

CONDITIONS OF APPROVAL

PROJECT: VTTM 36557, Revision No. 1
PROJECT NAME: Terracina
PROJECT LOCATION: APNs: 378-040-004 thru 007, 378-040-012, 389-180-001, 002, and 389-190-002
ORIGINAL APPROVAL DATE: July 14, 2015
SIX-YEAR EXTENSION OF TIME August 8, 2017
APPROVED:
FINAL EXPIRATION DATE: July 14, 2023
REVISION NO. 1 APPROVAL DATE:

GENERAL

1. Vesting Tentative Tract Map No. 36557, Revision No. 1 is a subdivision of 150.8 acres into 450 single-family residential lots, one (1) 5.1 acre gross (4.3 acre net) park site, seven (7) landscape lots, four (4) open space lots, one (1) sewer lift station lot, and three (3) Water Quality Management Plan (WQMP) and drainage basin lots (Project). The Project also includes a phasing plan to develop the site in seven (7) phases. The Project is located southwesterly of Interstate 15 on the northern side of existing Lakeshore Drive between Dryden Street and Terra Cotta Road (APNs: 378-040-004 thru 007, 378-040-012, 389-180-001, 002, and 389-190-002).

~~Vesting Tentative Tract Map No. 36557 is a subdivision of 150.8 acres into 452 single-family residential lots, one (1) 5.1 acre gross (4.2 acre net) park site, seven (7) landscape lots, four (4) open space lots, one (1) sewer lift station lot, and three (3) Water Quality Management Plan (WQMP) and drainage basin lots (Project). The Project is located southwesterly of Interstate 15 on the northern side of existing Lakeshore Drive between Dryden Street and Terra Cotta Road (APNs: 378-040-004 thru 007, 378-040-012, 389-180-001, 002, and 389-190-002).~~

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 proposed project attached hereto. The applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City, its Officials, Officers, Employees, Agents, and its Consultants (Indemnitees) from any claim, action, or proceeding against the Indemnitees to attack, set aside, void, or annul an approval of the City, its advisory agencies, appeal boards, or legislative body concerning Vesting Tentative Tract Map No. 36557, including the approval, extension or modification of or any of the proceedings, acts or determinations taken, done, or made prior to the decision, or to determine the reasonableness, legality or validity of any condition attached thereto. The applicant's indemnification is intended to include, but not be limited to, damages, fees and/or costs awarded against or incurred by Indemnitees and costs of suit, claim or litigation, including without limitation attorneys' fees, penalties and other costs, liabilities and expenses incurred by Indemnitees in connection with such proceeding. The City will promptly notify the applicant of any such claim, action, or proceeding against the City. If the project is challenged in court, the City and the applicant shall enter into formal defense and indemnity agreement, consistent with this condition.

3. Within 30 days of project approval, the applicant shall sign and complete an "Acknowledgment of Conditions" and shall return the executed original to the Community Development Department for inclusion in the case records.
4. ~~The applicant shall submit a check in the amount of \$2,260.00 made payable to the County of Riverside for the filing of a Notice of Determination. The check shall be submitted to the Planning Division for processing within 48 hours of the project's approval. **(Deleted per August 8, 2017 City Council hearing.)**~~

PLANNING DIVISION

5. ~~A revised version of Vesting Tentative Tract Map No. 36557 shall be submitted for review and approval by the Community Development Director or designee within 30 days of approval by the City Council. No permit shall be issued until the revised version of the vesting tentative tract map and any revisions required by these conditions of approval are administratively approved by the Community Development Director or designee. In addition to any modifications required by these conditions of approval, the revised version of the tentative map shall include the following revisions:~~
 - a) ~~Vesting Tentative Tract Map No. 36557 shall be revised to show a 5.1 acre gross (4.2 acre net) park site (attached Exhibit 1) in place of the "Recreation Center/Park" site (1.6 acre net, 2.1 acre gross) shown on the tentative map.~~
 - b) ~~All tables on the tentative map shall be revised to reflect the new configuration of lots, streets and parks that result from the change described in Paragraph a, above.~~
 - c) ~~All street sections shall be revised to comply the requirements set forth in these conditions of approval.~~
6. Vesting Tentative Tract Map No. 36557 will expire on July 14, 2023, unless within that period of time a Final Map has been filed with the County Recorder in accordance with the State of California Subdivision Map Act and applicable requirements of the Lake Elsinore Municipal Code (LEMC).
7. Vesting Tentative Tract Map No. 36557 shall comply with the State of California Subdivision Map Act and applicable requirements contained in the Terracina Specific Plan document and the Lake Elsinore Municipal Code (LEMC), unless modified by approved Conditions of Approval.
8. Future development shall comply with these Conditions of Approval and those provisions and requirements contained in the Terracina Specific Plan document.
9. The applicant shall provide all project-related on-site and off-site improvements as described in the Terracina Specific Plan document and these Conditions of Approval.
10. ~~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. **(Deleted by Staff prior to January 6, 2015 Planning Commission hearing.)**~~
11. The applicant shall pay all applicable City fees, including but not limited to Development Impact Fees (DIF) per LEMC Section 16.74, Transportation Uniform Mitigation Fees (TUMF), Traffic Infrastructure Fees (TIF), Area Drainage Fees, Capital Improvement

Impact/Mitigation Fees, and Plan Check fees, at the rate in effect at the time the application for VTTM 36557 was deemed complete plus inflationary increases in effect at time of payment.

- a. TUMF: Rate/Per Dwelling Unit. Due prior to occupancy; amount payable based on fee at time the application for VTTM 36557 was deemed complete, plus inflationary increases and such other reasonable increases in effect at time of payment as contemplated under LEMC Section 16.83.040, subpart C.
- b. TIF: Rate/Per Dwelling Unit. Due prior to occupancy; amount payable based on fee at the time the application for VTTM 36557 was deemed complete plus inflationary increases in effect at time of payment as provided by Resolution No. 2002-22.
- c. Public Building Facilities Fee: Rate/Per Dwelling Unit. Due prior to occupancy; amount payable based on fee at the time the application for VTTM 36557 was deemed complete plus inflationary increases in effect at time of payment as provided by Resolution No. 2005-96.
- d. Fire Facilities Fee: Rate/Per Dwelling Unit. Due prior to occupancy; amount payable based on fee at the time the application for VTTM 36557 was deemed complete plus inflationary increases in effect at time of payment as provided by Resolution No. 2006-69.
- e. Library Facilities Fee: Rate/Per Dwelling Unit. Due prior to occupancy; amount payable based on fee at the time the application for VTTM 36557 was deemed complete.
- f. MSHCP Fee: Due prior to occupancy; amount payable based on fee at the time the application for VTTM 36557 was deemed complete plus inflationary increases in effect at time of payment as provided by LEMC Section 16.85.090.
- g. Area Drainage: The project lies within West Lake Elsinore (approx. acres 23) and Nichols SW (approx. acres 128). Area Drainage due at grading permit; amount payable based on fee at time vesting map application was deemed complete, plus inflationary increases in effect at time of payment as provided by LEMC Section 16.72.060. Current Rates: West Lake Elsinore – \$5,955/gross acre; Nichols SW - \$6,080/ gross acre

Prior to Recordation of Final Tract Map(s)

12. All lots shall comply with minimum standards contained in the Terracina Specific Plan.
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 approved by the Community Development Director or Designee.
15. All of the improvements shall be designed by the applicant's Civil Engineer to the specifications of the City of Lake Elsinore.
16. The applicant shall meet all requirements of Elsinore Valley Municipal Water District (EVMWD).

