estimated costs to install signal lights and channelization improvements at Highway 86 and Dogwood Road on the following schedule:

- A. 50% prior to recordation of map for Phase I.
- B. 50% upon completion of 100 homes or any part of the commercial development.^{1,2}

(31) Developer shall bear the cost for road name signs, regulatory and stop signs. Signs are to be constructed and installed by Imperial County Public Works Department and billed to subdivider.²

(32) Drainage: The Developer shall provide to the Imperial County Public Works Department, a letter from the Imperial Irrigation District, that they will accept surface drainage from this subdivision.^{1,2}

(33) A parcel of sufficient size to accommodate the ultimate stormwater retention basin shall be provided with the first tract map. Construction of said basin shall be in accordance with the drainage study and plan prepared by developer and approved by the County; except, in no case shall less than half (50%) of the basin be constructed with those improvements required for the first tract map. Developer shall maintain basin a balance of design area until fully constructed.^{1,2}

(34) Detention pond must empty out in seventy-two (72) hour period or provide a mosquito abatement plan to be reviewed and approved by the Department of Environmental Health Services.^{1,2,3}

(35) Detention pond and all drainage features, including inlet and outlet structures, are to be maintained by the Heber Public Utility District or assessment district.^{1,2}

(36) All drainage structure designs must be reviewed and approved by the Department of Public Works prior to construction.²

(37) Developer shall provide details of water and sewer line plans for review and approval by the Heber Utility District and the Imperial County Department of Public Works.²

(38) Construct water and sewer lines to grade, location design and size, as approved by Heber Public Utility District and Imperial County Department of Public Works.²

(39) Developer shall construct the detention pond fencing, install irrigation system, landscaping, and lighting per agreement with and to the requirements of the Heber Public Utilities District.¹

(40) The Developer shall underground or abandon delivery canal along south side of the subdivision.²

(41) The Developer shall construct road improvements at Highway 86, Dogwood and Correll Roads as required by Caltrans, and the County.²

(42) Improvement plans to be submitted to the Department of Public Works for review and approval prior to construction.²

(43) Provide Soils Report.²

(44) Alley shown in commercial area can not be connected to Dogwood Road.²

(45) Entire project shall annex to Heber Public Utilities District prior to recordation of Phase I map.¹

(46) All homes shall have premise identification numbers per Uniform Fire Code 1988, Section 10.208 (a). Premise numbers shall be at least six inches (6") in height and of contrasting color to the background or internally illuminated.^{1,4}

(47) Obtain encroachment permits from Imperial Irrigation District where utilities cross district facilities.⁶

(48) Submit a request to the Imperial Irrigation District to discontinue agricultural water service to the project site, upon completion of the final phase.⁶

(49) The Developer shall an irrevocable offer to the Imperial Irrigation District for a 300 foot by 300 foot area for the construction of a sub-station to serve this development. If the District does not exercise this option within three (3) years, the offer may be withdrawn.⁶

(50) Provide public utility easements for power facilities on the project site.⁶

(51) Sewage pump station location shall be as approved by the Heber Public Utility District.

(52) All conditions, unless otherwise specified, shall be met prior to recordation of the first phasing map.¹

(53) Tract 905 is approved subject to all the conditions specified herein above, the map is also approved subject to all requirements of the Subdivision Map Act, including all time constraints, filing requirements, and completion requirements. No additional conditions, either by modification to this approval or by subsequent Ordinance enactment shall be imposed upon this approval, unless such conditions are necessitated by fire, life, and/or health/safety reasons.

1. Planning/Building Department
2. Public Works Department
3. Environmental Health Services
4. Fire/Office of Emergency Services
5. Agricultural Commissions Office
6. Imperial Irrigation District

PROPOSED MITIGATION MEASURES AND ADDITIONAL CONDITIONS FOR TRACT 944

LAND USE AND PLANNING:

Prior to issuance of building permits, the applicant shall ensure that project design, subdivision plans and final working drawings are in conformance with County Ordinances where appropriate.

