

CITY OF LAKE ELSINORE
AMENDED AND RESTATED CONDITIONS OF APPROVAL FOR
TENTATIVE TRACT MAP NO. 33140
(6 Year Extension to July 14, 2023)

GENERAL

1. The proposed project consists of a subdivision of 72+ acres into 98 single family residential lots, one tot lot, one water tank lot, one detention basin lot, and one remainder natural open space lot of approximately 36 acres. (APN: 386-100-034)
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 attach, set aside, void, or annul an approval of the City, its advisory agencies, appeal boards or legislative body concerning Tentative Tract Map No. 33140.
3. The applicant shall sign and return an "Acknowledgment of Conditions" to the Community Development Department prior to setting the Request for an Extension of Time for public hearing before the City Council for inclusion in the case records.

PLANNING DIVISION

4. Tentative Tract Map No. 33140 will expire on July 14, 2023 unless before that date a final map has been filed with the County Recorder in accordance with the Subdivision Map Act (SMA). Should the developer choose to phase the final map, he shall comply with the requirements of the SMA.
5. Tentative Tract Map No. 33140 shall comply with the State of California Subdivision Map Act and shall comply with all applicable requirements of the Lake Elsinore Municipal Code (LEMC) Title16 unless modified by approved Conditions of Approval.
6. The applicant shall comply with the mitigation measures identified in Mitigated Negative Declaration No. 2005-10 adopted for this project.
7. The applicant shall fund the implementation of the Mitigation Measures through every stage of development. The City shall appoint an environmental monitor who shall periodically inspect the project site, documents submitted by the applicant, permits issued, and any other pertinent material, in order to monitor and report compliance to the City until the completion of the project.
8. This map must comply with the Development Standards of the R-1 Single Family Residential Zone of the LEMC, unless superseded by these conditions.
9. The applicant shall provide all project-related on-site and off-site improvements as required by these Conditions of Approval.
10. 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

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Department. All Conditions of Approval shall be met prior to the issuance of a Certificate of Occupancy.

11. 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.
12. 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 LEMC in a similar manner as a new application.

Prior to Recordation of Final Tract Map

13. A precise survey with closures for boundaries and all lots shall be provided per the LEMC.
14. Street names within the subdivision shall be reviewed and approved by the Community Development Director or designee prior to final map approval.
15. All of the improvements shall be designed by the developer's Civil Engineer to the specifications of the City of Lake Elsinore.
16. The applicant shall initiate and complete the formation of a homeowners' association (HOA) which shall be approved by the City, recorded, and in place. All Association documents shall be approved by City Planning and Engineering and the City Attorney, and shall be recorded. Such documents include the Articles of Incorporation for the Association, and the Covenants, Conditions and Restrictions (CC&Rs) for the Association.
17. All lettered lots or lots subject to a maintenance obligation by the HOA (e.g., tot lot, slopes adjacent to streets) shall be owned and maintained by the HOA or other entity approved by the Community Development Director and so noted on the Final Map.
18. Prior to approval of the Final Map, the applicant shall revise TTM 33140 to identify the detention/water quality basin and water tank as lettered lots to be maintained by the City of Lake Elsinore Community Facilities District No. 2015-2 (Maintenance Services) in perpetuity.
19. Prior to approval of the Final Map, the applicant shall prepare and submit for approval by the City a grant of access easement in favor of the HOA to allow the HOA to maintain all defensible space areas on remainder parcels and in accordance with the Fire Protection Plan prepared by Firewise 2000, Inc. dated March 15, 2017.

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20. The Final Map shall identify slopes adjacent to streets as open space lots owned and maintained by the HOA, or as HOA Maintenance Easements. These HOA Maintenance Easements shall be planted, irrigated and maintained by the HOA.
21. The CC&Rs shall direct homeowners and the Association to reference the Fire Protection Plan's Vegetation Management Zone and the Approved Plant List for High Fire Hazard Areas in which this project is located.
22. The CC&Rs shall state the HOA and resident responsibility for maintenance, roof clearing, education, plant selection and plant prohibitions, in accordance with the Fire Protection Plan.