Prior to Design Review Approval

17. All future structural development associated with this map requires separate Design Review approval pursuant to the provisions of LEMC Chapter 17.184.

18. The following architectural details shall be provided:

- All front fence returns will be decorative masonry walls. Wood fences will not be allowed along the front elevation. Wood, vinyl or steel (wrought iron or aluminum) gates are allowed in order to allow access to rear yards.
- The applicant shall provide four-sided articulation. Architectural enhancements and treatments shall be provided all residential elevations (front, rear and side) visible from streets and other public views.
- All fireplaces shall be natural gas fireplaces only. No wood burning fireplaces shall be allowed.

19. Design for all drainage basins proposed with Vesting Tentative Tract Map No. 36557 shall be approved by the City Engineer and Community Development Director or designees. Security fencing shall also be shown. Chain-link fencing is prohibited.

Prior to Issuance of Grading Permits/Building Permits

20. The applicant shall obtain all necessary State and Federal permits, approvals, or other entitlements, where applicable, prior to each phase of development of the project.

21. Prior to issuance of building permit, the applicant shall submit a letter of verification (will-serve letter) to the City Engineer, for all required utility services.

22. Prior to issuance of building permit, the applicant shall prepare a Final Wall and Fence Plan addressing the following:

- Show that a masonry or decorative block wall will be constructed along the entire tract boundary.
- Show materials, colors, and heights of rear, side and front walls/fences for proposed lots.
- Show that front return walls shall be decorative masonry block walls. Front return wood fences shall not be permitted.
- Show the location of all wood, vinyl or steel (wrought iron or aluminum) gates placed within the front return walls.
- Show that side walls for corner lots shall be decorative masonry block walls.
- Show that those materials provided along the front elevations (i.e. brick, stone, etc.) will wrap around the side elevation and be flush with the front return walls.

23. All signage shall be subject to Planning Division review and approval prior to installation.

24. The applicant shall submit for review and approval by the Building Division building plans that are designed to current UBC and adopted codes, and meet all applicable Building and Safety Division requirements.

a. Driveways shall be constructed of concrete per Building and Safety Division standards.

25. The applicant shall prepare a list of proposed street names for review and approval by the Planning, Building, and Fire Departments of the City.
26. Prior to recordation of a Final Map, the applicant shall initiate and complete the formation of a Homeowner's Association (HOA) which shall be approved by the City, recorded, and in place. All Association documents shall be submitted for review and approval by City Planning and Engineering and the City Attorney; and upon City approval shall be recorded. Such documents include the Articles of Incorporation for the Association and Covenants, Conditions and Restrictions (CC&Rs).
 - a. At a minimum, all recreation and park areas, all natural slopes and open space, all graded slopes abutting public street rights-of-way which are not part of residential lots, up slopes from public rights-of-way within private lots and all private streets, and all drainage basins shall be maintained by the HOA.
 - b. CC&Rs shall prohibit front-yard microwave satellite antennas.
 - c. CC&Rs shall prohibit the use of water-intensive landscaping and require the use of low water use landscaping pursuant to the provisions of LEMC Chapter 19.08 (Water Efficient Landscape Requirements), as adopted and any amendments thereto.
27. Provisions of the City's Noise Ordinance (LEMC Chapter 17.176) shall be satisfied during all site preparation and 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.
28. The applicant shall comply with all applicable City Codes and Ordinances.
29. Prior to issuance of 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.
30. Construction phasing shall be implemented in accordance with the approved Phasing Plan which avoids construction traffic from entering occupied neighborhoods within the tract.
31. 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.
32. 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.
33. A cash bond shall be required for any construction trailers used during construction. Bonds will be released after removal of trailers, subject to the approval of the Community Development Director or designee.

34. The applicant shall pay school fees to the Lake Elsinore Unified School District prior to issuance of each building permit.
35. The project shall connect to sewer and meet all requirements of the Elsinore Valley Municipal Water District (EVMWD). The applicant shall submit water and sewer plans to the EVMWD and shall incorporate all district conditions and standards.
36. All mechanical and electrical equipment associated with the residences shall be ground mounted. All outdoor ground or wall mounted utility equipment shall be consolidated in a central location and architecturally screened behind fence returns, subject to the approval of the Community Development Director, prior to issuance of building permit.
37. All front yards and side yards on corner lots shall be properly landscaped with automatic (manual or electric) irrigation systems to provide 100 percent plant coverage using a combination of drip and conventional irrigation methods. Construction Landscape & Irrigation drawings shall be prepared, reviewed and approved by the City's Landscape Architect Consultant and the Community Development Director or designee. A Cost Estimate for materials and labor shall also be submitted for review and approval. A Landscape Plan Check fee will be charged prior to final landscape approval based on the Consultant's fee, inspection, permit and administration fees.
 - The applicant shall replace any street trees harmed during construction, in conformance with the City's Street Tree List, at a maximum of 30 feet apart and at least 24-inch box in size.
 - Perimeter walls shall be protected by shrubs and other plantings that discourage graffiti.
 - The applicant shall ensure a clear line of sight at ingress/egress points by providing plantings within 15 feet of ingress/egress points whose height does not exceed three feet and whose canopy does not fall below six feet.
 - The landscape plan shall provide for California native drought-tolerant ground cover, shrubs, and trees. Special attention shall be given to use of Xeriscape or drought resistant plantings with combination drip irrigation system to prevent excessive watering.
 - No front-yard grass turf landscaping will be installed.
 - All landscape improvements shall be bonded with a ten percent (10%) Faithful Performance Bond of the approved estimated labor and materials cost for all planting. The bond shall remain in effect for one year from Certificate of Occupancy.
 - All landscaping and irrigation shall be installed within an affected portion of any phase at the time a certificate of occupancy is requested for any building.
 - All Model Homes shall be Xeriscaped and signage provided identifying Xeriscape landscaping. Xeriscape is a method of landscape design that minimizes water use by:
 - 1) Implementing hydrozones;
 - 2) Minimizes high water-use plant material as identified by Water Use Classifications of Landscape Species (WUCOLS) (such as turf) and incorporates water-efficient ("drought-tolerant" / climate-appropriate) plants;
 - 3) Requires an efficient irrigation system that includes:

- a. ET-Based ("Smart irrigation") controller(s) with weather-sensing, automatic shut-off and seasonal adjustment capabilities;
 - b. Efficient irrigation water application through use of:
 - i. Low-volume point-source irrigation (such as drip irrigation and bubblers) for all shrub planter areas (maximum of 3:1 slope) with a minimum irrigation efficiency of 0.90 ; and/or
 - ii. Spray or rotor-type nozzles for areas a minimum of eight (8) feet wide, for slopes 3:1 and greater, AND with a minimum irrigation efficiency of 0.71.
 - 4) Improvement of soil structure for better water retention; and
 - 5) Application of mulch to hinder evaporation.
 - The Final landscape plan shall be consistent with any approved site and/or plot plan.
 - The Final landscape plan shall include planting and irrigation details.
 - All exposed slopes in excess of three feet in height within the subject tract and within private lots shall have a permanent irrigation system and erosion control vegetation installed, as approved by the Planning Division, prior to issuance of certificate of occupancy.
 - All landscaping and irrigation shall comply with the water-efficient landscaping requirements set forth in LEMC Chapter 19.08 (Water Efficient Landscape Requirements) as adopted and any amendments thereto.
38. 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 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.