Throughout operations of the project, as is common practice, future residents shall be made aware of neighboring agriculture operations by the Imperial County Agricultural Commissioners Office, in accordance with the provisions of Ordinance No. 1031, relating to the "Right to Farm" in Imperial County.

Throughout operations of the project, Imperial County Agricultural Commissioners Office and the Agricultural Grievance Committee, shall continue to resolve any disputes between future residents of the project and any neighboring agriculture operation, in accordance with the provisions and procedures contained in Ordinance No. 1031, relating to the "Right to Farm" in Imperial County.^{1,5}

GEOLOGIC PROBLEMS:

The contractor, throughout construction operations, shall comply with the recommendations associated with earthwork, excavation, foundation and slab, settlement, and pavement contained in Appendix C of the FEIR, Soil Engineering Report and appropriate provisions of the Uniform Building Code (Section 2312, Seismic Zone 4), County Subdivision regulations and other applicable regulations.¹

WATER:

Prior to issuance of building permit, the applicant shall demonstrate on all appropriate plans that the design of the proposed onsite retention basin and finished floors of the residential units are in accordance with the provisions contained in the Drainage Analysis report (Appendix F of the FEIR), and Regulation Nos. 36, 37, and 39 and Map Note 22 of the Imperial

Irrigation District "Rules and Regulations Governing the Distribution and use of Water".⁶

Prior to issuance of building permit, the applicant shall determine, as part of detailed engineering, the exact size and depth of the proposed retention basin and the final size of the project's drain pipes, subject to review by the County Public Works Director.²

All drainage from the retention basin must discharge into an existing outlet or if so desired through a new outlet relocated as desired. The new outlet shall conform to the standards of District drawing 12 F-6855, Sheet 3 of 4. This standard requires a maximum outlet pipe diameter of 12-inches.⁶

AIR QUALITY:

The contractor, throughout construction activities, shall comply with Regulation 8 of the Imperial County APCD, which requires periodic application of water and dust superannuates to graded areas of the site, covering of any hauling fill, etc. Inactive portions of the site shall be treated with chemical soil stabilizers, where appropriate.

The contractor, throughout construction activities, shall ensure that all construction equipment shall be maintained in proper working order.

The applicant, prior to final inspection, shall install energy-conserving appliances and implement Title 24 requirements to reduce stationary source impacts per County approval.⁵

TRANSPORTATION/CIRCULATION:

Prior to issuance of certificate of occupancy, the applicant shall provide those improvements recommended in the traffic impact study, Appendix B of the FEIR or contribute pro-related fees which would help finance those improvements. The improvements include:

- a. Add traffic signal at Dogwood Road and Main Street.
- b. Reduce speed limits at Dogwood Road and Willoughby Road to 45 miles per hour by providing speed limit signs.

Prior to issuance of certificate of occupancy, the applicant shall provide the following improvements to ensure increased access to the project site:

- a. Widen Correll Road access to a 32-foot asphalt road with a ROW width of 50 feet.
- b. Widen Main Street (SR 86) on the side adjacent to the project site to a half width of 40 feet on a half ROW width of 50 feet.
- c. Widen Dogwood Road on the side adjacent to the project site to a half width of 36 feet on a half ROW width of 50 feet.
- d. Provide stop signs at Palm Avenue and Main Street (SR 86) and Dogwood Road and Main Street (SR 86).
- e. Provide striping for three lanes (one entering and two exiting lanes) at Dogwood Road and Main Streets (SR 86) entrances.
- f. All public road sections must be at a minimum three inches (3") thick A.C., and an aggregate base nine inches (9") thick, consisting of Class II Base, unless the project soils report based on the soil type and Traffic Index indicates a thicker section is required.²

HAZARDS:

