

CONDITIONS OF APPROVAL

RESOLUTION:	2017-XX and 2017-XX
PROJECT:	PA 2016-107/RDR 2016-25
PROJECT NAME:	Cottage Lane
PROJECT LOCATION:	APNs: 379-490-004 thru 010, 379-491-001 thru 039
APPROVAL DATE:	January 17, 2017
EFFECTIVE DATE:	
EXPIRATION DATE:	

GENERAL

1. Planning Application (PA) No. 2016-107/ Residential Design Review (RDR) No. 2016-25 consists of design and construction of 41 single-family residential units, preliminary plotting, conceptual wall and fence plan, including a new model home complex and related improvements (Project). The Project is located in Tract Map No. 32996, Lots 4 through 46, 49, 50, and 51 (APNs: 379-490-004 thru 010, 379-491-001 thru 039) located within the Cottage Lane Specific Plan (CLSP).
2. The applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City, its Officials, Officers, Employees, and Agents from any claim, action, or proceeding against the City, its Officials, Officers, Employees or Agents to attack, set aside, void, or annul an approval of the City, its advisory agencies, appeal boards, or legislative body concerning the Project.
3. Within 30 days of project approval, the applicant shall sign and complete an "Acknowledgment of Conditions" and shall return the executed original to the Community Development Department for inclusion in the case records.

PLANNING DIVISION

4. Design Review approval for Residential Design Review No. 2016-25, shall lapse and become void two (2) years following the date on which the design review became effective, unless one of the following: (1) prior to the expiration of two years, a building permit related to the design review is issued and construction commenced and diligently pursued toward completion; or (2) prior to the expiration of two years, the applicant has applied for and has been granted an extension of the design review approval pursuant to subsections (B) and (C) of Lake Elsinore Municipal Code (LEMC) Section 17.184.120. Notwithstanding conditions to the contrary, a design review granted pursuant to LEMC Chapter 17.184 shall run with the land for this two-year period, subject to any approved extensions, and shall continue to be valid upon a change of ownership of the site which was the subject of the design review application.
5. All Conditions of Approval and Mitigation Measures related to CLSP and Tract Map No. 32996 shall be adhered to.
6. The applicant shall provide all project-related on-site and off-site improvements as required by these Conditions of Approval.
7. All Conditions of Approval shall be reproduced on page one of building plans prior to their acceptance by the Building and Safety Division, Community Development Department. -All

~~Conditions of Approval shall be met prior to the issuance of a Certificate of Occupancy.~~
(Modified by the Planning Commission on 1/17/17).

8. All future development proposals shall be reviewed by the City on a project by project basis. If determined necessary by the Community Development Director or designee, additional environmental analysis will be required.
9. Any proposed minor revisions to approved plans shall be reviewed and approved by the Community Development Director or designee. Any proposed substantial revisions to the approved plans shall be reviewed according to the provisions of the Municipal Code in a similar manner as a new application.
10. If any of the conditions of approval set forth herein fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted, deny or further condition issuance of all future building permits, deny revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted; record a notice of violation on the property title; institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation.
11. The following architectural details shall be provided:
 - All front fence returns shall be decorative masonry walls. Wood fences will not be allowed along the front elevation. Wood, vinyl or steel (wrought iron or aluminum) gates are allowed in order to allow access to rear yards.
 - The applicant shall provide four-sided articulation. Architectural enhancements and treatments shall be provided on all residential elevations (front, rear and side) visible from streets and other public views.
 - All fireplaces shall be natural gas fireplaces only. No wood burning fireplaces shall be allowed.
12. The applicant shall provide a flat concrete pad or area a minimum of 3'- 0" by 7'- 0" adjacent to the dwelling for the storage of the City trash barrels. The storage pad or area shall conceal the trash barrels from public view, subject to the approval of the Community Development Director or designee. Precise grading plans shall identify the location of the aforementioned flat area and air conditioning units.
13. Prior to the issuance of a building permit, the Applicant shall submit a product placement plan depicting the plan and design for each dwelling unit to be approved by the Community Development Director or designee. Care is to be taken to ensure that adjacent units with the same floor plan are minimized and reflect a diversity in architecture and colors to ensure that there is adequate variation in architectural design.
14. The building addresses (in numerals at least four inches high) shall be displayed near the entrance and easily visible from the front of the unit and public right-of-way. The applicant

shall obtain street addresses for all production lots prior to issuance of building permit.

15. No construction traffic shall go through Cottage Lane neighborhood. No construction signs shall be placed at intersections of Tiller Lane and Wavecrest Drive and Grand Avenue and Keel Drive.
16. Ulla Lane shall be accepted as a public street.