PUBLIC WORKS DEPARTMENT/ ENGINEERING DIVISION

General

39. All utilities except electrical over 35 KV shall be placed underground, as approved by the serving utility. 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.
40. The applicant shall install permanent bench marks to Riverside County Standards and at a location to be determined by City Engineer.
41. ~~Applicant shall pay all applicable development fees; including but not all inclusive, TUMF, TIF and area drainage fees as follows:~~
- ~~a. TUMF: Rate/Per Dwelling Unit. Due prior to occupancy; payable at rate in effect at time of payment. Due prior to occupancy; amount payable based on fee at time the application for VTTM 36557 was deemed complete, plus inflationary increases and such other reasonable increases in effect at time of payment as contemplated under LEMC Section 16.83.040, subpart C.~~
 - ~~b. TIF: Rate/Per Dwelling Unit. Due prior to occupancy; payable at the rate in effect at time of payment. Due prior to occupancy; amount payable based on fee at the time the application for VTTM 36557 was deemed complete plus inflationary increases in~~

- ~~effect at time of payment as provided by Resolution No. 2002-22.~~
- ~~c. Public Building Facilities Fee: Rate/Per Dwelling Unit. Due prior to occupancy; amount payable based on fee at the time the application for VTTM 36557 was deemed complete plus inflationary increases in effect at time of payment as provided by Resolution No. 2005-96.~~
- ~~d. Fire Facilities Fee: Rate/Per Dwelling Unit. Due prior to occupancy; amount payable based on fee at the time the application for VTTM 36557 was deemed complete plus inflationary increases in effect at time of payment as provided by Resolution No. 2006-69.~~
- ~~e. Library Facilities Fee: Rate/Per Dwelling Unit. Due prior to occupancy; amount payable based on fee at the time the application for VTTM 36557 was deemed complete.~~
- ~~f. MSHCP Fee. Due prior to occupancy; amount payable based on fee at the time the application for VTTM 36557 was deemed complete plus inflationary increases in effect at time of payment as provided by LEMC Section 16.85.090.~~
- ~~g. Area Drainage: The project lies within West Lake Elsinore (approx acres 128 23) and Nichols SW (approx acres 128). Area Drainage due at grading permit; amount payable at the rate in effect at time of Payment based on fee at time vesting map application was deemed complete, plus inflationary increases in effect at time of payment as provided by LEMC Section 16.72.060. Current Rates: West Lake Elsinore — \$5,955/gross acre; Nichols SW — \$6,080/ gross acre. **(Deleted per August 8, 2017 City Council hearing.)**~~
42. Street lighting and landscaping on public right-of-way shall be maintained by a maintenance assessment district LLMD 1. The project will annex into LLMD #1 prior to first building permit issuance.
43. All open space and slopes except for public parks and schools and flood control district facilities, outside the public right-of-way will be owned and maintained by either a home owner's association or private property owner. Adequate access through the developed road system and / or open spaces shall be provided for maintenance and delineated on grading plans.
44. Construction traffic shall use Terra Cotta Road via Nichols Road to minimize impacts to existing residents.
45. 10-year storm runoff shall be contained within the curb and the 100-year storm runoff shall be contained within the street right-of-way. When either of these criteria are exceeded, drainage facilities shall be provided.

Grading

46. A grading plan signed and stamped by a Calif. Registered Civil Engineer shall be required.
47. Prior to commencement of grading operations, developer is to provide to the City with a map of all proposed haul routes to be used for movement of export material. All such routes shall be subject to the review and approval of the City Engineer. Haul route shall be submitted prior to issuance of a grading permit. Hauling in excess of 5,000 CY shall be approved by City Council. (LEMC 15.72.065)
48. 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)

49. All grading shall be done under the supervision of a geotechnical engineer and he shall certify all slopes steeper than 2 to 1 for stability and proper erosion control. All manufactured slopes greater than 30 feet in height shall be contoured.
50. ~~Applicant shall protect all downstream properties from damage 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. (Deleted by Staff prior to January 6, 2015 Planning Commission hearing.)~~
51. 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.
52. All storm drain plans connecting to Riverside County Flood Control facilities will be approved by RCFC, and an encroachment permit from RCFC will be required.
53. 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.
54. A precise survey with closures for boundaries and all lots shall be provided per the LEMC.
55. ~~All waste material, debris, vegetation and other rubbish generated during cleaning, demolition, clear and grubbing or other phases of the construction shall be disposed of at appropriate recycling centers. The applicant should contract with CR&R Inc. for recycling and storage container services, but the applicant may use the services of another recycling vendor. Another recycling vendor, other than CR&R Inc., cannot charge the applicant for bin rental or solid waste disposal. If the applicant is not using CR&R Inc. for recycling services and the recycling material is either sold or donated to another vendor, the applicant shall supply proof of debris disposal at a recycling center, including verification of tonnage by certified weigh master tickets. (Deleted by Staff prior to January 6, 2015 Planning Commission hearing.)~~
56. 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.
57. 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.
58. 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.

59. 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.

