

## CONDITIONS OF APPROVAL

**RESOLUTIONS:** 2016-XX, 2016-XX & 2016-XX  
**PROJECT:** PA 2016-103 & RDR 2014-05  
**PROJECT LOCATION:** APN 365-030-001  
**APPROVAL DATE:**  
**EFFECTIVE DATE:**  
**EXPIRATION DATE:**

### **GENERAL CONDITIONS**

1. Residential Design Review No. 2016-23, herein referred to as the project is approved to build an affordable multifamily development with 81 apartments units and associated features and facilities including resident/visitor parking, a leasing/management office, a community center, onsite laundry facility, active and passive open spaces, and a maintenance garage. The Project is generally located on vacant land west of Mission Trail, approximately 500 feet south of Hidden Trail and Elberta Road and is more specifically referred to as Assessor Parcel Number (APN: 365-030-001).
2. The applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City, its Officials, Officers, Employees, Agents, and Consultants agents (collectively referred to individually and collectively as "Indemnities") from any claim, action, or proceeding to attack, set aside, void, or annul an approval by Indemnitees concerning approval of the project, or any of the proceedings, acts or determinations taken, done, or made prior to the decision, or to determine the reasonableness, legality or validity of any condition attached thereto. The Applicant's indemnification is intended to include, but not be limited to, damages, fees and/or costs awarded against or incurred by Indemnities and costs of suit, claim or litigation, including without limitation attorneys' fees, penalties and other costs, liabilities and expenses incurred by Indemnities in connection with such proceeding. The City will promptly notify the applicant of any such claim, action, or proceeding against the City. If the project is challenged in court, the City and the applicant shall enter into formal defense and indemnity agreement, consistent with this condition.
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.
4. The applicant shall submit a check in the amount of \$2,266.25 for the Fish & Game MND fee and for County Clerk filing fee made payable to the County of Riverside for the filing of a Notice of Determination. The check shall be submitted to the Planning Division for processing within 48 hours of the project's approval.
5. Permittee shall require that all qualifying contractors and subcontractors exercise their option to obtain a Board of Equalization sub-permit for the jobsite and allocate all eligible sales and use tax payments to the City of Lake Elsinore. Prior to commencement of any construction activity on-site the developer will require that the contractor or subcontractor provide the City of Lake Elsinore with either a copy of their Board of Equalization account number and sub-permit, or a statement that the sales & use tax does not apply to their portion of the project. To accomplish this, Permittee shall either cause its construction

contractor to treat the project in accordance with California Regulation 1521 (b)(2)(B), California Regulation 1521 (c)(13)(B), and California Regulation 1826(b) for sales and use tax purposes or form a "Buying Company:" as defined in the State of California Board of Equalization Regulation 1699(h). Permittee can adopt an alternative methodology to accomplish this goal if such methodology is approved by the City of Lake Elsinore City Manager, or designee prior to issuance of building permits.

6. Permittee shall direct use taxes on out-of-City taxable purchased construction related items to the City of Lake Elsinore, consistent with state sales and use tax law. Permittee shall use its best efforts, consistent with state law, to source taxable purchases from price competition construction retail vendors within the City of Lake Elsinore to further source sales to the City.

### **FEES**

7. The applicant shall pay school fees to the Lake Elsinore Unified School District prior to issuance of each building permit.
8. The developer shall pay all Development Impact Fees, Plan Check and Permit fees (LEMC 16.34). Applicable Development Impact Fees include: Railroad Canyon Road Benefit District, Stephens Kangaroo Habitat Fee (K-Rat), Traffic Infrastructure Fee (TIF), Transportation Uniform Mitigation Fee (TUMF) (If applicable), and Area Drainage Fee. (Modified by Planning Commission action on 6/6/17).
9. Mitigation Fees will be assessed at the prevalent rate at time of payment in full.

### **MITIGATION MONITORING AND REPORTING PROGRAM**

10. All mitigation measures as identified in the Mitigated Negative Declaration, ~~which was adopted for this project, shall be implemented,~~ are hereby adopted and made conditions of approval for this project, and shall be implemented as set forth in the Mitigation Monitoring and Reporting Program. (Modified by Planning Commission action on 6/6/17).

### **PLANNING DIVISION**

11. Residential Design Review No. 2016-23 will lapse and be void unless a building permit is issued within two (2) years of the approval date and construction commenced and diligently pursued to completion. The Community Development Director may grant an extension of time for up to one (1) year prior to the expiration of the initial Design Review. An application for a time extension and required fee shall be submitted a minimum of one (1) month prior to the expiration date.
12. The applicant shall provide all project-related on-site and off-site improvements as required by these Conditions of Approval.
13. 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.