Prior to Issuance of Grading Permits/Building Permits

17. Prior to the issuance of a grading permit, the project applicant shall obtain all necessary State and Federal permits, approvals, or other entitlements, including obtaining the necessary authorizations from the regulatory agencies for proposed impacts to jurisdictional waters. Authorizations may include a Section 404 Permit from the U.S. Army Corps of Engineers, a Section 1602 Streambed Alteration Agreement from the California Department of Fish and Wildlife, and a Section 401 Water Quality Certification/Waste Discharge Requirement from the Regional Water Quality Control Board.
18. Prior to issuance of building permit, the applicant shall prepare a Final Wall and Fence Plan addressing the following:
 - Show that a masonry or decorative block wall will be constructed along the entire tract boundary.
 - Show materials, colors, and heights of rear, side and front walls/fences for proposed lots.
 - Show the location of all wood, vinyl or steel (wrought iron or aluminum) gates placed within the front return walls.
 - Show that side walls for corner lots shall be decorative masonry block walls.
 - Show that those materials provided along the front elevations (i.e. brick, stone, etc.) will wrap around the side elevation and be flush with the front return walls.
19. Signs are not part of this project approval. All signage shall be subject to Planning Division or Planning Commission review and approval prior to installation.
20. Prior to issuance of the first building permit the applicant shall initiate the formation of a Homeowner's Association (HOA) which shall be approved by the City. The formation of the HOA shall be completed prior to the issuance of the first certificate of occupancy. All Association documents shall be submitted for review and approval by City Planning, Engineering and the City Attorney and upon City approval shall be recorded. Such documents shall include the Articles of Incorporation for the Association and Covenants, Conditions and Restrictions (CC&Rs).
 - a. At a minimum, all recreation and park areas, all natural slopes and open space, all graded slopes abutting public street rights-of-way which are not part of residential lots,

up slopes from public rights-of-way within private lots, and all drainage basins shall be maintained by the Homeowner's Association (HOA).

21. In connection with the formation of the HOA as provided in COA #20 and prior to issuance of the first building permit, the applicant shall apply for formation of a Community Facilities District to offset the potential annual negative fiscal impacts should the HOA default in its obligation to maintain any public facilities or public improvements as provided herein. The formation of the HOA shall be completed prior to the issuance of the first certificate of occupancy. Such formation will typically also include the provision for the levy of a special tax for purposes of repayment of bonded indebtedness, the proceeds of which will generally be available for reimbursement of the cost of public improvements incurred by the applicant. A default by the HOA shall be deemed to occur if:
- (i) the HOA files for bankruptcy;
 - (ii) the HOA is dissolved;
 - (iii) the HOA ceases to levy annual assessments for the maintenance of the improvements described above; or,
 - (iv) the HOA fails to maintain such improvements at the same level as the City maintains similar improvements throughout the City and within ninety (90) days after written notice from the City, or such longer period permitted by the City Manager, fails to remedy such maintenance deficiency to the reasonable satisfaction of the City Council.

The formation of a Community Facilities District under the Mello-Roos Act will include the authorization to levy of a special tax (generally designated as the "Special Tax B (Contingent)") in the event that the HOA's default.

The services which may be funded with proceeds of Special Tax B (Contingent) shall be as provided by Section 53313 of the Mello Roos Act and will include all costs attributable to maintaining, servicing, repairing and/or replacing all public improvements to which the HOA has a duty to maintain as provided in these Conditions of Approval. In addition to payment of the cost and expense of the forgoing services, proceeds of Special Tax (Contingent) may be expended to pay reasonable "administrative expenses.

Alternatively, the applicant may propose alternative financing mechanisms to fund the annual negative fiscal impacts of the project. Applicant shall make a \$7,500 non-refundable deposit to cover the cost of the formation or other mitigation process, as applicable. The method used to satisfy this condition shall be written into the Covenants, Conditions and Restrictions (CC&Rs) adopted for this subdivision, and distributed to all HOA residential members.

22. Provisions of the City's Noise Ordinance (LEMC Chapter 17.176) shall be satisfied during all site preparation and construction activity. The applicant shall place a weatherproof 3' X 3' sign at the entrance to the project site identifying the approved days and hours of construction activity. Site preparation activity and construction shall not commence before 7:00 AM and shall cease no later than 5:00 PM, Monday through Friday. Only finish work and similar interior construction may be conducted on Saturdays and may commence no earlier than 8:00 am and shall cease no later than 4:00 p.m. Construction activity shall not

take place on Sunday, or any Legal Holidays. The sign shall identify the name and phone number of the development manager to address any complaints.