Improvements

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 final map approval.
61. An Encroachment Permit shall be obtained prior to any work in City right-of-way.
62. Terra Cotta Road shall be graded and used as construction access prior to precise grading activity. Prior to building permits, Terra Cotta Road shall be paved, with final lift of asphalt to be placed at completion of building activity.
63. All existing accesses for ingress/egress to Terra Cotta Road from abutting properties must be maintained.
64. Construct Terra Cotta Road at its full width section as a Secondary Highway with a 90' Right of Way from Lakeshore Drive north to the northern boundary of the project. Construction of full improvement of Terra Cotta may be staged as approved by the City Engineer.
65. Construct the extension of Terra Cotta Road from the north project boundary to Nichols Road with a 32' paved roadway width, including a 4' graded shoulder on the north and south bound sides, as approved by the City Engineer.
66. Construct the extension of Hoff Avenue from the west project boundary to Terra Cotta Road with a 32' half width, with a paved half width section as approved by the City Engineer.
67. ~~Construct the extension of Pierce Street from the project boundary to Nichols Road with a 32' paved roadway width, including an 8' graded shoulder on the north and south bound sides.~~ **(Deleted by Staff prior to January 6, 2015 Planning Commission hearing.)**
68. Install a traffic signal at the intersection of Terra Cotta Road (NS) and Nichols Road (EW) including the following lane geometry: 1 NB left, 1 NB right, 1 EB through, 1 EB right, 1 WB left, 1 WB through, to include the storage length per the project traffic study, width and transitions per City Standards. Fair share mitigation in lieu of construction may be accepted with the amount approved by the City Engineer.
69. Construct Lakeshore Drive adjacent to the project site at its ultimate half width section (60'), including sidewalk and parkway improvements consistent with the adjacent improved sections of Lakeshore Drive and additional 14' width for a NB right turn lane on Lakeshore at Terra Cotta Road in conjunction with development.
70. Install a full intersection traffic signal at all legs of the off-set intersection of Lakeshore Drive and Terra Cotta Road as designed by the Project's Traffic Engineer and reviewed and approved by the City Engineer.
71. Construct Dryden Street adjacent to the project site at its ultimate half width section,

including sidewalk and parkway improvements in conjunction with development.

72. Install a traffic signal at the intersection of Lakeshore Drive and Dryden Street.
73. Construct Stoddard Street adjacent to the project site at its ultimate half width section, to include sidewalk and parkway improvements in conjunction with development.
74. The developer shall be responsible for acquiring right-of-ways in which the developer or the City has no legal title or interest. If the developer is unsuccessful in acquiring such right-of-ways, the City could assist the developer in the Eminent Domain process at developer's cost.
75. Costs of General Plan circulation improvements and signalization may be at a minimum partially reimbursable through the City's Traffic Impact Fee Program. (TIF)
76. Some of the improvements shown on the Map and/or required by these conditions are located offsite on property which neither the City nor the subdivider may have no title or interest to permit the improvements to be made without acquisition of title or interest. The subdivider shall pay all costs for acquisition of title or interest.
77. A Calif. Registered Civil Engineer shall prepare street and drainage improvement plans and specifications. Improvements shall be designed and constructed to City of Lake Elsinore Standards, latest edition, and City Codes (LEMC titles 12. and 16.). Street improvement plans shall show existing and future profiles at centerline of street; at top of curb and at centerline of the alley. The profiles and contours will extend to 50' beyond the property limits.
78. Interior streets shall be dedicated and improved as public residential street (40'/50' with a 3' PUE).
79. Traffic Signing and Striping plans shall be required with the street improvement plans. Signing and striping shall be installed in accordance with the plans approved by the City Traffic Engineer.

Storm Water Management / Pollutant Prevention / NPDES

Design

80. The project is responsible for complying with the Santa Ana Region NPDES Permits as warranted based on the nature of development and/or activity. These Permits include:
 - a. General Permit -Construction
 - b. MS4
81. The 2010 SAR MS4 Permit requires implementation of LID Principles and LID Site Design, where feasible, to treat the pollutants of concern identified for the project, in the following manner (from highest to lowest priority) : (Section XII.E.2, XII.E.3, and XII.E.7)
82. 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.)
83. The Project shall 'Infiltrate, harvest and use, evapotranspire and/or bio-treat the Design

Capture Volume (DCV).

84. The Project shall consider a properly engineered and maintained bio-treatment system only if infiltration, harvesting and use and evapotranspiration cannot be feasibly implemented at the project site.
85. Any portion of [the DCV] that is not infiltrated, harvested and used, evapotranspired, and/or biotreated shall be treated and discharged in accordance with the requirements set forth in Section XII.G.
86. The project shall implement LID practices that treat the 85th percentile storm.
87. Project hardscape areas shall be designed and constructed to provide for drainage into adjacent landscape.
88. 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.
89. CEQA – If CEQA identifies resources requiring Clean Water Act Section 401 Permitting, the applicant shall obtain certification through the Santa Ana Regional Water Quality Control Board and provide a copy to the Engineering Division.

Construction

90. Both a Storm Water Pollution Prevention Plan (SWPPP) and a Water Quality Management Plan (WQMP) for post construction are required for this project.
91. SWPPP - A copy of the current SWPPP shall be kept at the project site, updated as necessary and be available for review upon request. Projects that are not subject to coverage under the General Permit – Construction will prepare and implement an Erosion and Sediment Control Plan in compliance with the California Building Code and Local Ordinances.
92. **Prior to 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.
93. 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. The Erosion and Sediment Control Plan shall identify how all construction materials, wastes, grading or demolition debris, and stockpiles of soil, aggregates, soil amendments, etc. shall be properly covered, stored and secured to prevent transport into local drainages or waters by wind, rain, tracking, or dispersion. The plan shall also describe how the project will ensure that all BMPs will be maintained during construction of any future right of ways. 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.

Post Construction

94. 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.
95. The applicant shall use the Water Quality Management Plan for the Santa Ana Region of Riverside County guidance document and template for preparation of both the preliminary and final WQMP.
96. The project shall complete and submit for review and approval to the Engineering Division a final WQMP, incorporating the LID Principles and Stormwater BMPs committed to in the preliminary Project-Specific WQMP. The final WQMP shall be approved **prior to issuance of any grading or building permit**.
97. 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. The City format shall be used.
98. 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.
99. 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:
 1. 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.
 2. Demonstrate that the project has complied with all non-structural BMPs described in the project's WQMP.
 3. Provide signed, notarized certification from the engineer of work that the structural BMP's identified in the project's WQMP are installed and operational.
 4. Submit a copy of the fully executed, recorded Operations and Maintenance (O&M) Plan for all structural BMPs.
 5. 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.
 6. 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.

7. Provide a recorded copy of one of the following:
 - a. CC&R's (they must include the approved WQMP and O&M Plan) for the project's Home Owners Association.
 - b. A water quality implementation agreement has the approved WQMP and O&M Plan attached; or
 - c. The final approved Water Quality Management Plan and Operations and Maintenance Plan.

Final Tract or Parcel Map

100. The developer shall submit for plan check review and approval a final map.
101. Phasing plan, if any, shall be approved by the City Engineer prior to issuance of any permits.
102. Prior to City Council approval of the final Tract Map the developer shall, in accordance with Government Code, have constructed all improvements or have improvement plans submitted and approved, agreements executed and securities posted.
103. Street abandonment shall be processed and approved as part of the final map.
104. 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.
105. Applicant shall record CC&R's for funding, operation and maintenance of slopes and drainage facilities within the project. The CC&R's shall be approved by the Planning Director and City Engineer prior to recordation of final map.
106. The Final Tract Map or Parcel Map shall include the phasing boundaries consistent with the parcels of the Tentative Tract or Parcel Map. The phasing boundaries or parcels shall be processed as separate tract maps.
107. 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

108. 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.
109. Provide soils, geology and seismic report including street design recommendations. Provide final soils report showing compliance with recommendations.
110. 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.
111. 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.