Prior To Grading And Building Permits

23. 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.
24. Upon violation by applicant of the City's Noise Ordinance or Condition of Approval #16, applicant shall cease all construction activities and shall be permitted to recommence such activities only upon depositing with the City a \$5,000 cash deposit available to be drawn upon by the City to fund any future law enforcement needs that may be caused by potential project construction violations and the enforcement of the City's Noise Ordinance and related Conditions of Approval. The applicant shall replenish the deposit upon notice by the City that the remaining balance is equal to or less than \$1,000.
25. 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.
26. 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.

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27. 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.
28. The applicant shall pay school fees to the Lake Elsinore Unified School District prior to issuance of each building permit.
29. The applicant shall provide connection to public sewer for each lot within the subdivision. No service laterals shall cross adjacent property lines and shall be delineated on engineering sewer plans and profiles for submittal to the Elsinore Valley Municipal Water District (EVMWD).
30. Prior to issuance of building permits, the applicant shall submit a letter of verification (Will-Serve letter) to the City Engineer, for all required utility services.
31. All storm drains are to be maintained in accordance with the cooperative agreement with the Riverside County Flood Control and Water Conservation District.
32. The City of Lake Elsinore Community Facilities District No. 2015-2 (Maintenance Services) shall maintain water quality basins, related landscaping, and open space drainage.
33. The developer shall submit plans to the electric utility company to layout the street lighting system. The cost of street lighting, installation, and energy charges shall be the responsibility of the developer and/or the HOA until one year after the streets are accepted by the City. Said plans shall be approved by the City and installed in accordance with City Standards.
34. The applicant shall meet all requirements of the providing electric utility company.
35. The applicant shall meet all requirements of the providing gas utility company.
36. The applicant shall meet all requirements of the providing telephone utility company.
37. All signage shall be subject to Planning Division review and approval prior to installation.
38. Landscape Plans for the tract shall include vegetative screening of all detention basins.
39. Any alterations to the topography, ground surface, or any other site preparation activity will require appropriate grading permits. A Geologic Soils Report with associated recommendations will be required for grading permit approval, and all grading must meet the City's Grading Ordinance, subject to the approval of the

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City Engineer and the Planning Division. Analysis of impacts of fills and cuts greater than sixty feet (60') shall be provided. Interim and permanent erosion control measures are required. The applicant shall bond 100% for material and labor for one (1) year for erosion control landscaping at the time the site is rough graded.

Prior To Design Review:

40. All future structural development associated with this map requires separate Design Review approval.
41. Elevation drawings for Design Review shall include four-sided architectural features for both the first and second story. The applicant may submit to the Community Development Director or designee, for review and approval, evidence that a particular elevation is hidden from public view and not visible due to elevation changes. In those instances, to be determined by the Community Development Director or designee on a case-by-case basis, this condition may be waived.
42. Slopes on individual lots that are in excess of three feet in height shall be installed, landscaped and irrigated by the developer prior to the issuance of a Certificate of Occupancy.
43. A detailed fencing plan shall be required for review and approval during the Design Review process.
44. A detailed phasing plan shall be required for review and approval during the Design Review process.
45. Construction phasing plans shall include the location of construction fencing for each phase.
46. Construction phasing plans shall indicate primary and secondary access and the location of all utilities for each phase.
47. Construction phasing plans shall be designed to avoid construction traffic from entering occupied neighborhoods to the greatest extent possible. For safety purposes construction phasing plans shall also be designed such that new residents can avoid traveling through construction areas.
48. A cash bond of \$1,000 is required for each construction trailer placed on the site and used during construction. A bond will be released after removal of the trailer, subject to the approval of the Community Development Director or designee.

