

## CONDITIONS OF APPROVAL

<b>RESOLUTIONS:</b>	2018-XX and 2018-XX
<b>PROJECT:</b>	PA 2017-69/RDR 2017-35
<b>PROJECT LOCATION:</b>	APN: 374-142-006
<b>APPROVAL DATE:</b>	September 18, 2018
<b>EFFECTIVE DATE:</b>	October 3, 2018
<b>EXPIRATION DATE:</b>	September 18, 2020

### **GENERAL CONDITIONS**

1. Planning Application No. 2017-69 (Residential Design Review No. 2017-35) proposes to construct a 1,900 sq. ft. single-family residence with a 268 sq. ft. attached patio cover and a 508 sq. ft. attached two-car garage on an approximately 7,000 sq. ft. vacant lot (Project). The Project is located northerly of Graham Avenue, southerly of Heald Avenue, on the easterly side of Lowell Street, and westerly of Kellogg Street, and more specifically referred to as Assessor Parcel Number 374-142-009.
2. The applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City, its Officials, Officers, Employees, and Agents from any claim, action, or proceeding against the City, its Officials, Officers, Employees or Agents to attack, set aside, void, or annul an approval of the City, its advisory agencies, appeal boards, or legislative body concerning the project attached hereto.
3. Within 30 days of project approval, the applicant shall sign and complete an "Acknowledgment of Conditions" and shall return the executed original to the Community Development Department for inclusion in the case records.

### **PLANNING DIVISION**

4. Residential Design Review No. 2017-35, shall lapse and become void two (2) years following the date on which the design review became effective, unless one of the following: (1) prior to the expiration of two years, a building permit related to the design review is issued and construction commenced and diligently pursued toward completion; or (2) prior to the expiration of two years, the applicant has applied for and has been granted an extension of the design review approval pursuant to subsections (B) and (C) of Lake Elsinore Municipal Code (LEMC) Section 17.184.120.
5. Prior to the issuance of a building permit, the applicant shall obtain and submit a "Will Serve" letter from Elsinore Valley Municipal Water District to the Director of Community Development. The letter shall specifically indicate the specific water flow volumes for both domestic and fire protection water supply.
6. The signed set of conditions of approval shall be reproduced upon page one of building plans submitted to the Building and Safety Division for Plan Check. All conditions of approval shall be met prior to the issuance of a Certificate of Occupancy and release of utilities.
7. All site improvements shall be constructed as indicated on the approved site plan and elevations. The applicant shall meet all required development standards as set forth in the

Lake Elsinore Municipal Code (LEMC). Any other revisions to the approved site plan or building elevations shall be subject to the review of the Community Development Director or his designee. All plans submitted for Building Division Plan Check shall conform to the submitted plans as modified by these conditions of approval.

8. All materials and colors depicted on the approved plans shall be used. If the applicant wishes to modify any of the approved materials or colors depicted on the plans, the applicant shall submit a proposal setting forth the modifications for review by the Community Development Director or his designee.
9. The Applicant shall comply with all applicable City codes and ordinances.
10. A cash bond of \$1,000.00 shall be required for any construction trailers placed on the site and used during construction. Bonds will be released after removal of trailers and restoration of the site to a state acceptable to and approved by the Community Development Director or his designee.
11. The Applicant shall comply with the City's Noise Ordinance. Construction activity shall be limited to the hours of 7:00 AM to 5:00 PM, Monday through Friday, and no construction activity shall occur on Saturdays, Sundays, or legal holidays.
12. Any exterior air conditioning or other mechanical equipment shall be ground mounted and screened so as to be invisible from neighboring property or public streets. Air conditioning units and related equipment may not encroach more than two-feet (2') into the required minimum side yard setback.
13. Garages or carports shall be constructed to provide a minimum interior clear space of twenty feet (20') x twenty feet (20') for two cars.
14. Prior to issuance of a building permit, three (3) sets of the Final Landscaping / Irrigation Detail Plans shall be submitted with appropriate fees to the Community Development Department for review and approval.
  - a) All planting areas shall have permanent and automatic sprinkler system with 50% plant coverage using a drip irrigation method.
  - b) All planting areas shall be separated from paved areas with a six inch (6") high and six inch (6") wide concrete curb. Runoff shall be allowed from paved areas into landscape areas. Planting within fifteen feet (15') of ingress/egress points shall be no higher than twenty-four inches (24").
  - c) Landscape planters shall be planted with an appropriate parking lot shade tree pursuant to the LEMC and Landscape Design Guidelines.
  - d) No required tree planting bed shall be less than 5 feet wide.
  - e) Root barriers shall be installed for all trees planted within 10 feet of hardscape areas to include sidewalks.
  - f) Any transformers and mechanical or electrical equipment shall be indicated on landscape plan and screened as part of the landscaping plan.
  - g) The landscape plan shall provide for ground cover, shrubs, and trees and meet all requirements of the City's adopted Landscape Guidelines.