112. 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).
113. Developer shall execute and submit grading and erosion control agreement, post grading security and pay permit fees as a condition of grading permit issuance.
114. A preconstruction meeting with the City Public Works Inspector (Engineering Division) is required prior to commencement of ANY grading activity.
115. 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.

Prior to Issuance of Building Permit:

116. 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.
117. 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.
118. Pay all Capital Improvement Mitigation fees (LEMC 16.34).
119. The Final Tract Map shall be recorded.
120. **Prior to the issuance of the first building permit:** Construct Terra Cotta Road at its full width section as a Secondary Highway with a 90' Right of Way from Lakeshore Drive north to the northern boundary of the project. The City Engineer at his/her discretion may allow for the phased construction of the ultimate improvements.
121. **Prior to the issuance of the first building permit:** Construct a 5-foot wide sidewalk on the west side of Terra Cotta Road between Lakeshore Drive and Harrison Avenue.
- 121a. **Prior to the issuance of the 200th building permit:** In accordance with the attached agreement (Exhibit 1 2) entered between the developer and the City of Lake Elsinore, in such form as approved by the City Council's Development Subcommittee, the City Manager or designee, and the City Attorney, the developer shall either:
 - a) Construct a 6-foot high masonry or decorative block wall at the rear of the existing residences located on the west side of existing Terra Cotta Road at the location set forth in the above-referenced agreement, and plant shrubs and/or other plantings that discourage graffiti; or,
 - b) Pay an in-lieu deposit in the amount of \$180,000 or such other deposit as may be set forth in the above referenced agreement to cover the cost of the City's installation of

the wall and associated landscaping.

The walls shall be constructed of the same materials used to construct the walls along the entire VTTM 36557 tract boundary as required by Condition No. 22, above. The City shall waive all plan check and permit fees associated with the construction of the wall and associated plantings.

122. **Prior to the issuance of the first building permit:** Construct the extension of Terra Cotta Road from the north project boundary to Nichols Road with a 32' paved roadway width with paved roadway section approved by the City Engineer.
123. **Prior to the issuance of the 300th building permit:** The developer shall pay fee in-lieu of construction of future median improvements on Lakeshore Drive. The fee shall be equal to current cost estimate for improvements (including contingency) plus an additional 15% of the total construction cost estimate to cover design and administrative costs. The cost estimate shall be approved by the City Engineer.

Prior to Occupancy

124. 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.
125. All traffic signing and striping shall be completed in accordance with the approved plans to the satisfaction of the City Traffic Engineer.
126. **Prior to the final inspection and occupancy of the 50th dwelling unit:** Install a full intersection traffic signal at all legs of the off-set intersection of Lakeshore Drive and Terra Cotta Road.
127. **Prior to the final inspection and occupancy of the 150th dwelling unit:** Install a traffic signal at the intersection of Lakeshore Drive and Dryden Street.
128. The fair share cost of future improvements as a condition of this development shall be paid, as per tables 9 and 10 of the January 29, 2014 Revised Terracina Traffic Impact Analysis prepared by Kunzman Associates, Inc. (Appendix E of Mitigated Negative Declaration No. 2014-02). This condition implements Mitigation Measure TRA-4 of Mitigated Negative Declaration No. 2014-02. In lieu of Applicant's Fair Share contribution, Applicant shall install improvements outlined in Condition #68.
129. TUMF fees shall be paid. The TUMF fees shall be based on fee at time the application for VTTM 36557 was deemed complete, plus inflationary increases and such other reasonable increases in effect at time of payment as contemplated under LEMC Section 16.83.040, subpart C.
130. All required public right-of-way dedications, easements, dedications and vacations and easement agreement(s) for ingress and egress through adjacent property(ies) shall be recorded with a recorded copy provided to the City prior to final project approval.
131. ~~**Prior to the final inspection and occupancy of the dwelling unit:** The developer shall pay fee in-lieu of construction of future median improvements on Lakeshore Drive. The fee~~

~~shall be equal to current cost estimate for improvements (including contingency) plus an additional 15% of the total construction cost estimate to cover design and administrative costs. The cost estimate shall be approved by the City Engineer. (Deleted by Staff prior to January 6, 2015 Planning Commission hearing.)~~

132. 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.
133. 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.
134. All final studies and reports, grade certifications, monument certifications (with tie notes delineated on 8 ½ x 11" mylar) shall be submitted in .tif format on a CD/DVD. Studies and reports include, Soils, Seismic, Hydrology, Hydraulics, Grading, SWPPP, WQMP, etc.
135. 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.*GIS Shape files must be in projected Coordinate System: NAD 83 State Plane California Zone VI U.S. Fleet.

COMMUNITY SERVICES DEPARTMENT

136. All open space lots shall be owned and maintained by the Homeowner's Association (HOA).
137. The 5.1-acre (4.3-acre net) public park ~~(as shown on attached Exhibit 1)~~ shall be included in the Community Facilities District for maintenance and renovation costs.
138. The public park ~~(as shown on attached Exhibit 1)~~ shall include:
 - An informal sports field
 - Restroom approximately 300 sq. ft.
 - On-site parking
 - 1 cover picnic area with 4 tables
 - Barbeque, hot ash container
 - 4 waste containers
 - Drinking fountain
 - Half court basketball
 - 8 benches
 - One 2-5 year and one 5-12 year playground with shade over the entire play structure
 - Perimeter walking trail with exercise stations
 - Park monument sign
 - Security Lighting
 - Lockable gate to the parking lot
139. The design of the proposed park site shall provide pedestrian circulation and shall be in compliance with American with Disabilities Act (ADA) requirements.
140. Prior to submittal of construction plans, the developer shall meet with the Director of

Communities Services to determine the location and specifications of the park amenities to be provided. The final conceptual design of the park will be approved by the Director of Community Services.

141. Construction plans and specifications for the park shall be reviewed and approved by the Director of Community Services prior to the approval of the final map.
142. The developer shall post security and enter into a park improvement agreement to improve the public park prior to issuance of the first building permit.
143. Construction of the park shall commence pursuant to a pre-construction meeting with the developer, the developer's construction contractor and City representatives. Failure to comply with the City's review and inspection process may preclude acceptance of the park by the City.
144. The developer, the developer's successor or assignee, shall be responsible for all the maintenance of the public park, including the 90-day maintenance period. After successful completion of the 90-day maintenance period following construction, these responsibilities will be accepted by the City.
145. The public park shall be improved and then conveyed to the City free and clear of any liens, assessment fees, or easements that would preclude the City from utilizing the property for public purposes. A policy of title insurance and a soils assessment report shall be provided with the conveyance of the property.
146. The completion of the public park shall be in lieu of any Quimby and park Development Impact Fees (DIF) requirements for the development.
147. The developer, the developer's successor or assignee, shall be responsible for all maintenance of all open space lots until such time as those responsibilities are provided by the HOA.
148. The public 5.1-acre (4.3-acre net) park (as shown on attached Exhibit 4) shall be completed to the satisfaction of the Community Services Director prior to the issuance of the 100th residential building permit.
149. Class II bicycle lanes for Lakeshore Drive and Terra Cotta Road shall be identified on the street improvements plans and constructed in concurrence with the completion of said street improvements.
150. ~~Prior to issuance of building permits, the developer shall pay Quimby Act in-lieu fees at the rates in effect at the time the application for VTTM 36557 was deemed complete. (Deleted by Staff prior to July 14, 2015 City Council hearing.)~~

FIRE PROTECTION PLANNING OFFICE

General Conditions

151. **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) 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.