23. Prior to issuance of a building permit, building plans for the Model Home Complex shall comply with all American Disabilities Act (ADA) requirements, including provision of a handicapped-accessible bathroom.
24. Construction phasing shall be implemented in accordance with the approved Phasing Plan which avoids construction traffic from entering occupied neighborhoods within the tract.
25. A cash bond shall be required for the Model Home Complex. This bond is to guarantee removal of the temporary fencing material, parking lot, etc. that have been placed onsite for the Model Home Complex. The bond will be released after removal of the materials and the site is adequately restored, subject to the approval of the Community Development Director or designee.
26. A cash bond shall be required for any garage conversion of the model(s). Bonds will be released after removal of all temporary materials and the site is adequately restored, subject to the approval of the Community Development Director or designee.
27. A cash bond shall be required for any construction trailers used during construction. Bonds will be released after removal of trailers, subject to the approval of the Community Development Director or designee.
28. The applicant shall pay school fees to the Lake Elsinore Unified School District prior to issuance of each building permit.
29. The project shall connect to water and sewer and meet all requirements of the Elsinore Valley Municipal Water District (EVMWD). The applicant shall submit water and sewer plans to the EVMWD and shall incorporate all district conditions and standards.
30. All mechanical and electrical equipment associated with the residences shall be ground mounted. All outdoor ground or wall mounted utility equipment shall be consolidated in a central location and architecturally screened behind fence returns, subject to the approval of the Community Development Director, prior to issuance of building permit.
31. All front yards and side yards on corner lots shall be properly landscaped with automatic (manual or electric) irrigation systems to provide 100 percent planting coverage using a combination of drip and conventional irrigation methods. Construction Landscape & Irrigation drawings shall be prepared, reviewed by the City's Landscape Architect Consultant and approved by the Community Development Director or designee. A Cost Estimate for materials and labor shall also be submitted for review and approval. A Landscape Plan Check fee will be charged prior to final landscape approval based on the Consultant's fee, inspection, permits and administration fees.
 - The applicant shall replace any street trees harmed during construction, in conformance with the City's Street Tree List, at a maximum of 30 feet apart and at least 24-inch box in size.

- Perimeter walls shall be protected by shrubs and other plantings that discourage graffiti.
- The applicant shall ensure a clear line of sight at ingress/egress points by providing plantings within 15 feet of ingress/egress points whose height does not exceed two (2) feet and whose canopy does not fall below six feet.
- The landscape plan shall provide for California native drought-tolerant ground cover, shrubs, and trees. Special attention shall be given to use of Xeriscape or drought resistant plantings with combination drip irrigation system to prevent excessive watering.
- No front-yard grass turf landscaping will be installed.
- All landscape improvements shall be bonded with a ten percent (10%) Faithful Performance Bond of the approved estimated labor and materials cost for all planting. The bond shall remain in effect for one year from Certificate of Occupancy.
- All landscaping and irrigation shall be installed within an affected portion of any phase at the time a certificate of occupancy is requested for any building.
- All Model Homes shall be Xeriscaped and signage provided identifying Xeriscape landscaping. Xeriscape is a method of landscape design that minimizes water use by:
 - 1) Implementing hydrozones;
 - 2) Eliminating high and medium water-use plant material as identified by Water Use Classifications of Landscape Species (WUCOLS) (such as turf) and incorporates low to very low water-efficient ("drought-tolerant" / climate-appropriate) plants;
 - 3) Requires an efficient irrigation system that includes:
 - a. ET-Based ("Smart irrigation") controller(s) with weather-sensing, automatic shut-off and seasonal adjustment capabilities;
 - b. Efficient irrigation water application through use of:
 - i. Low-volume point-source irrigation (such as drip irrigation and bubblers) for all shrub planter areas (maximum of 3:1 slope) with a minimum irrigation efficiency of 0.90; and/or,
 - ii. Rotor-type nozzles for areas greater than ten (10) feet wide, for slopes 3:1 and greater, AND with a minimum irrigation efficiency of 0.71.
 - 4) Improvement of soil structure for better water retention; and

- 5) Application of mulch to hinder evaporation.
- The Final landscape plan shall be consistent with any approved site and/or plot plan.
 - The Final landscape plan shall include planting and irrigation details.
 - All exposed slopes in excess of three feet in height within the subject tract and within private lots shall have a permanent irrigation system and erosion control vegetation installed, as approved by the Planning Division, prior to issuance of certificate of occupancy.
 - All landscaping and irrigation shall comply with the water-efficient landscaping requirements set forth in LEMC Chapter 19.08 (Water Efficient Landscape Requirements), as adopted and any amendments thereto.
32. Prior to the issuance of the 20th Certificate of Occupancy plans shall be submitted for the private park and construction to commence prior to the issuance of the 31st Certificate of Occupancy. (Added by the Planning Commission on 1/17/17)

BUILDING DIVISION

General Conditions

33. Final Building and Safety Conditions. Final Building and Safety Conditions will be addressed when building construction plans are submitted to Building and Safety for review. These conditions will be based on occupancy, use, the California Building Code (CBC), and related codes which are enforced at the time of building plan submittal.
34. Compliance with Code. All design components shall comply with applicable provisions of the 2013 edition of the California Building, Plumbing and Mechanical Codes; 2013 California Electrical Code; California Administrative Code, 2013 California Energy Codes, 2013 California Green Building Standards, California Title 24 Disabled Access Regulations, and Lake Elsinore Municipal Code. As of January 1, 2017 all California codes will be plan checked under the 2016 California Code of Regulations Title 24.
35. Street Addressing. Applicant must obtain street addressing for all proposed buildings by requesting street addressing and submitting a site plan for commercial or multi-family residential projects or a recorded final map for single-family residential projects.
36. Clearance from LEUSD. A receipt or clearance letter from the Lake Elsinore School District shall be submitted to the Building and Safety Department to ensure the payment or exemption from School Mitigation Fees.
37. Obtain Approvals Prior to Construction. Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.
38. Obtaining Separate Approvals and Permits. Trash enclosures, patio covers, light

standards, and any block walls will require separate approvals and permits.