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ENGINEERING DIVISION

49. Per the approved Traffic Study dated December 30, 2005, the project shall construct a traffic signal at the intersections of Grand Avenue and Macy. Signal improvements shall be operational prior to issuance of a grading permit. TIF credits shall be applied to the project's fee requirement as described in the TIF Study. (This condition was modified by the Planning Commission on March 6, 2007).
50. Applicant shall process an encroachment permit for access purposes to route truck traffic onto the site from SR 74 and off of the site on Macy. Applicant shall provide an alternate route approved by the City Engineer in the event CalTrans denies the encroachment permit application. (This condition was modified by the Planning Commission on March 6, 2007).
51. The approved Traffic Study identifies improvements at the intersection of Riverside Drive and Lakeshore Drive to include an additional left-turn lane from northbound Lakeshore Drive to westbound Riverside Drive; provide an additional left-turn lane for westbound Riverside Drive to southbound Lakeshore Drive; and provide an additional through-lane for southbound Lakeshore Drive at Riverside Drive. The applicant shall pay the project's share of TIF as participation in these improvements.
52. Grading operations related to the import and export of graded material shall be restricted by time and traffic control. Prior to issuance of grading permit, applicant shall process a traffic control plan for the import/export operations. Haul trucks shall not be allowed in both directions at any one time on Macy. Haul times shall be restricted to avoid school bus pickup and drop-off times during the school year or between 7:30 a.m. and 4:00 pm outside the school year. (This condition was modified by the Planning Commission on March 6, 2007).
53. Modify intersection striping at Grand Avenue and Riverside Drive by including a westbound right-turn lane from Riverside Drive onto northbound Grand Avenue. Also include a dedicated left turn lane for east bound Grand Avenue to northbound Grand Avenue. This intersection improvement shall be constructed per the Traffic Study approved December 20, 2005.
54. Design grade for local streets shall not exceed 10%. The maximum grade of 15% shall only be approved with the concurrence of the Fire Department.
55. Interior streets shall be designed with up to 10% as the maximum grade, and intersecting streets shall meet at a maximum grade of 6%. Intersecting streets on the inside radius of a curve will only be permitted when adequate sight distance is verified by a registered civil engineer.

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56. Sight distance on all on-site and off-site streets constructed by this project shall conform to CalTrans requirements for horizontal and vertical curves. This condition shall apply to all intersections.
57. The applicant shall construct street improvements from the project limits to the city limits on Macy Street. The extension of Macy Street shall be constructed from the edge of the current paving on Macy Street (southwest of the intersection with Lakeridge Road) prior to the issuance of the 1st residential building permit. Street width shall be consistent with the City's local street standards (edge of pavement to edge of pavement) or as approved by the City Engineer. Riverside County encroachment permit shall be required for this work.
58. Local streets shall have sixty (60) foot right-of-way with forty (40) foot curb-to-curb width. Restricted local streets (cul-de-sacs) shall have fifty (50) foot right-of-way with thirty-six (36) foot curb-to-curb with and a three (3) foot utility easement on each side.
59. Applicant shall submit a traffic control plan showing all traffic control devices for the tract to be approved prior to first occupancy. All traffic control devices shall be installed prior to final inspection of public improvements and issuance of first certificate of occupancy. This condition includes "No Parking" and "Street Sweeping" signs for streets within the tract.
60. All improvement plans shall be digitized and submitted on CD/DVD in a format compatible with the City's GIS system prior to Certificate of Occupancy.
61. Pay all fees and meet requirements of encroachment permit issued by the Engineering Division of construction of public works improvements within the existing street right-of-way (LEMC 12.08 and Resolution 83-78).
62. Applicant shall obtain all necessary off-site easements for off-site grading from the adjacent property owners prior to building permit issuance.
63. 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.
64. Utilities except electrical over 35 KV shall be placed underground, as approved by the serving utility. All arrangements for relocation of utility company facilities (power poles, vaults; etc.) out of the roadway or alley shall be the responsibility of the property owner or his agent.
65. Provide street lighting and show lighting improvements as part of street improvement plans. The spacing of the street lights shall conform to the City Standard street light spacing.