152. **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.
153. **Minimum Hydrant Fire Flow** - Minimum required fire flow shall be 1,000 GPM for 2 hours duration at 20 PSI residual operating pressure, which must be available before any combustible material is placed on the job site. Average spacing between hydrants 500' and 250' maximum distance from any point on the street or road frontage to hydrant. Standard Fire hydrants shall be installed (6"x4"x2-1/2").
154. **Hazardous Fire Area** - The proposed project is located 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, 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".
155. **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.
156. **Minimum Access Standards** - The following access requirements are required to be implemented to ensure fire department and emergency vehicular access. All roadways shall conform to the City of Lake Elsinore approved roadway standards but in no case shall the minimum fire department vehicular access be less the following provisions:
 1. Twenty-four feet (24') clear width. Where parking is to be provided, each parking side shall be provided with eight (8') additional feet on each side of the fire department access.
 2. Median openings or crossovers between opposing lanes of a divided highway or street shall be located only at approved intersections at intervals of not less than 500 feet. [Ord. 529 § 3.2(F), 1973].
 3. The required all weather vehicular access shall be able to support no less than 70,000 lbs. over 2 axles.
 4. Roadway gradient shall not exceed 15% on any access road, driveways, and perimeter roads.
 5. Turning Radius shall be 26' inside and 38' outside for all access roads.
157. **Secondary Access** - In the interest of Public Safety, this project shall provide an Alternate or Secondary Access. Said access shall be constructed in accordance to the City of Lake Elsinore Engineering Department standards to accommodate full fire response and community evacuation.

Prior to Building Permit Issuance

158. **Water System Plans** - Applicant and/or developer shall separately submit 2 sets of water system plans to the Fire Department for review. 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.
159. **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 such inspection all permanent road signs shall be in place, all hydrants shall be 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

160. **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.
161. **Designated Fire Lanes** - The applicant shall prepare and submit to the Fire Department for approval, a site plan designating required fire lanes with appropriate lane painting and/ or signs.

DEPARTMENT OF ADMINISTRATIVE SERVICES

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

162. Prior to approval of the Final Map, Parcel Map, Residential Design Review, or Conditional Use Permit (as applicable), the applicant shall annex into Community Facilities District No. 2015-1 (Safety) the Law Enforcement, Fire and Paramedic Services Mello-Roos Community Facilities District to offset the annual negative fiscal impacts of the project on public safety operations and maintenance issues in the City. Alternatively, the applicant may propose alternative financing mechanisms to fund the annual negative fiscal impacts of the project with respect to Public Safety services. ~~Applicant shall make a seven thousand five hundred dollar (\$7,500) non-refundable deposit to cover the cost of the annexation, formation or other mitigation process, as applicable.~~ Applicant shall make a non-refundable deposit of \$15,000, or at the current rate in place at the time of annexation toward the cost of annexation, formation or other mitigation process, as applicable.

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

163. Prior to approval of the Final Map, Parcel Map, Residential Design Review, Conditional Use Permit or building permit (as applicable), the applicant shall annex into the Community Facilities District No. 2015-2 (Maintenance Services) to fund the on-going operation and maintenance of the public right-of-way landscaped areas and neighborhood parks to be maintained by the City and for street lights in the public right-of-way for which the City will

pay for electricity and a maintenance fee to Southern California Edison, including parkways, open space and public storm drains constructed within the development and federal NPDES requirements to offset the annual negative fiscal impacts of the project. Alternatively, the applicant may propose alternative financing mechanisms to fund the annual negative fiscal impacts of the project with respect to Maintenance Services. ~~Applicant shall make a seven thousand five hundred dollar (\$7,500) non-refundable deposit to cover the cost of the annexation, formation or other mitigation process, as applicable.~~ Applicant shall make a non-refundable deposit of \$15,000, or at the current rate in place at the time of annexation toward the cost of annexation, formation or other mitigation process, as applicable.

MITIGATED NEGATIVE DECLARATION NO. No. 2014-02 (SCH #2013091083) MITIGATION MEASURES

164. The applicant shall comply with the following mitigation measures, which are set forth in the Mitigation Monitoring & Reporting Program (MMRP) for Mitigated Negative Declaration No. 2014-02, which was adopted for this project.

- a. **Mitigation Measure AIR-1:** All diesel powered construction equipment in use shall require control equipment that meets, at a minimum Tier 3 emission requirements. In the event Tier 3 equipment is not available, diesel powered construction equipment in use shall require emissions control equipment with minimum of Tier 2 diesel standards.
- b. **Mitigation Measure AIR-2:** The following measures shall be required during construction:
 - i. The project applicant shall require that the site preparation and grading contractors implement the fugitive dust control actions provided in SCAQMD's Rule 403 for "Large Operations." If a more restrictive action is included below as project mitigation then that measure may be used in place of the applicable Rule 403 measure. A list of the Large Operations control actions from Rule 403 are provided in Appendix A of this Initial Study.
 - ii. When materials are transported off-site, all material shall be covered. As necessary, it may be effectively wetted to limited dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained to the extent feasible. If warranted by site or weather conditions, material shall be effectively wetted to limit dust emissions.
 - iii. The developer shall require and ensure that the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.
 - iv. The developer shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond to any dust complaints and attempt corrective action within 24 hours.
 - v. The developer shall require and ensure that the contractor or builder shall formulate a high wind response plan for enhanced dust control if winds are forecast to exceed 25 mph in any upcoming 24-hour period.

