

RESOLUTION #: 2019-__

CONDITIONS OF APPROVAL

PROJECT:	Residential Design Review 2015-03
PROJECT LOCATION:	APN 373-025-008
APPROVAL DATE:	April 16, 2019
EFFECTIVE DATE:	April 16, 2019
EXPIRATION DATE:	April 16, 2021

PLANNING DIVISION

1. Residential Design Review 2015-03, herein referred to as the project is approved for the construction of a 6,839 Square Foot, Eight (8) Unit Apartment Complex, laundry facility, trash enclosure and related improvements. The proposed project is specifically located at Located at 125 Heald Ave (APN: 373-025-008) generally located at the northeast corner of Heald Ave and Ellis.
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 the project attached hereto.
3. Design Review approval 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.
4. The decision of the Planning Commission shall be final fifteen (15) days from the date of the decision, unless an appeal has been filed with the City Council pursuant to the provisions of Chapter 17.80 of the Lake Elsinore Municipal Code.

GENERAL CONDITIONS

5. Prior to the Submittal of building plans for plan check, the applicant shall submit a signed copy of the Conditions of Approval for inclusion in the case file.
6. The applicant shall submit a check in the amount of \$50.00 made payable to the "County of Riverside" for filing of a Notice of Exemption. The check shall be submitted to the Planning Division for processing within 48 hours of the project's approval

7. 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 "will serve" letter shall specifically indicate the specific water flow volumes for both domestic and fire protection water supply. It shall be within the Director of Community Development's sole discretion to determine whether the "will serve" letter is sufficient.
8. 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.
9. All site improvements shall be constructed as indicated on the approved site plan and elevations, with revisions as noted herein. 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 the conditions of approval.
10. 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.
11. The Applicant shall comply with all applicable City codes and ordinances.
12. 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.
13. 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.
14. 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.
15. The proposed project shall be redesigned so as to meet all required setbacks prior to the issuance of a building permit.

16. Prior to the submittal of building plans for plan check, the applicant shall submit landscape plans to be approved by the Community Development Director, or their designee. The landscape plan improvements and plantings shall be fully installed prior to issuance of a Certificate of Occupancy.
17. The Applicant shall plant street trees, selected from the City Street Tree List, a maximum of thirty feet (30') apart along all street frontages. Planting is subject to the approval of the Community Development Director or designee prior to issuance of a Certificate of Occupancy.
18. Any planting within fifteen feet (15') of ingress/egress points shall be no higher than thirty-six inches (36").
19. Three (3) sets of the Final Landscaping / Irrigation Detail Plans shall be submitted to the Community Development Department with appropriate fees, reviewed by the City's Landscape Architect Consultant and approved by the Community Development Director or designee, prior to issuance of a building permit.
 - 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.
- 20.** Driveways shall be constructed of concrete per Building and Safety Division standards.
- 21.** 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.
- 22.** 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.
- 23.** 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.
- 24.** 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.
- 25.** 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.
- 26.** The Applicant shall satisfy all conditions of approval prior to the issuance of a Certificate of Occupancy and release of utilities.
- 27.** The Applicant shall pay the Multiple Species Habitat Conservation Plan Fee (MSHCP) Local Development Mitigation Fee (fee for density greater than 8 du/ac) prior to obtaining building permits.
- 28.** The Applicant shall pay all applicable Library Capital Improvement Fund fees.
- 29.** 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

PRIOR TO BUILDING PERMITS

30. Any and all improvements shall be in compliance with the 2013 editions of the California Building, Plumbing and Mechanical Codes, 2013 California electrical Code, California Administrative Code, 2013 California Energy Codes, 2013 California Green Building Standards, California Title 24 Disabled Access Regulations and the Lake Elsinore Municipal Code.
31. The developer shall comply with all Municipal Code provisions regarding construction debris removal and recycling as set forth in Chapter 14.12 (Construction and Demolition Waste Management) of the Lake Elsinore Municipal Code.
32. All department approvals and fees shall be paid prior to the issuance of building permits.
33. 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 (i.e., 7:00 A.M. – 5:00 P.M., Monday through Friday with no construction activity to occur on Saturdays, Sundays or legal holidays) and a statement that complaints regarding the operation can be lodged with the City of Lake Elsinore Code Enforcement Division (951) 674-3124. The sign shall be installed prior to the issuance of a grading permit.
34. Prior to the issuance of a building permit the applicant shall provide documentation of the connection of the project to a sanitary sewer. In the event that sewer service is not available, the applicant shall provide plans of the proposed septic tank that documents compliance with all applicable state law, building codes, and municipal code requirements, to be reviewed and approved by the Building Official or their designee. The location of the septic tank and the related equipment shall be identified on the site plan and grading plans.

ENGINEERING DIVISION

35. All slopes and landscaping within public right-of-way shall be maintained by the property owner.
36. On-site drainage including all natural drainage traversing the site (historic flow) shall be conveyed through the site to one or a combination of the following: to a public facility, accepted by adjacent property owners by a recorded letter of drainage acceptance or collected and conveyed by a method approved by the City Engineer to a drainage easement.
37. Arrangements for relocation of utility company facilities (power poles, vaults, street signs, etc.) on site and/or out on the roadway or alley shall be the responsibility of the property owner or his agent. Overhead utilities (12 KV or lower) shall be undergrounded.
38. 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.
39. Provide soils, geology and seismic report, including recommendations for parameters for seismic design of buildings, and walls.
40. Pay all Engineering Division assessed Capital Improvement, Plan Check and Permit fees (LEMC 16.34). Project is subject to TUMF, TIF, K-Rat and Area Drainage. Fees are subject to the rate and ordinances in effect at time of payment.