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66. Developer shall annex to the City's Street Lighting and Landscaping Maintenance District.
67. The applicant shall install permanent bench marks to Riverside County Standards and at a location to be determined by City Engineer.
68. All open space, slopes, public parks, and flood control district facilities, outside of the public right of way will be owned and maintained by the HOA, or by private property owner.
69. Any portion of a drainage system that conveys runoff from open space shall be installed within a dedicated drainage easement and the maintenance entity identified.
70. Water quality facilities that are constructed on or across lots shall be installed within a dedicated drainage easement.
71. 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.
72. In accordance with the City's Franchise Agreement for waste disposal and 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.
73. An encroachment permit shall be obtained prior to any work on City, County, and/or State right of way.
74. All required soils, geology, hydrology and hydraulic, and seismic reports shall be prepared by a Registered Civil Engineer.

Fees

75. Applicant shall pay all applicable permit application and Engineering assessed fees, including without limitation plan-check and construction inspection fees, at the prevalent rate at time of payment in full.
76. Applicant shall pay all applicable Mitigation and Development Impact Fees at the prevalent rate at time of payment in full. Engineering Division levied fees include without limitation, Storm Drain Improvement and Drainage District Fees, TIF, TUMF, Stephen's Kangaroo Rat Habitat, and Railroad Canyon Benefit District.

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Grading

77. A grading plan signed and stamped by a California Registered Civil Engineer shall be required. The plan shall be formatted in compliance with the Engineering Division Design Manual.
78. Prior to the earliest of any of the following: either the recordation of the final map, the issuance of any grading permit, or the clearing of vegetation for development, a springtime biological survey for the Narrow Endemic Plant Species shall be conducted by a qualified biologist to determine presence/absence of these species during the appropriate season.
79. Prior to the approval of grading plans that could affect any jurisdictional water, the applicant shall obtain a 404 Permit, with the appropriate 401 Certifications, and a Streambed Alteration Agreement, as required, to mitigate any impacts to Waters of the U.S. and the Waters of the State. Unless approved differently by the Federal and State resource agencies, the mitigation shall be provided through the acquisition of credits from the Riverside-Corona Resource Conservation District Mitigation Bank at a ratio of 5 to 1.
80. Prior to the issuance of grading permits, the Project Applicant/Developer shall enter into a Treatment Agreement with the Pechanga Band of Luiseño Indians. This Agreement will address the treatment and disposition of cultural resources and human remains that may be uncovered during construction as well as provisions for Tribal monitors.
81. Prior to commencement of grading operations, developer is to provide to the City 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)
82. All export material shall be discharged into a legal disposal site. No permittee shall process, including, but not limited to, crush, sift, or segregate, excavated earth materials on site for export and commercial sale without first obtaining a permit pursuant to Chapter 14.04 LEMC regarding surface mining and reclamation. (LEMC 15.72.065).
83. All grading shall be done under the supervision of a geotechnical engineer and shall certify all slopes steeper than 2 to 1 for stability and proper erosion control. All manufactured slopes greater than thirty (30) feet in height shall be contoured.
84. All drainage facilities in this tract shall be constructed to Riverside County Flood Control District Standards. Adequate and safe access for maintenance of detention/water quality basins shall be provided.

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85. All storm drain plans connecting to Riverside County Flood Control facilities will be approved by RCFC, and an encroachment permit from RCFCFCD will be required.
86. The proposed box culvert shall be reviewed and approved by Riverside County Flood Control District. The developer shall provide a copy of an encroachment permit or any approval documents from the Riverside County Flood Control District for encroaching, grading, or discharging into County flood control facilities.
87. 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.
88. A precise survey with closures for boundaries and all lots shall be provided per the LEMC.
89. Drainage from the project site shall be released from the project site in a safe manner as approved by the City Engineer including but not limited to release to natural channels, public facilities and/or drainage easements existing on adjacent properties or new letters of drainage acceptance.
90. All natural (historic, pre-development) drainage traversing the site shall be conveyed through the site, or, shall be collected and conveyed to a safe and appropriate discharge point by a method approved by the City Engineer.
91. 10-year storm runoff should be contained within the curb and the 100 year storm runoff should be contained within the street right of way. When either of these criteria are exceeded, drainage facilities should be installed.
92. Applicant shall obtain all necessary off-site easements for any off-site grading, if needed, from the adjacent property owners prior to final map approval.