Throughout operations of the project, the Imperial County Agricultural Commission, shall as part of its common practice, enforce the "Imperial County Conditions for the Recommendation and Use of Restricted Materials for 1991", by ensuring that future residents of the proposed project would not come in contact with potentially dangerous pesticides and chemicals by periodically monitoring neighboring agricultural operations.⁵

Prior to final plan approval, the applicant shall demonstrate on all appropriate plans the provision of fences at either six-foot heights or heights approved by the Heber Public Utility District, around all sides of the proposed 10.4 acre retention basin. Additionally, as recommended previously, sound attenuation walls would be provided along the western border of the site to separate the project site from the Date Drain No. 3 facility.¹

Throughout operations of the project, the Heber Public Utility, shall ensure proper maintenance of the proposed retention basin by implementing the following program recommended by the County Department of Environmental Health Services. The basin shall be periodically monitored to ensure that mosquitoes and other pests are not breeding. If pest are found and depending upon the type of pest found, a person with knowledge of proper eradication procedures shall be hired to eradicate the pests.³

NOISE:

The contractor, throughout construction activities, shall ensure that construction only occur during cooler day-time hours of the weekdays.

The contractor, throughout construction activities, shall ensure that construction equipment be properly tuned and maintained to keep noise at the lowest possible level.

The contractor, throughout construction activities, shall ensure that any construction shall be conducted in accordance with applicable standards and provisions of the County's Noise Element.

The applicant, prior to final plan approval, shall demonstrate on all appropriate plans, that two-story residences shall not be built along the perimeter of the site or along the interior interface with proposed commercial uses.

The applicant, throughout construction of the project, shall provide air conditioning for proposed residences located along the site perimeter and along the interior interface with proposed commercial uses.

The applicant, prior to final plan approval, shall demonstrate on all appropriate plans, the construction of an eight-foot sound wall, made of masonry, stucco, or any other permanent heavy 25 pound per s.f. minimum material along Dogwood Road. A 2' high earth berm 6' high sound wall along SR 86 is acceptable as conditioned in Tract 905.²

PUBLIC SERVICES:

FIRE PROTECTION:

Prior to final map approval, the applicant shall demonstrate on all appropriate plans that the project complies with appropriate provisions of the Fire Code, National Fire Protection Agency fire flow standards, and County design standards associated with fire access, street lighting, street signs, fire hydrants, and house numbers.

The applicant, prior to issuance of occupancy, shall provide required fire mitigation contributions. Any contribution shall be used by the County Fire Department for the purpose of providing sufficient fire protection and emergency services.⁴

POLICE PROTECTION:

Throughout operations of the project, the Sheriff's Office shall continue to collect revenues from property taxes received from the proposed project. Revenues would be utilized to increase staff and facilities to service the project.¹

SCHOOLS:

Prior to issuance of occupancy, the applicant shall pay all required fees to the affected school districts.¹

MAINTENANCE:

Prior to issuance of occupancy, the applicant shall pay required maintenance fees, if required by the Heber Public Utility District.¹

UTILITIES AND SERVICE SYSTEMS:

All utility lines serving the project shall be placed underground.

No structures shall be permitted to be developed over existing pipelines, power lines or other similar easements.

By final inspection, all onsite improvements shall be provided by the applicant in accordance with the provision of the discretionary approvals. The provision of all improvements shall be consistent with applicable State and County codes and standards.^{1,2,6}

POWER:

The applicant shall comply with all requirements and shall pay all required fees, prior to issuance of occupancy. All electrical services and facilities shall be built in accordance with the policies and extension rules of the Imperial Irrigation District.⁶

GAS:

Prior to issuance of building permit, the applicant shall submit an engineering study including tract map and plot plans to Southern California Gas Company to ensure that existing facilities are adequate in providing service.

The applicant shall comply with all requirements and pay all required fees established by the gas company or finance all gas improvements, prior to issuance of occupancy. The project shall implement, where feasible, energy conservation programs developed by Southern California Gas Company to ensure efficient use of natural gas.¹

COMMUNICATIONS:

Prior to issuance of building permit, the applicant shall submit the approval tract map and plot plans to Pacific Bell to ensure that existing facilities are adequate in providing service.