14. 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.
15. 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.
16. For multiple-family development, laundry facilities shall be provided as required by the Lake Elsinore Municipal Code.
17. For multiple-family development, provide exterior lockable storage space as required by the California Green Building Code.
18. 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.
19. Project shall participate in the City of Lake Elsinore's Crime Free Multi-Housing Program.
20. ~~Preference shall be given to existing City of Lake Elsinore residents or employees of businesses located within the City for apartments within the residential development. If a resident or employee is not on a previously established waiting list, then for a period of no more than 30 days advertisement of a vacancy or vacancies shall be made. If no resident or employee makes application for an apartment 30 thirty days then the required preference shall be removed.~~ To the maximum extent permitted by law and provided that the applicants meet standard applicant screening standards for the Development: (a) Borrower shall also give a preference in the rental of any Units to residents of, or persons employed or that have been offered employment in, the City and/or County. The preferences stated in this Section apply to the rentals of Units throughout the Term. Notwithstanding anything to the contrary herein, nothing in this Section shall require that the preference be based on a minimum duration for residency or employment. To the extent the preferences required under this Section are in conflict with the requirements of applicable fair housing laws or Section 42 of the Internal Revenue Code and implementing guidelines, the requirements of fair housing laws and Section 42 will supersede. (Modified by Planning Commission action on 6/6/17).

#### **Prior to Issuance of Grading Permits/Building Permits**

21. Submit a photometric plan of the proposed project for review and approval.
22. 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.

23. 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.
24. 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 and ~~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. (Modified by Planning Commission action on 6/6/17).
25. Construction phasing shall be implemented in accordance with the approved Phasing Plan which avoids construction traffic from entering occupied neighborhoods within the tract.
26. 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.
27. 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.
28. 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.
29. All landscaped areas shall include 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 and approved by the Community Development Director or designee. A Cost Estimate for materials and labor shall also be submitted for review and approval.
  - 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.
30. Perimeter landscaping shall be provided around the perimeter of the water quality basin. (Added by the Planning Commission action on 6/6/17).
31. Gates shall be installed in the area adjacent to the northerly property to limit possible access to the sloped area in between the two fences. (Added by the Planning Commission action on 6/6/17).

## **BUILDING DIVISION**

### **General Conditions**

32. 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.
33. Compliance with Code. All design components shall comply with applicable provisions of the 2016 edition of the California Building, Plumbing and Mechanical Codes; 2016 California Electrical Code; California Administrative Code, 2016 California Energy Codes, 2016 California Green Building Standards, California Title 24 Disabled Access Regulations, and Lake Elsinore Municipal Code.
34. Green Measures. The application shall provide 10% voluntary green measures on the project, as stipulated by the 2013 California Green Building Standards.
35. Disabled Access. Applicant shall provide details of all applicable disabled access provisions and building setbacks on plans to include:
- a. All ground floor units to be adaptable.
  - b. Disabled access from the public way to the entrance of the building.
  - c. Van accessible parking located as close as possible to the main entry.
  - d. Path of accessibility from parking to furthest point of improvement.
  - e. Path of travel from public right-of-way to all public areas on site, such as club house, trash enclosure tot lots and picnic areas.
36. 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.

37. 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.
38. Obtain Approvals Prior to Construction. Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.
39. Obtaining Separate Approvals and Permits. Trash enclosures, patio covers, light standards, and any block walls will require separate approvals and permits.
40. Sewer and Water Plan Approvals. On-site sewer and water plans will require separate approvals and permits.
41. House Electrical Meter. Applicant shall provide a house electrical meter to provide power for the operation of exterior lighting, irrigation pedestals and fire alarm systems for each building on the site. Developments with single user buildings shall clearly show on the plans how the operation of exterior lighting and fire alarm systems when a house meter is not specifically proposed.

#### **At Plan Review Submittal**

42. 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 2016 edition of the California Building Code.
  - c. A precise grading plan to verify accessibility for the persons with disabilities.
  - d. 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)**

43. 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.
44. 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)**

45. 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**

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

## **ENGINEERING DIVISION**

### **General:**

47. 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.
48. All open space, landscaping and slopes except for public parks, schools and flood control district facilities, outside the public right-of-way shall be owned and maintained by property owner or property owner's association.
49. 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.
50. Developer shall implement the improvements identified in the drainage study required by Condition 84 ~~mitigate. These improvements shall~~ prevent any flooding and/or erosion downstream caused by development of the site and or diversion of drainage.
51. All required soils, geology, hydrology and hydraulic, and seismic reports shall be prepared by a Registered Civil Engineer.