Stormwater Management / Pollutant Prevention / NPDES

93. The project is responsible for complying with the Santa Ana Region NPDES Permits in effect at the time of discretionary review as warranted based on the nature of development and/or activity. These Permits include:
 - a. General Permit -Construction
 - b. MS4
 - c. DeMinimus Discharge

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94. The 2010 SAR MS4 Permit provides for an exemption from LID requirements for projects that discharge to Lake Elsinore; this project qualifies for that 'highest and best use' exemption.
95. A Storm Water Pollution Prevention Plan (SWPPP) (as required by the NPDES General Construction permit) and a Water Quality Management Plan (WQMP) for post construction are required for this project.
96. The Preliminary WQMP shall be approved by the Engineering Division prior to Planning Commission approval of any design review applications on the property.
97. 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.) shall be implemented.
98. The DCV shall be treated and discharged in accordance with the requirements set forth in Section XII.G.
99. Project hardscape areas and roof drains shall be designed and constructed to provide for drainage into adjacent landscape.
100. 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.
101. CEQA – If the Project's CEQA document 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.

Construction

102. If subject to the General Construction Permit, prior to weed abatement activity, grading or building permit the applicant shall demonstrate that compliance with the permit has been obtained by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the letter of notification of the issuance of a Waste Discharge Identification (WDID) number or other proof of filing to the satisfaction of the City Engineer.
103. SWPPP – as applicable - A copy of the current SWPPP shall be kept at the project site, updated as necessary and be available for review upon request.

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104. 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 and state water quality regulations for grading and construction activities. A copy of the plan shall be incorporated into the SWPPP as applicable, kept updated as needed to address changing circumstances of the project site, be kept at the project site and available for review upon request.
105. The project shall complete and submit for review and approval to the Engineering Division a final WQMP, in substantial compliance with the approved preliminary Project-Specific WQMP (approved during entitlement). The final WQMP shall be approved prior to approval of rough or precise grading plans and/or issuance of any permit for construction including grading or building permits.

Post Construction

106. Operation and Maintenance (O&M) Plan and Agreement 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; and (3) describes the mechanism for funding the long-term operation and maintenance of the referenced BMPs (4) provide for annual certification of water quality facilities by a registered civil engineer. The City format shall be used.
107. 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.
108. 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:
 - a) 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.
 - b) Demonstrate that the project has complied with all non-structural BMPs described in the project's WQMP.
 - c) Provide signed, notarized certification from the engineer of work that the structural BMP's identified in the project's WQMP are installed and operational.

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- d) 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 HOA as appropriate.
- e) 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.
- f) Provide a recorded copy of one of the following:
 - i. CC&R's (they must include the approved WQMP and O&M Plan) for the project's HOA.
 - ii. A water quality implementation agreement has the approved WQMP and O&M Plan attached; or
 - iii. The final approved Water Quality Management Plan and Operations and Maintenance Plan.
- g) Provide the City with a digital/.pdf copy of the WQMP.

Final Tract Map

- 109. The developer shall submit for plan check review and approval a final map.
- 110. A preliminary WQMP shall be submitted during the project entitlement stage. The level of detail in a preliminary Project-Specific WQMP will depend upon the level of detail known about the overall project design at the time project approval is sought. At a minimum, the preliminary Project-Specific WQMP shall identify the type, size, location, and final ownership of Stormwater BMPs adequate to serve new roadways and any common areas, and to also manage runoff from an expected reasonable estimate of the square footage of future roofs, driveways, and other impervious surfaces on each individual lot.
- 111. All parcels shall have direct access to public right of way or be provided with a minimum 30 foot ingress and egress easement to public right of way by separate instrument or through map recordation.
- 112. The developer shall be responsible for acquiring right of ways in which the developer or the City has no legal title or interest.
- 113. Phasing plan, if any, shall be approved by the City Engineer prior to issuance of any permits.