The applicant shall comply with all requirements and pay all required fees established by Pacific Bell, prior to issuance of occupancy.¹

WATER:

The applicant shall pay applicable capacity, connection, processing, administrative, engineering and hookup fees for water services to the Heber Public Utility District, prior to issuance of occupancy.

UTILITIES AND SERVICE SYSTEMS CONTINUED:

Throughout construction of the project, the project shall incorporate interior and exterior water conservation techniques recommended by the California Department of Water Resources, relating to low-flush toilets and showers, etc.¹

SEWER:

The applicant shall pay applicable capacity, connection, processing, administrative, engineering, and hookup fees for sewer services to the Heber Public Utility District, prior to issuance of occupancy.¹

The applicant shall follow all guidelines in the "Rules and Regulations Governing the Distribution and Use of Water".⁶

STORM WATER DRAINAGE:

See Pages Seven & Eight under "WATER"

SOLID WASTE AND DISPOSAL:

Prior to issuance of building permit, the applicant shall pay appropriate fees if required to the Heber Public Utility District and affected landfill operator for solid waste service.¹

AESTHETICS:

Prior to issuance of grading permit, the proposed height and design of street lighting shall be approved by the County Engineering Department.²

Prior to issuance of certificate of occupancy, the applicant shall provide sufficient trees and shrubbery along Dogwood Road to screen project light and glare from residences to the east subject to the approval by the County Planning/Building Department.¹

RECREATION:

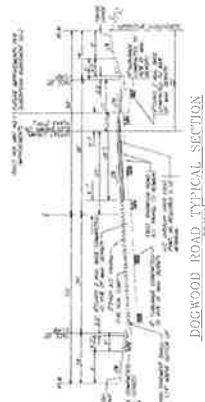
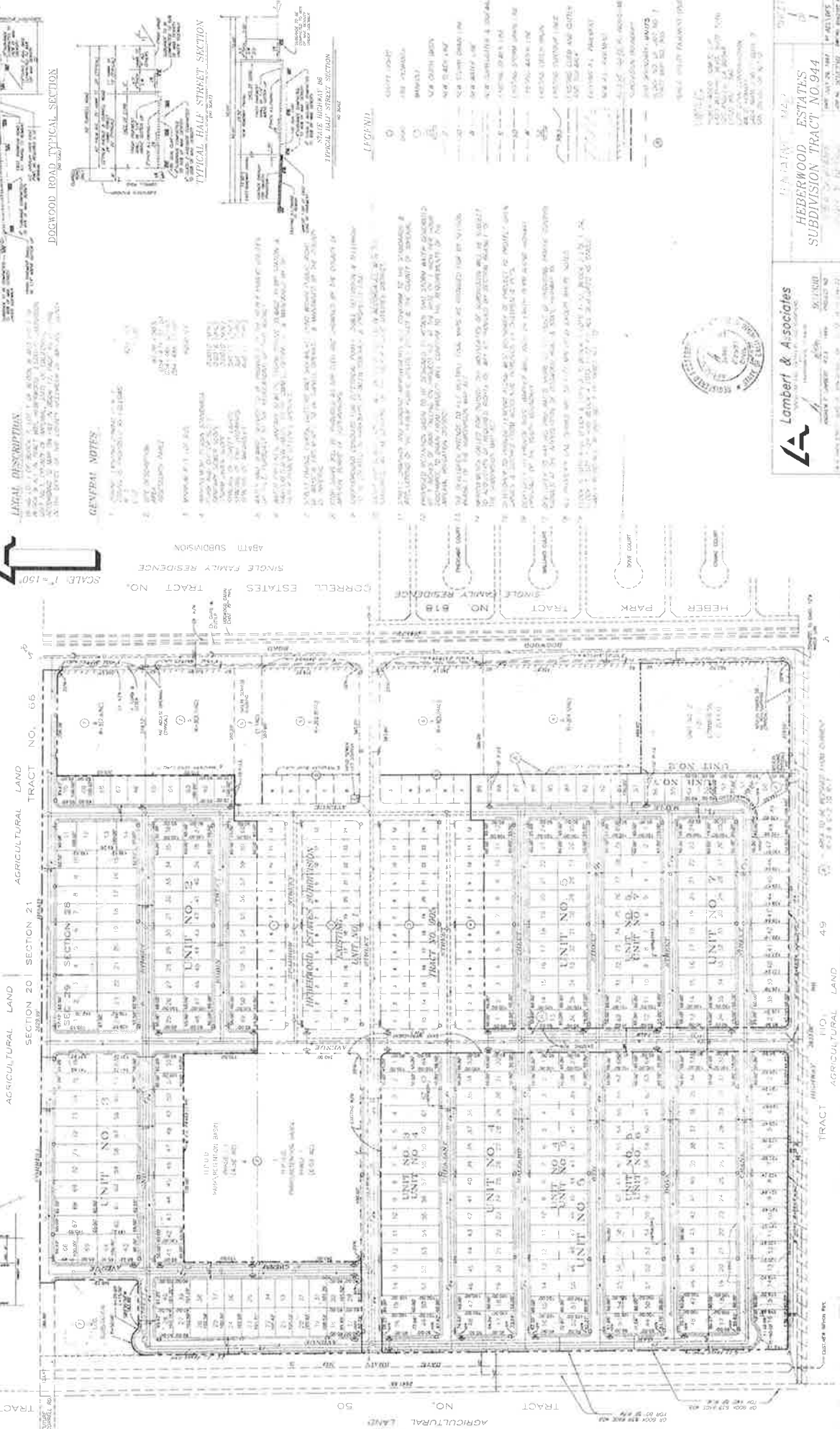
Prior to issuance of occupancy, the applicant shall pay required park mitigation fees, if required by the Heber Public Utility District.¹