## **FLOOD PLAIN**

52. Project lies within a FEMA mapped special flood hazard zone and within the Floodplain Management area as defined at LEMC 15.68.
53. Meet all requirements of LEMC 15.68 regarding floodplain management. Finish floor elevation of all existing non-permitted (buildings put in place subsequent to the original CUP) and future buildings shall be a minimum of 1267 ft. Any fill placed in the 100-year flood plain for the purposes of elevating the building floor out of the flood plain shall require a CLOMR/CLOMR-F and LOMR/LOMR-F to be processed with FEMA.
54. No improvement shall be made upon all lands below the 1265 ft elevation level in the FEMA mapped Lake Elsinore flood plain southeasterly of the Lake levee and no artificial change in the topography in the surface of said lands shall be made (except terracing and soil conservation measures) without first complying with all applicable local, State and Federal laws, rules and regulations and Section 404 of the Clean Water Act. LEMC 15.68.052
55. Projects proposed in the back basin (elevation below 1260 ft) that the developer deems non-jurisdictional shall receive a non-jurisdictional confirmation from the U.S. Army Corps of Engineers prior to any commencement of work.

56. Meet all requirements of LEMC 15.64 regarding flood hazard regulations.

Projects in the back basin shall comply with the special conditions to Permit No. 88-00215-00-RRS (Lake Elsinore Management Project)

## **STORM WATER MANAGEMENT / POLLUTION PREVENTION / NPDES**

### **Design:**

57. 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
58. 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.
59. Prior to or concurrent with any submittal for land use (i.e. Final Map, Design Review, Grading Permit, etc.), the applicant shall have prepared and submitted to the City Engineering Department for review and approval a Preliminary Water Quality Management Plan (PWQMP). The PWQMP shall be prepared and designed in accordance with the requirements in effect at the time of its submittal. Approval of the PWQMP shall be required prior to scheduling the land use application for action by Planning Commission.
60. Water Quality Facilities that service more than one parcel shall be placed in an easement to provide for maintenance and prevent obstruction.
61. The applicant shall use the Water Quality Management Plan for the Santa Ana Region of Riverside County guidance document and template for WQMP preparation.
62. 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.
- 63.** 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 85<sup>th</sup> 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.
- 64.** Parking lot landscaping shall be designed with concave landscape grading and provide for treatment, retention or infiltration of runoff
- 65.** 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.
- 66.** Trash enclosures shall be covered and bermed.
- 67.** 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.
- 68.** 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.
- 69.** 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:**

70. 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.
71. 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:**

72. 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.
73. 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.
74. 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.
  - 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.

### **UTILITIES:**

75. 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.
76. All overhead utilities shall be undergrounded in accordance with Chapter 12.16 of the Lake Elsinore Municipal Code (LEMC)
77. Underground water rights shall be dedicated to the City pursuant to the provisions of Section 16.52.030 (LEMC), and consistent with the City's agreement with the Elsinore Valley Municipal Water District.
78. 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).
79. 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**

80. Sight distance into and out of the project location shall comply with CALTRANS Standards.
81. The developer shall install permanent bench marks per City of Lake Elsinore Standards at the intersection of the centerline of ~~Riverside~~ Mission Trail and the project entrance.
82. The developer shall install blue dot markers in the roadway at a right angle to Fire Hydrant locations per Lake Elsinore Standards.
83. The developer shall coordinate with Riverside Transit Authority for location and installation of bus transit facilities.
84. 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.