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114. Prior to City Council approval of the final Tract Map the developer shall, in accordance with the Government Code, have constructed all improvements or have improvement plans submitted and approved, agreements executed and securities posted.
115. Street abandonment shall be processed and approved as part of the final map.
116. Make an offer of dedication for all public streets and easements required by these conditions or shown on the Tentative Map. All land so offered shall be granted to the City, free and clear of all liens and encumbrances and without cost to the city.
117. Applicant shall record in the official records of Riverside County covenants, conditions and restrictions (CC&Rs) for funding, operation and maintenance of slopes and storm drain facilities within the project. The CC&Rs shall be approved by the Planning Director and City Engineer prior to recordation of final map.
118. The Final Tract Map shall include the phasing boundaries consistent with the parcels of the Tentative Tract Map. The phasing boundaries or parcels shall be processed as separate tract maps.
119. 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.

Prior to Issuance of a Grading Permit

120. Submit grading plans with appropriate security, Hydrology and Hydraulic Reports prepared by a Registered Civil Engineer for approval by the City Engineer. Developer shall mitigate any flooding and/or erosion downstream caused by development of the site and/or diversion of drainage.
121. Provide soils, geology and seismic report including street design recommendations. Provide final soils report showing compliance with recommendations.
122. A seismic study shall be performed on the site to identify any hidden earthquake faults, liquefaction and/or subsidence zones present on-site. A certified letter from a registered geologist or geotechnical engineer shall be submitted confirming the absence of this hazard.
123. The applicant shall obtain all necessary off-site easements for off-site grading and/or drainage acceptance, if needed, from the adjacent property owners prior to grading permit issuance.

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124. 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).
125. Developer shall execute and submit grading and erosion control agreement, post grading security and pay permit fees as a condition of grading permit issuance. A preconstruction meeting with the City Public Works Inspector (Engineering Division) is required prior to commencement of ANY grading activity.
126. A traffic improvement plan which includes the timing of phased improvements shall be submitted to the City Engineer for review and approval prior to issuance of any grading permits for the project. Secondary access shall be provided for each phase.
127. Plan approval and encroachment permit shall be obtained from Caltrans for construction of the retaining wall adjacent to SR 74 (Ortega Highway) prior to grading permit.

Prior to Issuance of Building Permit

128. All Public Works requirements shall be complied with as a condition of development as specified in the Lake Elsinore Municipal Code (LEMC) prior to building permit.
129. Submit a "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. Submit this letter prior to applying for a building permit.
130. Pay all Development Impact Mitigation fees (LEMC 16.34).
131. The Final Tract Map shall be recorded.

Prior to Occupancy

132. All compaction reports, grade certifications, monument certifications (with tie notes delineated on 8 1/2" x 11" Mylar) shall be submitted to the Engineering Division before final inspection of off-site improvements will be scheduled and approved.
133. All traffic signing and striping shall be completed in accordance with the approved plans to the satisfaction of the City Traffic Engineer.
134. All required public right-of-way dedications, easements, dedications and vacations and easement agreement(s) for ingress and egress through adjacent property(ies)

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shall be recorded with a recorded copy provided to the City prior to final project approval.

135. 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.
136. As-built plans for all in-field revisions to 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.
137. 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.
138. All plan sets and recorded maps shall be digitized and provided on CD/DVD as follows:
 - a) Final Map(s) - GIS Shape files* and .tif of recorded map.
 - b) Improvement Plans – GIS Shape files* and .tif of approved as built mylar.
 - c) Grading Plans - .tif of approved as built mylar.
 - d) *GIS Shape files must be in projected Coordinate System: NAD 83 State Plane California Zone VI U.S. Fleet.

DEPARTMENT OF ADMINISTRATIVE SERVICES

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

139. 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 \$7,500 non-refundable deposit to cover the cost of the annexation, formation or other mitigation process, as applicable. Contact City of Lake Elsinore Administrative Services Department at JSimpson@lake-elsinore.org.