- 1. Planning/Building Department**
- 2. Public Works Department**
- 3. Environmental Health Services**
- 4. Fire/Office of Emergency Services**
- 5. Agricultural Commissions Office**
- 6. Imperial Irrigation District**

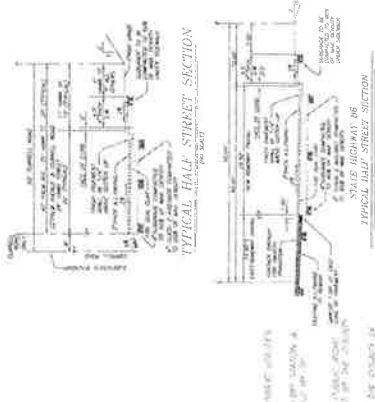
(EEC MITIGATION MEASURES ON 11/13/97).

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TENTATIVE MAP HEBERWOOD ESTATES SUBDIVISION TRACT NO. 944



LOGWOOD ROAD TYPICAL SECTION



STATE HIGHWAY 86 TYPICAL HALF STREET SECTION

LAND DESCRIPTION

THE LAND SHOWN ON THIS MAP IS A PORTION OF THE LANDS OWNED BY THE STATE OF ILLINOIS AND IS SUBJECT TO THE EASEMENTS AND RESTRICTIONS SET FORTH IN THE PLAT OF THE STATE OF ILLINOIS.

GENERAL NOTES

1. THE LOTS SHOWN ON THIS MAP ARE SUBJECT TO THE EASEMENTS AND RESTRICTIONS SET FORTH IN THE PLAT OF THE STATE OF ILLINOIS.
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LEGEND

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HEBERWOOD ESTATES
SUBDIVISION TRACT NO. 944

TRACT NO. 65
TRACT NO. 66
TRACT NO. 49
TRACT NO. 944