85. All drainage facilities in this project shall be constructed to Riverside County Flood Control District Standards. The Improvement Plans for the 60" pipe and associated appurtenances shall be approved by the Riverside County Flood Control District. An agreement with RCFCD will be obtained for the future maintenance. (Modified by Planning Commission action on 6/6/17). (Modified by Planning Commission action on 6/6/17).
86. A drainage study shall be provided prior to grading permit issuance to the Engineering Department. The study shall identify the following: identify storm water runoff from and upstream of the site; show existing and proposed off-site and onsite drainage facilities; and include a capacity analysis verifying the adequacy of the facilities. The drainage system shall be designed to ensure that runoff from a 10-yr storm of 6 hours or 24 hours duration under developed condition is equal or less than the runoff under existing conditions of the same storm frequency. Both 6 hour and 24 hour storm duration shall be analyzed to determine the detention basin capacities necessary to accomplish the desired results. (Modified by Planning Commission action on 6/6/17).
87. All natural drainage traversing the site shall be conveyed through the site, or shall be collected and conveyed by a method approved by the City Engineer. All off-site drainage, if different from historic flow, shall be conveyed to a public facility, accepted by adjacent property owners by a letter of drainage acceptance, or conveyed to a drainage easement.
88. Roof drains shall not be allowed to outlet directly through coring in the street curb. Roofs should drain to a landscaped area.
89. The site shall be planned and developed to keep surface water from entering buildings (California Green Building Standards Code 4.106.3).
90. 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.
91. The developer shall construct half width street improvements and dedicate right-of-way on Mission Trail such that the ultimate right-of-way width conforms to General Plan and East Lake Specific Plan right-of-way cross sections. The cross section of roadway improvements with a raised median (developer shall pay cash-in-lieu of construction of ½ the raised median), parkway, and street lights, shall be consistent with other development on Mission Trail, as recommended by the City. The road improvements for Mission Trail shall be consistent with the Traffic Analysis dated March 22, 2017 and the General Plan Circulation Plan.
92. Street improvement plans shall be prepared by a Registered Civil Engineer and the plans shall include curb and gutter, sidewalk, parkway, ac pavement, street lighting, signal modification, median, and drainage improvements. Plans shall be approved by Caltrans, and a Caltrans encroachment permit obtained.
93. The developer shall provide signing and striping plans for the required improvements of this project. The plans shall also incorporate traffic calming measures on local streets.

94. 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**

95. 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.
96. 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.
97. The developer shall be responsible for acquiring right-of-ways in which the developer or the City has no legal title or interest.
98. 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**

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

#### **GRADING**

##### **Design:**

101. Prior to grading permit issuance, compliance with IS/MND Mitigation Measures shall be achieved, with confirmation received in writing from the Planning Department/Project Planner. This approval shall identify and clear all proposed grading activity anticipated for this project.
102. 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](http://www.lake-elsinore.org)).
103. All grading plan contours shall extend to minimum of 50 feet beyond property lines to indicate existing drainage pattern.
104. The grading plan shall show that no structures, landscaping, or equipment are located near the project entrances that could reduce sight distance.
105. 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.

106. 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:**

107. Developer shall execute and submit grading and erosion control agreement, post grading security and pay permit fees as a condition of grading permit issuance.
108. A preconstruction meeting with the City Public Works Inspector (Engineering Division) is required prior to commencement of ANY grading activity.
109. 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
110. 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)
111. Export sites located within the Lake Elsinore City limits must have an active grading permit.
112. 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.
113. 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.
114. ~~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. (Modified by Planning Commission action on 6/6/17).
115. Approval of the project Water Quality Management Plan (WQMP) for post construction shall be received prior to issuance of a grading permit.

**PRIOR TO ISSUANCE OF BUILDING PERMIT**

116. Provide final soils, geology and seismic report, including recommendations for parameters for seismic design of buildings, and walls prior to building permit.

117. Approval of a letter of map revision (LOMR) or letter of map revision based on fill (LOMR-F) must be received from FEMA.
118. All required public right-of-way dedications and easements shall be prepared by the developer or his agent and shall be submitted to the Engineering Division for review and approval prior to issuance of building permit.
119. All street improvement plans, traffic signal modification plans, signing and striping plans shall be completed and approved by the City Engineer.
120. The developer shall pay all Capital Improvement TIF and Master Drainage Fees and Plan Check fees (LEMC 16.34).

#### **Prior to Occupancy**

121. All signing and striping and traffic control devices for the required improvements of this development shall be installed.
122. 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.
123. All water and sewer improvements shall be completed in accordance with Water District requirements.
124. Proof of acceptance of maintenance responsibility of slopes, open spaces, landscape areas, and drainage facilities shall be provided.
125. 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.
126. 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.
127. 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.
128. 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.
129. Developer shall provide FEMA elevation certificates for all buildings (includes trailers and

storage facilities) prior to final approvals. If a LOMR-F has been processed and approved by FEMA, the letter of determination and certification may be in the form of a letter signed and sealed by a licensed civil engineer.