STORM WATER MANAGEMENT / POLLUTION PREVENTION

41. The applicant shall comply with City of Lake Elsinore 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 oil, grease, detergents, trash, or their waste remains. Brochures of "Storm Water Pollution, What You Should Know" describing preventive measures are available at City Hall. Install and maintain a stabilized construction entrance / exit access point to reduce / eliminate tracking off site onto Park Way.

IMPROVEMENTS:

42. An encroachment permit is required for all work to be done in the public right-of-way. Applicant shall submit the permit application, required fees, security, and documents prior to issuance.

- 43. Work done under an encroachment permit for off-site improvements shall be delineated on the precise grading plans and approved and signed by the City Engineer prior to issuance of building permits.
- 44. A California Registered Civil Engineer shall prepare the improvement plans required for this project. Improvements shall be designed and constructed to City of Lake Elsinore Standard Plans and City Codes (LEMC 12.04 and 16.34)
- 45. The street improvements shall include sidewalk, curb and gutter, and a residential driveway approach. Plans must be approved and signed by the City Engineer prior to issuance of building permit (LEMC 16.34).
- 46. Driveway slope not to exceed 15%.
- 47. All improvements shall be ADA compliant.
- 48. The existing street plans on file shall be modified accordingly and approved by the City Engineer prior to issuance of building permit.
- 49. Roof drains shall not be allowed to outlet directly through coring in the street curb. Roofs should drain to a landscaped area.

PRIOR TO GRADING PERMIT

- 50. A grading plan signed and stamped by a California Registered Civil Engineer shall be submitted for City review and approval. 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. Grading plan submittal shall include supporting documentation as identified on the plan check submittal checklist. Reports shall be prepared by a Registered Civil Engineer.
- 51. Grading plan shall include separate sheets for sediment and erosion control, traffic control and haul route.
- 52. All grading plan contours shall extend to minimum of 50 feet beyond property lines to indicate existing drainage pattern.
- 53. Hydrology and Hydraulic Reports shall be submitted for review and approval by City Engineer for plan approval.
- 54. Developer shall mitigate any flooding and/or erosion downstream caused by development of the site and/or diversion of drainage. 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.

- 55. The applicant shall obtain all necessary off-site easements and/or permits for off-site grading and/or drainage acceptance from the adjacent property owners prior to grading permit issuance.
- 56. Applicant shall execute and submit grading and erosion control agreement, post grading security and pay permit fees as a condition of Grading Permit issuance.
- 57. Prior to issuance of a Grading Permit, applicant to provide the City for review and approval a plan of all proposed haul routes to be used for movement of import or export material. Export sites located within the Lake Elsinore City limits must have an active grading permit.
- 58. Applicant shall pay all applicable grading permit and development fees.
- 59. The applicant shall obtain and provide to the City a letter of non-interference from Southern California Edison.

PRIOR TO BUILDING PERMIT

- 60. 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.
- 61. Submit for plan check and approval a 10' right of way easement along the property frontage adjacent to Park Way.
- 62. Public right-of-way dedications and easement shall be prepared by the applicant or his agent. Deeds shall be submitted to the Engineering Division for review and approval prior to issuance of building permit.

PRIOR TO OCCUPANCY/FINAL APPROVAL:

- 63. 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 will be scheduled.
- 64. Provide final soils report showing compliance with recommendations prior to occupancy.
- 65. Pay all fees and meet requirements for construction of off-site public works improvements (LEMC12.08, Res.83-78).

- 66. All street improvements shall be completed in accordance with approved plans or as a condition of development to the satisfaction of the City Engineer.
- 67. All required easement and dedications as conditions of this development shall be approved and recorded, with a recorded copy provided to the City.
- 68. All outstanding fees, to include processing, permit and development impact, shall be paid.
- 69. All approved plans shall be as-built. As-plans shall be submitted for review and approval by the City. The applicant/developer/owner is responsible for revising mylar plans.
- 70. Digital (.tif) copy on compact disc of all completed/as built grading and improvement plan and final reports (soil, hydrology, etc.) shall be provided.
- 71. Provide on compact disc GIS Shape files of all as built street and storm drain plans.
*ALL DATA MUST BE IN projected Coordinate System: NAD 83 State Plane California Zone VI U.S. Fleet.

CITY OF LAKE ELSINORE FIRE MARSHAL

- 72. **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.
- 73. **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.
- 74. **Standard Fire Hydrants-** Super fire hydrants (6" x 4" x 2 1/2"), shall be located not less than 25 feet or more than 250 feet from any portion of the building as measured along approved vehicular travel ways. The required fire flow shall be available from any adjacent hydrant (s) in the system

PRIOR TO BUILDING PERMIT ISSUANCE

- 75. 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.
- 76. 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.
- 77. 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

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

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 April 16, 2019. I also acknowledge that all Conditions shall be met as indicated.

Date: _____

Applicant's Signature: _____

Print Name: _____

Address: _____

Phone Number: _____