- h) All landscape improvements shall be bonded 100% for material and labor for two years from installation sign-off by the City. Release of the landscaping bond shall be requested by the applicant at the end of the required two years with approval/acceptance reviewed by the Landscape Consultant and approved by the Community Development Director or Designee.
  - i) All landscaping and irrigation shall be installed within affected portion of any phase at the time a Certificate of Occupancy is requested for any building.
  - j) Final landscape plan must be consistent with approved site plan.
  - k) Final landscape plans to include planting and irrigation details.
  - l) Final landscape plans shall include drought tolerant planting consistent with Elsinore Valley Municipal Water District standards subject to plan check and approval by the City's landscape plan check consultant.
  - m) No turf shall be permitted.
  - n) The Final landscape plan submitted shall have 50% of the total landscape area as ground cover. The proposed ground cover shall not exceed three (3) inches in height.
15. Driveways shall be constructed of concrete per Building and Safety Division standards.
16. All walls and/or fencing need to be located off the property line. If the Applicant proposes to place any walls and/or fencing on the property line he/she must submit a notarized agreement between the subject property owner and the adjacent property owner to the Planning Department prior to installing the fence.
17. The applicant shall be required to remove any existing chain link fencing and any fencing that is in poor condition and shall replace such fencing in accordance with LEMC §17.44.130D. It shall be the responsibility of the applicant to contact the effected neighboring property owners. If the existing fencing is in good condition, this requirement may be waived per the approval of the Community Development Director or his designee.
18. The building address shall be a minimum of four inches (4") high and shall be easily visible from the public right-of-way. Care shall be taken to select colors and materials that contrast with building walls or trim.
19. The Applicant shall provide a flat concrete pad a minimum of 3'- 0" by 7'- 0" adjacent to each dwelling unit. The storage pad for trash barrels shall be concealed from public view.
20. The Applicant shall provide assurance that all required fees to the Lake Elsinore Unified School District have been paid prior to issuance of building permits.
21. Prior to issuance of a building permit, the Applicant shall pay park-in-lieu fees at the rate in effect at the time that the applicant requests the building permit.
22. The Applicant shall satisfy all conditions of approval prior to the issuance of a Certificate of Occupancy and release of utilities.
23. The Applicant shall pay the Multiple Species Habitat Conservation Plan Fee (MSHCP) Local Development Mitigation Fee prior to obtaining building permits.

24. The Applicant shall pay all applicable Library Capital Improvement Fund fees.
25. 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.

## **BUILDING DIVISION**

### **General Conditions**

26. 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.
27. 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.
28. 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. The applicant shall submit the request for addressing prior to submitting plans for plan check. Please note that it takes ten (10) business days to issue an address and notify other agencies.
29. 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.
30. Obtain Approvals Prior to Construction. Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.
31. Obtaining Separate Approvals and Permits. Trash enclosures, patio covers, light standards, and any block walls will require separate approvals and permits.
32. Sewer and Water Plan Approvals. On-site sewer and water plans will require separate approvals and permits. Septic systems will need to be approved from Riverside County Environmental Health Department before permit issuance.

### **At Plan Review Submittal**

33. 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. 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)**

34. 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.
35. 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)**

36. Plans Require Stamp of Registered Professional. Applicant shall provide appropriate stamp of a registered professional with original signature on the plans. Provide electronic copy (CD) of approved plans to the Building Division.