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

140. 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 public 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, slopes, open space and public storm drains constructed within the development and federal NPDES requirements (to the extent not required to be maintained by the HOA as provided herein) 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 \$7,500 non-refundable deposit to cover the cost of the annexation, formation or other mitigation process, as applicable. Contact City of Lake Elsinore Administrative Services Department at JSimpson@lake-elsinore.org.

Contingent Special Tax Obligation

141. Prior to approval of the Final Map, Parcel Map, Residential Design Review, Conditional Use Permit or building permit (as applicable), 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. 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:
- a) the HOA files for bankruptcy;
 - b) the HOA is dissolved;
 - c) the HOA ceases to levy annual assessments for the maintenance of the improvements described above; or
 - d) 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.

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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 Ac 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 with respect to Maintenance Services. Applicant shall make a \$7,500 non-refundable deposit to cover the cost of the formation or other mitigation process, as applicable. Contact City of Lake Elsinore Administrative Services Department at JSimpson@lake-elsinore.org.

142. Upon completion of the Fire Station Impact Study, the developer shall pay fair share of fire station impact fee.

COMMUNITY SERVICES DEPARTMENT

143. Prior to the issuance of building permits, the applicant shall pay park mitigation fees for the project at the rates in effect at the time of payment.

RIVERSIDE COUNTY FIRE DEPARTMENT

It is the responsibility of the recipient of these Fire Department conditions to forward them to all interested parties. The permit number 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.

144. **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 Department.
145. **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

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before any combustible material is placed on the job site. Average spacing between hydrants is 500', and 250' is the maximum distance from any point on the street or road frontage to a hydrant.

146. **Standard Fire Hydrants** - Standard fire hydrants (6" x 4" x 2 ½") 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.
147. **Hazardous Fire Area** – The proposed project is located in a high or very high fire zone as adopted in the Lake Elsinore Municipal Code. The project shall adhere to all high fire requirements as prescribed in the Title 24 Codes, and any applicable state and local codes pertaining to high fire. The structures shall comply with Chapter 7A of the Building Code and/or Section R327 of the California Residential Code. Roofing Materials shall be classified at not less than Class 'A.'
148. **Fuel Modification Plan** – Fuel modification plans shall be provided to the Lake Elsinore Fire Protection Planning office. Plans shall include fuels modeling and comprehensive details with regard to the vegetation management plan. The fuels modification zone shall be not less than 100' from all structures and may be required to be increased.

ANY HABITAT CONSERVATION ISSUES AFFECTING THE IMPLEMENTATION OF THIS FUEL MODIFICATION PLAN SHALL BE COORDINATED WITH THE RESPONSIBLE WILDLIFE AND/OR OTHER CONSERVATION AGENCY PRIOR TO THE LAND DEDICATION.

149. **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 than the following provisions:
- a) Twenty-four feet (24') clear width. Where parking is to be provided, each parking side shall be provided with eight additional feet (8') on each side of the fire department access.
 - b) 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 Sec. 3.2(F), 1973].
 - c) The required all-weather vehicular access shall be able to support no less than 75,000 lbs. over 2 axles.

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- d) Roadway gradient shall not exceed 15% on any access road, driveways, and perimeter roads.
- e) Turning radius shall be 24' inside and 48' outside for all access roads.
- 150. **Secondary Access** – In the interest of Public Safety, this project shall provide an Alternate or Secondary Access. Said access shall be constructed in accordance with the City of Lake Elsinore Engineering Department standards to accommodate full fire response and community evacuation.
- 151. **Automatic / Manual Gates** – Gate entrances shall be at least two feet wider than the width of the traffic lanes) 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 vehicles to stop without obstructing traffic on the road. Where a one-way road with a single traffic land 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

- 152. **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.
- 153. **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 be 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

- 154. **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

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contractor must submit plans, along with the current fee, to the Fire Department for review and approval prior to installation.

If any of the conditions are unclear, difficult to understand, or the applicant would like to meet with Staff, please feel free to contact the Fire Department office at (951) 674-3124 Ext 225 so that we can better assist you in the approval of this project.

(End of Conditions)