39. Sewer and Water Plan Approvals. On-site sewer and water plans will require separate approvals and permits. Septic systems will need to be approved from Riverside County Environmental Health Department before permit issuance.

At Plan Review Submittal

40. Submitting Plans and Calculations. Applicant must submit to Building and Safety four (4) complete sets of plans and two (2) sets of supporting calculations for review and approval including:
- a. An electrical plan including load calculations and panel schedule, plumbing schematic, and mechanical plan applicable to scope of work.
 - b. A Sound Transmission Control Study in accordance with the provisions of the Section 1207, of the 2013 edition of the California Building Code.
 - c. Truss calculations that have been stamped by the engineer of record of the building and the truss manufacturer engineer.

Prior to Issuance of Grading Permit(s)

41. Onsite Water and Sewer Plans. Onsite water and sewer plans, submitted separately from the building plans, shall be submitted to Building and Safety for review and approval.
42. Demolition Permits. A demolition permit shall be obtained if there is an existing structure to be removed as part of the project.

Prior to Issuance of Building Permit(s)

43. Plans Require Stamp of Registered Professional. Applicant shall provide appropriate stamp of a registered professional with original signature on the plans.

Prior to Beginning of Construction

44. Pre-Construction Meeting. A pre-construction meeting is required with the building inspector prior to the start of the building construction.

ENGINEERING DIVISION

General

45. All slopes and landscaping within public right-of-way shall be maintained by the property owner or property owner's association or another maintenance entity approved by the City Council.
46. All open space, slopes, parks and flood control district facilities, outside the public right-of-

way shall be owned and maintained by property owner or property owner's association.

47. In accordance with the City's Franchise Agreement for waste disposal & recycling, the developer shall be required to contract with CR&R Inc. for removal and disposal of all waste material, debris, vegetation and other rubbish generated during cleaning, demolition, clear and grubbing or all other phases of construction.
48. Developer shall mitigate to prevent any flooding and/or erosion downstream caused by development of the site and or diversion of drainage.
49. Any grading that affects "waters of the United States", wetlands or jurisdictional streambeds, shall require approval and necessary permits from respective Federal and/or State agencies.
50. The developer shall provide a copy of an encroachment permit or any approval documents from the Riverside County Flood Control District and/or Caltrans for encroaching, grading, or discharging into County flood control facilities or Caltrans right of way.
51. All required soils, geology, hydrology and hydraulic, and seismic reports shall be prepared by a Registered Civil Engineer.

FEES

52. The developer shall pay all Engineering Division assessed, Development Impact Fees, Plan Check and Permit fees (LEMC 16.34). Applicable Development Impact Fees include: Traffic Infrastructure Fee (TIF), Transportation Uniform Mitigation Fee (TUMF), and Area Drainage Fee.
53. Mitigation Fees will be assessed at the prevalent rate at time of payment in full.

STORM WATER MANAGEMENT / POLLUTION PREVENTION / NPDES

Design:

54. The project is responsible for complying with the Santa Ana Region NPDES Permits as warranted based on the nature of development and/or activity. These Permits include:
 - General Permit –Construction
 - General Permit – Industrial
 - Scrap Metal
 - Deminimus Discharges
 - MS4
55. The project shall complete and submit for review and approval to the Engineering Division BOTH a preliminary and final WQMP, incorporating the LID Principles and Stormwater BMPs.
56. The final WQMP shall be approved **prior to issuance of any encroachment, grading or building permit.**