**Prior to Beginning of Construction**

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

**ENGINEERING DIVISION**

**General Requirements:**

38. A grading plan signed and stamped by a Calif. Registered Civil Engineer shall be required.
39. An Encroachment Permit shall be obtained prior to any work on City right-of-way.
40. 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.
41. In accordance with the City's Franchise Agreement for waste disposal & recycling, the applicant 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.
42. On-site drainage shall be conveyed to a public facility, accepted by adjacent property owners by a letter of drainage acceptance, or conveyed to a drainage easement. 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.
43. Applicant shall protect all downstream properties from damages caused by alteration of the drainage patterns, i.e., concentrations or diversion of flow. Protection shall be provided by constructing adequate drainage facilities including enlarging existing facilities and/or by

securing a drainage easement. A maintenance mechanism shall be in place for any private drainage facilities constructed on-site or off-site. Any grading or drainage onto private off site or adjacent property shall require a written permission to grade and/or a permission to drain letter from the affected landowner.

44. On-site drainage including roof drains should be directed to a landscaped area.
45. City of Lake Elsinore has adopted ordinances for storm water management and discharge control. In accordance with state and federal law, these local storm water ordinances prohibit the discharge of waste into storm drain system or local surface waters. This includes non-storm water discharges containing construction waste, oil, grease, detergents, trash, or other waste remains.

### **Fees**

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

### **Stormwater Management / Pollutant Prevention / NPDES**

48. Design: Project hardscape areas shall be designed and constructed to provide for drainage into adjacent landscape.
49. Construction: Erosion & Sediment Control- Prior to the issuance of any grading or building permit for construction or demolition, 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. At a minimum, the project shall consider and/or implement the following BMPs (Green Building Code Section 5.106.1.2):
  - Scheduling of construction activity
  - Preservation of natural features, vegetation & soil
  - Protection of storm drain inlets
  - Drainage swales to control stormwater flow
  - Mulching/hydroseeding to stabilize disturbed soils
  - Erosion Control on slopes
  - Perimeter sediment control
  - Sediment trap or basin to retain sediment onsite
  - Wind erosion control
  - Good housekeeping BMPs – storage control of wastes, debris, stockpiles, concrete cleanup, etc.

### **Prior to Issuance of a Grading Permit**

50. Submit Soils Report, Hydrology and Hydraulic Reports prepared by a Registered Civil Engineer for approval by the City Engineer.

51. Developer shall mitigate any flooding and/or erosion downstream caused by development of the site and/or diversion of drainage.
52. The site plan or grading plan shall show natural drainage conveyed through the site, or collected and conveyed by a method approved by the City Engineer.
53. The applicant shall obtain all necessary off-site easements for off-site grading and/or drainage acceptance from the adjacent property owners prior to grading permit issuance.
54. Applicant to include minimum erosion control measures as part of their grading plan and construction activities. A handout of the minimum standards can be obtained from the Engineering Division.

**Prior to Issuance of Building Permit**

55. 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.
56. 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.
57. The owner shall dedicate in fee title to the City right-of-way along the alley adjacent to the property rear for a total right-of-way of 10' wide from centerline to the project property line. In-lieu of construction fees will be accepted for alley improvements. The fee will be based on an engineer's estimate approved by the City Engineer.
58. The residential driveway approach shall be built to City Standard 117. These improvements shall be shown on the grading plan.
59. All required public right-of-way dedications or 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.
60. Pay all Development Impact Fees and Plan Check fees (LEMC 16.34).

**Prior to Occupancy**

61. Pay all fees and meet requirements of an encroachment permit issued by the Engineering Division for construction of public works improvements (LEMC12.08, Res.83-78). All fees and requirements for an encroachment permit shall be fulfilled before Certificate of Occupancy.
62. The developer shall construct City Standard Residential drive approach on Lowell Street.
63. 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.
64. All public improvements shall be completed in accordance with the approved plans to the satisfaction of the City Engineer.

- 65. Water and sewer improvements shall be completed in accordance with Water District requirements.
- 66. All required public right-of-way dedications or easements, shall be recorded with a recorded copy provided to the City prior to Certificate of Occupancy.

**CITY OF LAKE ELSINORE FIRE MARSHAL**

- 67. The applicant/operator shall comply with all requirements of the Riverside County Fire Department Lake Elsinore Office of the Fire Marshal. 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.
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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 Planning Commission on September 18, 2018. I also acknowledge that all Conditions shall be met as indicated.

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

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

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

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

\_\_\_\_\_

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