- vi. The developer shall use its best efforts to require and ensure that the contractor or builder shall restrict truck operation to “clean” trucks, such as a 2007 or newer model year or 2010 compliant vehicles.
 - vii. The developer shall use its best efforts to utilize CARB certified equipment for construction activities. Developer shall inform all contractors and subcontractors that use of CARB certified equipment for all construction activities is required where feasible and possible.
 - viii. The developer shall require and ensure that the contractor or builder shall suspend use of all construction equipment operations during first stage smog alerts.
- c. **Mitigation Measure AIR-3:** Electrical outlets shall be installed on the exterior walls of all residential buildings to promote the use electric landscape maintenance equipment.
- d. **Mitigation Measure BIO-1:** The project applicant shall ensure that a preconstruction presence/absence survey for burrowing owl shall be conducted where suitable habitat is present. The survey shall be conducted within 30 days prior to site disturbance. If burrowing owl are determined to be present, passive (i.e., use of one-way doors and collapse of burrows) relocation following accepted protocols will be utilized to ensure impacts to owls are minimized or avoided. Existing burrows shall be destroyed once they are vacated. In addition, disturbance of active nests will be avoided if burrowing owl is present during the nesting season (March 1st to August 31st). If active nests are identified, the biologist shall establish buffers around the vegetation containing the active nest of at least 150 meters
- e. **Mitigation Measure BIO-2:** The removal of potential nesting vegetation will be conducted outside of the nesting season (February 1 to August 31) to the extent that this is feasible. If vegetation must be removed during the nesting season, a qualified biologist shall conduct a nesting bird survey of potentially suitable nesting vegetation prior to removal. Surveys will be conducted no more than three (3) days prior to scheduled removals. If active nests are identified, the biologist shall establish buffers around the vegetation containing the active nest of at least 500 feet of an active listed species or raptor nest, and 300 feet of other sensitive or protected nests. The vegetation containing the active nest will not be removed, and no grading will occur within the established buffer, until a qualified biologist has determined that the nest is no longer active (i.e., the juveniles are surviving independent from the nest). If clearing is not conducted within three days of a negative survey, the nesting survey must be repeated to confirm the absence of nesting birds.
- f. **Mitigation Measure BIO-3:** Prior to the issuance of a grading permit, the project applicant shall obtain the necessary authorizations from the regulatory agencies for proposed impacts to jurisdictional waters. Authorizations may include a Section 404 Permit from the U.S. Army Corps of Engineers, a Section 1602 Streambed Alteration Agreement from the California Department of Fish and Wildlife, and a Section 401 Water Quality Certification/Waste Discharge Requirement from the Regional Water Quality Control Board. The Permittee shall offset impacts to riparian/riverine areas by purchasing credits at the Riverside-Corona Resource Conservation District in-lieu fee program, or another approved in-lieu fee program or mitigation bank within the Santa Ana River Watershed, to be approved by the appropriate regulatory agency(s). The

project shall offset the loss of 1.13 acres of riparian habitat at a 3:1 ratio, for a total of 3.39 acres; and shall offset the loss of 0.42 acre of unvegetated riverine areas at a ratio of 3:1, for a total of 1.26 acres. Total compensatory mitigation shall be a minimum of 4.65 acres.

- g. **Mitigation Measure BIO-4:** To avoid or reduce indirect impacts of the project on the MSHCP Conservation Area (Criteria Cell #4157) adjacent to or in close proximity of the project, the project shall include the following measures:

Drainage. The project shall incorporate measures to ensure that the quantity and quality of runoff discharged to the MSHCP Conservation Area is not altered in an adverse way when compared with existing conditions. In particular, measures shall be put in place to avoid discharge of untreated surface runoff from developed and paved areas into the MSHCP Conservation

Area. The project shall implement BMPs as identified in the Preliminary Water Quality Management Plan (Appendix B of this Initial Study).

Toxics. Land uses proposed in proximity to the MSHCP Conservation Area that use chemicals or generate bioproducts such as manure that are potentially toxic or may adversely affect wildlife species, habitat or water quality shall incorporate measures to ensure that application of such chemicals does not result in discharge to the MSHCP Conservation Area.

Lighting. Night lighting shall be directed away from the MSHCP Conservation Area to protect species within the MSHCP Conservation Area from direct night lighting, ensuring that ambient lighting in the MSHCP Conservation Area is not increased. Additionally, the project shall adhere to the City's lighting standards which would avoid shining light onto adjacent properties.

Noise. Proposed noise generating land uses affecting the MSHCP Conservation Area shall incorporate setbacks, berms or walls to minimize the effects of noise on MSHCP Conservation Area resources pursuant to applicable rules, regulations and guidelines related to land use noise standards. The project shall include applicable structures to ensure that wildlife within the MSHCP Conservation Area will not be subject to noise that would exceed residential noise standards, both during and post-construction.

Invasives. Project landscaping shall use native, drought-tolerant and noninvasive plants. Specifically, the project shall avoid the use of invasive plant species listed in Volume I, Table 6-2

Barriers. Proposed land uses adjacent to the MSHCP Conservation Area shall incorporate barriers, where appropriate in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass or dumping in the MSHCP Conservation Area. Such barriers may include native landscaping, rocks/boulders, fencing, walls, signage and/or other appropriate mechanisms.

Grading/Land Development. No manufactured slopes associated with the project shall extend into the MSHCP Conservation Area.

- h. **Mitigation Measure BIO-5:** The developer shall comply with the City's updated landscape requirements for the use of native, drought-tolerant and non-invasive plants, and shall not install invasive species listed at Volume I, Table 6-2 of the MSHCP. This measure applies during construction and installation of improvements.
- i. **Mitigation Measure BIO-6:** The developer shall provide language in the Covenants, Conditions, and Restrictions (CC&Rs) for the project which requires compliance with the City's updated landscape requirements for the use of native, drought-tolerant and non-invasive plants and provides that homeowners may not replace such plants with invasive species. Developer shall incorporate into the CC&Rs the requirement that the invasive species provided on Volume I, Table 6-2 of the MSHCP are prohibited. The CC&Rs shall incorporate the list of invasive species, Volume I, Table 6-2 of the MSHCP, for reference.
- j. **Mitigation Measure CUL-1:** All earth moving activities within the project area during construction shall be monitored by a qualified archaeologist selected from the latest Riverside County Cultural Resources Consultant List.
- k. **Mitigation Measure CUL-2:** If inadvertent discoveries of subsurface archaeological/cultural resources are discovered during grading, the developer, the project archaeologist, and the appropriate tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. Pursuant to California Public Resources Code Section 21083.2(b) avoidance is the preferred method of preservation for archaeological resources. If the developer and the Tribe cannot agree on the significance or the mitigation for such resources, these issues will be presented to the Community Development Director (CDD) for decision. The CDD shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the appropriate tribe.
- l. **Mitigation Measure CUL-3:** At least 30 days prior to seeking a grading permit, the project applicant shall contact the appropriate Native American Tribal Representative (Representative)* to notify the Representative of the initiation of the grading, excavation and the monitoring program, and to coordinate with the City of Lake Elsinore and the Representative to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the responsibilities and participation of Native American Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites and human remains discovered on the site. The archaeological monitor and the appropriate Tribe will evaluate the significance of any archaeological resource discovered on the property. Tribal and archaeological monitors shall be allowed to monitor all grading, excavation and groundbreaking activities, and shall have the authority to stop and redirect grading activities. (*It is anticipated that the Pechanga Tribe will be the "appropriate" Tribe due to prior and extensive coordination with the City in determining potentially significant impacts and appropriate mitigation measures and its demonstrated cultural affiliation with the project area.)
- m. **Mitigation Measure CUL-3A:** Prior to any grading at or near the vicinity of the known surface boundaries of CA-RIV-5782 and CA-RIV-5783, the developer shall meet and confer with the appropriate Tribe and the project archaeologist to develop an