57. Water Quality Facilities that service more than one parcel shall be placed in an easement to provide for maintenance and prevent obstruction.
58. The applicant shall use the Water Quality Management Plan for the Santa Ana Region of Riverside County guidance document and template for WQMP preparation.
59. WQMP – The Water Quality Management Plan (WQMP) specifically identifying Best Management Practices (BMPs) that will be used onsite to control identified pollutants of concern. The applicant shall utilize the MS4 Permittee Drainage Area Management Plan (DAMP), Model WQMP, and LID Guidance Manual for reference, and the MS4 Permittee's WQMP template for submittal. This WQMP shall include the following:
 - Detailed site and project description
 - Potential stormwater pollutants
 - Post-development drainage characteristics
 - Low Impact Development (LID) BMP selection and analysis
 - Structural and Non-Structural source control BMPs
 - Site design and drainage plan (BMP Exhibit)
 - Vector issues are addressed in the BMP design, operation and maintenance.
 - GIS coordinates for all LID and Treatment Control BMPs
 - HCOC - demonstrate that discharge flow rates, velocities, duration and volume for the post construction condition from a 2 year and 10 year 24 hour rainfall event will not cause significant adverse impacts on downstream erosion and receiving waters, or measures are implemented to mitigate significant adverse impacts to downstream public facilities and water bodies. Design goal to replicate pre-development hydrologic regime.
60. The 2010 SAR MS4 Permit requires implementation of LID Principles and LID Site Design, where feasible, to treat the pollutants of concern identified for the project, in the following manner (from highest to lowest priority) : (Section XII.E.2, XII.E.3, and XII.E.7)
 - Evaluation of highest and best use for sites discharging to Lake Elsinore.
 - Preventative measures (these are mostly non-structural measures, e.g., preservation of natural features to a level consistent with the MEP standard; minimization of Urban Runoff through clustering, reducing impervious areas, etc.)
 - The Project shall 'Infiltrate, harvest and use, evapotranspire and/or bio-treat the 85th percentile storm event also known as the Design Capture Volume (DCV).
 - The Project shall consider a properly engineered and maintained bio-treatment system only if infiltration, harvesting and use and evapotranspiration cannot be feasibly implemented at the project site.
 - Any portion of [the DCV] that is not infiltrated, harvested and used, evapotranspired, and/or biotreated shall be treated and discharged in accordance with the

requirements set forth in Section XII.G.

61. Parking lot landscaping shall be designed to with concave landscape grading and provide for treatment, retention or infiltration of runoff.
62. Project hardscape areas shall be designed and constructed to provide for drainage into adjacent landscape and permeable surfaces in low traffic roads and parking lots.
63. Trash enclosures shall be covered and bermed.
64. Hydromodification / Hydraulic Conditions of Concern – The project shall identify potential Hydraulic Conditions of Concern (HCOC) and implement measures to limit disturbance of natural water bodies and drainage systems; conserve natural areas; protect slopes, channels and minimize significant impacts from urban runoff.
65. CEQA – If CEQA identifies resources requiring Clean Water Act Section 401 Permitting, the applicant shall obtain certification through the Santa Ana Regional Water Quality Control Board and provide a copy to the Engineering Division.
66. The project shall use either volume-based and/or flow-based criteria for sizing BMPs in accordance with NPDES Permit Provision XII.D.4.

Construction:

67. A Stormwater Pollution Prevention Plan (SWPPP) is required for this project. A copy of the current SWPPP shall be kept at the project site and be available for review upon request.
68. Erosion & Sediment Control - **Prior to the issuance of any grading or building permit**, the applicant shall submit for review and approval by the City Engineer, an Erosion and Sediment Control Plan as a separate sheet of the grading plan submittal to demonstrate compliance with the City's NPDES Program, California Building Code, and state water quality regulations for grading and construction activities. The Erosion and Sediment Control Plan shall identify how all construction materials, wastes, grading or demolition debris, and stockpiles of soil, aggregates, soil amendments, etc. shall be properly covered, stored and secured to prevent transport into local drainages or waters by wind, rain, tracking, or dispersion. The plan shall also describe how the project will ensure that all BMPs will be maintained during construction of any future right of ways.

Post Construction:

69. Recorded Operation and Maintenance (O&M) Plan that (1) describes the long-term operation and maintenance requirements for BMPs identified in the BMP Exhibit; (2) identifies the entity that will be responsible for long-term operation and maintenance of the referenced BMPs; (3) describes the mechanism for funding the long-term operation and maintenance of the referenced BMPs, and (4) provides for annual certification of water quality facilities by a registered civil engineer and/or the City for a fee if the service is available.

70. All storm drain inlet facilities shall be appropriately marked "Only Rain in the Storm Drain" using the City authorized marker to prevent illegal dumping in the drain system.
71. Prior to the issuance of a certificate of use and/or occupancy, the applicant shall demonstrate compliance with applicable NPDES permits for construction, industrial/commercial, MS4, etc. to include:
- Demonstrate that all structural Best Management Practices (BMP's) described in the BMP Exhibit from the project's approved WQMP have been implemented, constructed and installed in conformance with approved plans and specifications.
 - Demonstrate that the project has complied with all non-structural BMPs described in the project's WQMP.
 - Provide signed, notarized certification from the engineer of work that the structural BMP's identified in the project's WQMP are installed and operational.
 - Submit a copy of the fully executed, recorded Operations and Maintenance (O&M) Plan for all structural BMPs.
 - Provide documentation of annexation into a CFD for funding of facilities to be maintained by the City.
 - Demonstrate that copies of the project's approved WQMP (with recorded O&M Plan attached) are available for each of the initial occupants (commercial/industrial) or Owner's Association as appropriate.
 - Agree to pay for a Special Investigation from the City of Lake Elsinore for a date twelve (12) months after the issuance of a Certificate of Use and/or Occupancy for the project to verify compliance with the approved WQMP and O&M Plan. A signed/sealed certification from the engineer of work dated 12 months after C of O will be considered in lieu of a Special Investigation by the City.
 - Provide a recorded copy of one of the following:
 1. CC&R's (they must include the approved WQMP and O&M Plan) for the project's Owners Association.
 2. A water quality implementation agreement with the approved WQMP and O&M Plan attached; or
 3. The final approved Water Quality Management Plan and Operations and Maintenance Plan.