130. All required public right-of-way dedications, easements, dedications and vacations and easement agreement(s) not processed on the final map for ingress and egress through adjacent property(ies) shall be recorded with a recorded copy provided to the City prior to ~~building permit issuance~~ first certificate of occupancy.
131. 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.
132. All required public right-of-way dedications shall be recorded with a recorded copy provided to the City.
133. 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.
134. 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.
135. Developer shall pay all outstanding applicable processing and development fees including but not all inclusive: TUMF, MSHCP, TIF, Stephens Kangaroo Rat Habitat and area drainage prior to occupancy/final approval.

## **CITY OF LAKE ELSINORE FIRE MARSHAL**

### **General Conditions**

- 136. Lake Elsinore Fire Protection Planning Office 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 Fire Protection Planning Division at 130 S. Main St., Lake Elsinore, CA 92530. Phone: (951) 674-3124 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.

- 137. 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.
- 138. Minimum Hydrant Fire Flow** - Minimum required fire flow shall be 1,500 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.
- 139. Super Fire Hydrants-** Super fire hydrants (6" x 4" x 2-2 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.
- 140. 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. **Where buildings exceed thirty feet (30') in height Fire Department access shall be increased to thirty feet (30') in unobstructed width along the building or as otherwise approved by the Fire Marshal.**
  2. The required all weather vehicular access shall be able to support no less than 75,000 lbs. over 2 axles.
  3. Roadway gradient shall not exceed 15% on any access road, driveways, and perimeter roads.
  4. Turning Radius shall be 24' inside and 48' outside for all access roads.
- 141. 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 system. Contact the Fire Planning office for current plan check fees.

#### **Prior to Building Permit Issuance**

- 142. 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.
- 143. 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.
- 144. 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**

- 145. Residential Fire Sprinkler Systems for Multi-family 13R-** 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.
- 146. Designated Fire Lanes-** The applicant shall prepare and submit to the Fire Department for approval, a site plan designating required fire lanes with appropriate lane painting and/ or signs.
- 147. Display Boards-** Display Boards will be as follows: Each complex shall have an illuminated diagrammatic representation of the actual layout which shows name of complex, all streets, building designators, unit members, and fire hydrant locations within dimension and located next to roadway access.
- 148. Multi-family Residential Knox Rapid Entry Box-** A rapid entry Knox Box shall be installed on the outside of the building. Key(s) shall have durable and legible tags affixed for identification of the correlating common space/electrical rooms. Sdinapecial forms are available from this office for ordering the Knox Box. If the building/facility is protected with a fire alarm or burglar alarm system, it is recommended that the lock box be "tamper" monitored.
- 149. Fire Extinguishers (Multi-Family)-** Minimum Install portable fire extinguishers complying with Section 906 of the 2013 California Fire Code with a minimum rating of 2A-10BC and signage. Fire Extinguishers located in public areas shall be in recessed

cabinets mounted 48" (inches) to center above floor level with maximum 4" projection from the wall. Contact Fire Dept. for proper placement of equipment prior to installation.

**DEPARTMENT OF ADMINISTRATIVE SERVICES**

**Annex into CFD 2015-1 (Safety) Law Enforcement, Fire and Paramedic Services CFD**

- 150.** Prior to approval of the Final Map, Parcel Map, Residential Design Review, or Conditional Use Permit (as applicable), the applicant shall annex into Community Facilities District No. 2015-1 (Safety) the Law Enforcement, Fire and Paramedic Services Mello-Roos Community Facilities District to offset the annual negative fiscal impacts of the project on public safety operations and maintenance issues in the City. Alternatively, the applicant may propose alternative financing mechanisms to fund the annual negative fiscal impacts of the project with respect to Public Safety 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. Rate of payment into the CFD shall not exceed \$100.00 per unit per year.

**Annex into the City of Lake Elsinore Community Facilities District No. 2015-2 (Maintenance Services)**

- 151.** Prior to approval of the Final Map, Parcel Map, Residential Design Review, Conditional Use Permit or building permit (as applicable), the applicant shall annex into the Community Facilities District No. 2015-2 (Maintenance Services) to fund the on-going operation and maintenance of the public right-of-way landscaped areas and neighborhood parks 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, including parkways, open space and public storm drains constructed within the development and federal NPDES requirements to offset the annual negative fiscal impacts of the project. 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. ~~Rate of payment into the CFD shall not exceed \$100.00 per unit per year.~~ (Modified by Planning Commission action on 6/6/17).

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 of Lake Elsinore. I also acknowledge that all Conditions shall be met as indicated.

Date: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_