FINAL TRACT OR PARCEL MAP

72. Phasing plan, if any, shall be approved by the City Engineer prior to issuance of any permits.
73. Prior to issuance of the first certificate of occupancy the developer shall, in accordance with Government Code, have constructed all improvements or have improvement plans submitted and approved, agreements executed and securities posted.

UTILITIES:

74. All arrangements for relocation of utility company facilities (power poles, vaults, etc.) out

of the roadway shall be the responsibility of the property owner or his agent.

75. The developer shall apply for, obtain and submit to the City Engineering Division a letter from Southern California Edison (SCE) indicating that the construction activity will not interfere with existing SCE facilities (aka SCE NIL).
76. The developer shall submit a copy of the "Will Serve" letter to the City Engineering Division from the applicable water agency stating that water and sewer arrangements have been made for this project and specify the technical data for the water service at the location, such as water pressure and volume etc.

IMPROVEMENTS

Design

77. The development of each Planning Area or Phase shall be subject for specific review and conditions of approval.
78. The developer shall install permanent bench marks per City of Lake Elsinore Standards and at locations to be determined by City Engineer.
79. The developer shall install blue dot markers in the roadway at a right angle to Fire Hydrant locations per Lake Elsinore Standards.
80. The developer shall coordinate with Riverside Transit Authority for location and installation of bus transit facilities.
81. 10-year storm runoff shall be contained within the curb and the 100-year storm runoff shall be contained within the street right-of-way. When either of these criteria are exceeded, drainage facilities shall be provided.
82. All drainage facilities in this project shall be constructed to Riverside County Flood Control District Standards.
83. Roof drains shall not be allowed to outlet directly through coring in the street curb. Roofs should drain to a landscaped area.
84. The site shall be planned and developed to keep surface water from entering buildings (California Green Building Standards Code 4.106.3).
85. All Public Works requirements shall be complied with as a condition of development as specified in the Lake Elsinore Municipal Code (LEMC) and Lake Elsinore Public Works Standard Plans.
86. The developer shall construct full street improvements per Specific Plan street right-of-way requirements. The cross section of roadway improvements with a parkway and street lights shall be constructed to the satisfaction of the City Engineer.

87. If existing improvements are to be modified, the existing improvement plans on file shall be modified accordingly and approved by the City Engineer **prior to issuance of building permit.**

Permitting/Construction

88. An Encroachment Permit shall be obtained prior to any work on City and/or State right-of-way. The developer shall submit the permit application, required fees and executed agreements, security and other required documentation prior to issuance.
89. All compaction reports, grade certifications, monument certifications (with tie notes delineated on 8 ½" x 11" Mylar) shall be submitted to the Engineering Division before final inspection of public works improvements will be scheduled and approved.
90. All streets shall be constructed per Lake Elsinore City Standards and/or applicable specific plan. Any deviation from City standards shall be approved by the City Engineer.

Acceptance of Improvements

91. The developer shall submit a written request for acceptance to the City Engineer.
92. As-built plans shall be completed and signed by the City Engineer.

GRADING

Design:

93. A grading plan signed and stamped by a California Registered Civil Engineer shall be submitted for City review and approval for all addition and/or movement of soil (grading) on the site. The plan shall include separate sheets for erosion control, haul route and traffic control. The grading submittal shall include all supporting documentation and be prepared using City standard title block, standard drawings and design manual (available at www.lake-elsinore.org).
94. All grading plan contours shall extend to minimum of 50 feet beyond property lines to indicate existing drainage pattern.
95. The grading plan shall show that no structures, landscaping, or equipment are located near the project entrances that could reduce sight distance.
96. If the grading plan identifies alterations in the existing drainage patterns as they exit the site, a Hydrology and Hydraulic Report for review and approval by City Engineer shall be required prior to issuance of grading permits. All grading that modifies the existing flow patterns and/or topography shall be approved by the City Engineer.
97. The developer shall obtain all necessary off-site easements and/or permits for off-site grading and the applicant shall accept drainage from the adjacent property owners.

Permit/Construction:

98. Developer shall execute and submit grading and erosion control agreement, post grading security and pay permit fees as a condition of grading permit issuance.
99. A preconstruction meeting with the City Public Works Inspector (Engineering Division) is required prior to commencement of ANY grading activity.
100. Developer shall provide the city with a copy of the Notice of Intent (NOI) and Waste Discharge Identification (WDID) letter issued by the Regional Water Quality Control Board for the National Pollutant Discharge Elimination System (NPDES) program
101. Prior to commencement of grading operations, developer is to provide to the City with a map of all proposed haul routes to be used for movement of export material. All such routes shall be subject to the review and approval of the City Engineer. Haul route shall be submitted prior to issuance of a grading permit. Hauling in excess of 5,000 cy shall be approved by City Council. (LEMC 15.72.065)
102. Export sites located within the Lake Elsinore City limits must have an active grading permit.
103. Applicant to provide to the City a video record of the condition of all proposed public City haul roads. In the event of damage to such roads, applicant shall pay full cost of restoring public roads to the baseline condition. A bond may be required to ensure payment of damages to the public right-of-way, subject to the approval of the City Engineer.
104. All grading shall be done under the supervision of a geotechnical engineer. Slopes steeper than 2 to 1 shall be evaluated for stability and proper erosion control and approved by the City.
105. Review of the project Storm Water Pollution Prevention Plan (SWPPP) and sediment and erosion control plan shall be completed. A copy of the current SWPPP shall be kept at the project site and be available for review upon request.
106. Approval of the project Water Quality Management Plan (WQMP) for post construction shall be received prior to issuance of a grading permit.
107. Submit an approved environmental clearance document to the Engineering Division. This approval shall identify and clear all proposed grading activity anticipated for this project.
108. Developer shall pay all grading permit applicable processing, permit, security and development fees.

PRIOR TO ISSUANCE OF BUILDING PERMIT

109. Provide final soils and geology reports prior to building permit.
110. All street improvement plans and signing and striping plans shall be completed and approved by the City Engineer.

111. The developer shall pay all Capital Improvement TIF and Master Drainage Fees and Plan Check fees (LEMC 16.34).

Prior to Occupancy

112. All signing and striping and traffic control devices for the required improvements of this development shall be installed.
113. All public improvements shall be completed in accordance with the approved plans or as condition of this development to the satisfaction of the City Engineer.
114. All water and sewer improvements shall be completed in accordance with Water District requirements.
115. Proof of acceptance of maintenance responsibility of slopes, open spaces, landscape areas, parks and drainage facilities shall be provided.
116. TUMF fees shall be paid. The TUMF fees shall be the effective rate at the time of payment in full in accordance with the LEMC.
117. As-built plans for all approved plan sets shall be submitted for review and approval by the City. The developer/developer/owner is responsible for revising the original mylar plans. All final studies and reports, grade certifications, monument certifications (with tie notes delineated on 8 ½ x 11" mylar) shall be submitted in .tif format on a CD/DVD. Studies and reports include, Soils, Seismic, Hydrology, Hydraulics, Grading, SWPPP, WQMP, etc.
118. All plan sets and recorded maps shall be digitized and provided on CD/DVD as follows:
- Final Map(s) - GIS Shape files* and .tif of recorded map.
 - Improvement Plans – GIS Shape files* and .tif of approved as built mylar.
 - Grading Plans - .tif of approved as built mylar.
- *GIS Shape files must be in projected Coordinate System: NAD 83 State Plane California Zone VI U.S. Fleet.
119. Final soil report showing compliance with recommendations, compaction reports, grade certifications, monument certifications (with tie notes delineated on 8 ½ x 11" mylar) shall be submitted in .tif format on CD to the Engineering Division before final inspection will be scheduled.
120. In the event of damage to City roads from hauling or other construction related activity, applicant shall pay full cost of restoring public roads to the baseline condition.
121. Prior to grading or building permit close-out and/or the issuance of a certificate of use or a certificate of occupancy, developer shall:
- Demonstrate that all structural BMPs have been constructed, installed and are functioning in conformance with approved plans and specifications and the WQMP;

- Demonstrate that they are prepared to implement all non-structural BMPs included in the conditions of approval or building/grading permit conditions;
 - Demonstrate that an adequate number of copies of the approved project specific WQMP are available for the future owners/occupants; and
 - The developer shall provide all education guidelines for Water Quality Management Practices to the tenants, operators and owners of the businesses of the development, regarding the environmental awareness on good housekeeping practices that contribute to protection of storm water quality and meet the goals of the approved WQMP in the Riverside County NPDES Drainage Area Management Plan. Contact the City NPDES Coordinator for handout/guideline information.
122. The property owner (aka Legally Responsible Party) shall execute and cause to be recorded a "Covenant and Agreement" in the form provided by the City to inform future property owners of the requirement to implement the approved final project-specific WQMP.
123. Developer shall pay all outstanding applicable processing and development fees including but not all inclusive: TUMF, MSHCP, TIF and area drainage prior to occupancy/final approval.

CITY OF LAKE ELSINORE FIRE MARSHALL

General Conditions

124. **Riverside County Fire Department at Lake Elsinore Office of the Fire Marshal Responsibility** - It is the responsibility of the recipient of these Fire Department conditions to forward them to all interested parties. The permit number (as it is noted above) is required on all correspondence.

Questions should be directed to the Riverside County Fire Department, Lake Elsinore Office of the Fire Marshal at 130 S. Main St., Lake Elsinore, CA 92530. Phone: (951) 671-3124 Ext. 225. The following fire department conditions shall be implemented in accordance with the Lake Elsinore Municipal Code and the adopted codes at the time of project building plan submittal, these conditions are in addition to the adopted code requirements.

125. **Blue Dot Reflectors** - Blue retro-reflective pavement markers shall be mounted on private streets, public streets and driveways to indicate location of fire hydrants. Prior to installation, placement of markers must be approved by the Riverside County Fire Dept.
126. **Minimum Hydrant Fire Flow** - Minimum required fire flow shall be 1,000 GPM for 2 hours duration at 20 PSI residual operating pressure, which must be available before any combustible material is placed on the job site. Average spacing between hydrants 500' and 250' maximum distance from any point on the street or road frontage to hydrant.
127. **Standard Fire Hydrants** - Standard fire hydrants (6" x 4" x 2 1/2"), shall be located not less than 25 feet or more than 250 feet from any portion of the building as measured along approved vehicular travel ways. The required fire flow shall be available from any adjacent

hydrant (s) in the system

128. **Minimum Access Standards** - The following access requirements are required to be implemented to ensure fire department and emergency vehicular access. All roadways shall conform to the City of Lake Elsinore approved roadway standards but in no case shall the minimum fire department vehicular access be less the following provisions:
1. Twenty-four feet (24') clear width. Where parking is to be provided, each parking side shall be provided with eight (8') additional feet on each side of the fire department access.
 2. Median openings or crossovers between opposing lanes of a divided highway or street shall be located only at approved intersections at intervals of not less than 500 feet. [Ord. 529 § 3.2(F), 1973].
 3. The required all weather vehicular access shall be able to support no less than 75,000 lbs. over 2 axles.
 4. Roadway gradient shall not exceed 15% on any access road, driveways, and perimeter roads.
 5. Turning Radius shall be 24' inside and 48' outside for all access roads.
129. **Automatic / Manual Gates** - Gate entrances shall be at least two feet wider than the width of the traffic lane (s) serving that gate and no less than 20 feet wide. Any gate providing access from a road to a driveway shall be located at least 35 feet from the roadway and shall open to allow vehicle to stop without obstructing traffic on the road. Where a one-way road with a single traffic lane provides access to a gate entrance, a 40 foot turning radius shall be used. Gate access shall be equipped with a rapid entry system. Plans shall be submitted to the Fire Department for approval prior to installation. Automatic/manual gate pins shall be rated with shear pin force, not to exceed 30 foot pounds. Automatic gates shall be equipped with emergency backup power. Gates activated by the rapid entry system shall remain open until closed by the rapid entry system. Contact the Fire Planning office for current plan check fees.

Prior to Building Permit Issuance

130. **Plan Check Fee** - Building plan check fees shall be made payable to the "City of Lake Elsinore", and shall be submitted to the Fire Department at the time of plan submittal.
131. **Water System Plans** - Applicant and/or developer shall submit 2 sets of water system plans to the Fire Department for review. The plans must be signed by a registered Civil Engineer and/or water purveyor prior to Fire Department review and approval. Mylars will be signed by the Fire Department after review and approval. Two (2) copies of the signed and approved water plans shall be returned to the Fire Department before release of a building permit.
132. **Prior to Building Construction Verification** - This project shall be inspected and approved by the Fire Marshal or designee prior to bringing combustible materials on site. During said inspection all permanent road signs shall be in place, all hydrants shall on operating and approved for use by the water purveyor, and all permanent road surfaces shall be completed including primary and secondary access circulation.

Prior to Building Final Inspection

133. **Residential Fire Sprinkler Systems for Single family and two-family 13D** - Install a complete fire sprinkler system designed in accordance with California Residential Code, California Fire Code and adopted standards. A C-16 licensed contractor must submit plans, along with the current fee, to the Fire Department for review and approval prior to installation.

MITIGATION MONITORING AND REPORTING PROGRAM

134. The Mitigation Monitoring & Reporting Program ((MMRP) for (EIR or MND), which was adopted for this Project.

ADMINISTRATIVE SERVICES DEPARTMENT

135. Prior to issuance of the first building permit, the applicant shall start the annexation process into the Landscaping and Lighting Maintenance District (LLMD) Number 1 to fund the on-going operation and maintenance of the public right-of-way landscaped areas to be maintained by the City and for street lights in the public right-of-way for which the City will pay for electricity and a maintenance fee to Southern California Edison to offset the annual negative fiscal impacts of the project. The annexation process shall be completed prior to the issuance of the first certificate of occupancy. Alternatively, the applicant may propose alternative financing mechanisms to fund the annual negative fiscal impacts of the project with respect to Maintenance Services. Applicant shall make a seven thousand five hundred dollar (\$7,500) non-refundable deposit to cover the cost of the annexation, formation or other mitigation process, as applicable.

I hereby state that I acknowledge receipt of the approved Conditions of Approval for the above named project and do hereby agree to accept and abide by all Conditions of Approval as approved by the City Council of the City of Lake Elsinore on _____. I also acknowledge that all Conditions shall be met as indicated.

Date: _____

Applicant's Signature: _____

Print Name: _____

Address: _____

Phone Number: _____