- appropriate controlled grading plan. The purpose of the controlled grading at and around the site is to afford the opportunity to determine whether any subsurface resources are associated with the sites and, if so, to collect the resources for appropriate mitigation as outlined in the Treatment Agreement. All controlled grading shall be monitored in accordance to the provisions of the Agreement required in CUL-3.
- n. **Mitigation Measure CUL-4:** The landowner shall relinquish ownership of all cultural resources, including sacred items, burial goods and all archaeological artifacts that are found on the project area to the appropriate tribe for proper treatment and disposition.
 - o. **Mitigation Measure CUL-5:** A paleontological grading observation schedule by a certified paleontologist shall be maintained when grading in bedrock sedimentary units to further evaluate the fossil resources of the site.
 - p. **Mitigation Measure CUL-6:** During construction-related activities of the project, should paleontological materials be unearthed, the Lake Elsinore Planning Department shall be notified immediately. Construction affecting the area shall be halted and the City shall coordinate the appropriate efforts for handling and/or disposition of these materials.
 - q. **Mitigation Measure CUL-7:** If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission within 24 hours. Subsequently, the Native American Heritage Commission shall identify the person or persons it believes to be the “most likely descendant.” The most likely descendant may then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.
 - r. **Mitigation Measure GRE-1:** The project applicant shall implement Measure E-1.3 from the Climate Action Plan, which requires that all of the proposed structures exceed the 2008 Title 24 energy efficiency standards by a minimum of 15 percent.
 - s. **Mitigation Measure GRE-2:** The project applicant shall implement Measure T-1.2 from the Climate Action Plan, which requires the installation of sidewalks along all new streets to link neighborhood activity centers, major destinations and transit facilities.
 - t. **Mitigation Measure GRE-3:** The project applicant shall implement Measure E-4.1 from the Climate Action Plan, which requires that the Landscape Plan for the proposed project adhere to the City’s Assembly Bill 1881 Landscape Ordinance.
 - u. **Mitigation Measure GRE-4:** The project applicant shall implement Measure E-4.2 from the Climate Action Plan, which requires that new developments reduce indoor water consumption by 30 percent. This shall be achieved through the use of low-flow fixtures for all faucets, toilets and showers that are installed in the proposed project.

- v. **Mitigation Measure GRE-5:** The project applicant shall implement Measure E-1.1 from the Climate Action Plan, which requires that new developments plant a minimum one 15 gallon nondeciduous umbrella form tree per 30 linear feet of boundary length. This has been calculated to require the planting of a minimum of 470 trees on the project site.
- w. **Mitigation Measure GRE-6:** The project applicant shall implement Measure T-1.4 from the Climate Action Plan, which requires that new development implement and connect to the network of bikeways, trails and safety features identified in the General Plan, Bike Lane Master Plan, Trails Master Plan and Western Riverside County Non-Motorized Transportation Plan.
- x. **Mitigation Measure NOI-1:** During all project site excavation and grading on-site, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards. The contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.
- y. **Mitigation Measure NOI-2:** The contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the project site during all project construction.
- z. **Mitigation Measure NOI-3:** Temporary noise barriers that provide at least 10 dBA in attenuation must be installed when project construction occurs within 100 feet of existing residential structures. Any such barriers shall break the line of sight from noise generators to sensitive receptors. They shall also be constructed as close to the sensitive receptor as possible to achieve the greatest attenuation effect and have no gaps or openings. Such barriers shall be maintained throughout the construction period.
- aa. **Mitigation Measure NOI-4:** Provisions of the City's Noise Ordinance shall be satisfied during all site preparation and 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.
- bb. **Mitigation Measure NOI-5:** During construction, the developer shall require that all contractors turn off all construction equipment and delivery vehicles when not in use and prohibit idling in excess of 3 minutes. Easily visible signs shall be posted at the project site informing contractors and operators of this requirement.
- cc. **Mitigation Measure NOI-6:** The developer shall limit haul truck deliveries to weekdays only and from 7:00 a.m. to 5:00 p.m. Haul routes shall avoid residential neighborhoods, following the haul routes determined by the City.
- dd. **Mitigation Measure NOI-7:** For the duration of construction activities, the construction manager shall serve as the contact person should noise levels become disruptive to local residents. Developer shall post a publicly visible sign with the telephone number and person to contact regarding noise complaints. The construction manager, within

seventy-two (72) hours of receipt of a noise complaint, shall either take corrective actions or, if immediate action is not feasible, provide a plan or corrective action to address the source of the noise complaint.

- ee. **Mitigation Measure NOI-8:** Mitigation is required in order to achieve exterior noise levels of 65 dBA Ldn at several proposed sensitive receptors adjacent to Lakeshore Drive and Terra Cotta Road. This mitigation shall be provided by constructing a five-foot barrier along the property lines of Lots 66-72 and a six-foot high barrier at the property lines of Lots 5-16, 431-441, and 459-468. A six-foot barrier will be constructed along the entire frontage with Terra Cotta Road. Barriers shall be constructed of any material weighing at least 4 pounds per square foot. Barriers shall descend all the way to the ground and contain no holes or openings. Barriers shall wrap around to protect the side yards of lots adjacent to intersections. Recommended barrier configurations are shown in Appendix D (Figures 12 and 13) of this Initial Study.
- ff. **Mitigation Measure NOI-9:** As it is usually not aesthetically desirable to construct barriers high enough to reduce interior noise levels at second story sensitive receptors, enhanced building construction methods and materials must be employed to attenuate the approximately 20-28 dB required to achieve acceptable interior noise levels of 45 dBA Ldn. These methods include:

Noise Level Reduction of 15-20 dBA

1. Air conditioning or mechanical ventilation
2. Double-paned glass
3. Solid core doors with weather stripping and seals

Noise Level Reduction of 20-25 dBA

Measures 1-3 above and:

4. Stucco or brick veneer exterior walls or wood siding with one-half inch thick fiberboard underlayer
5. Glass portions of windows/doors not to exceed 20 percent
6. Exterior vents facing noise source shall be baffled

Noise Level Reduction of 25-30 dBA Measures 1-6 above and:

7. Interior sheetrock of exterior wall attached to studs by resilient channels or double walls
8. Window assemblies, doors, wall construction materials, and insulation shall have a lab-tested STC rating of 30 or greater.

- gg. **Mitigation Measure TRA-1:** The developer shall require that the speed of earth-moving equipment will be 25 miles per hour or less, and shall post signs onsite to this effect.
- hh. **Mitigation Measure TRA-2:** The developer shall use reasonable trip reduction requirements during project construction including, for example, contracting with a local food truck company to provide lunch onsite.

- ii. **Mitigation Measure TRA-3:** Terra Cotta Road shall be graded and used as construction access prior to precise grading activities. Prior to building permits, Terra Cotta Road shall be paved (final lift to be placed at completion of building activity). Construction traffic shall use Terra Cotta via Nichols Road to minimize impacts to existing residents.
- jj. **Mitigation Measure TRA-4:** The developer shall participate in the phased construction of the off-site intersection improvements through payment of established City of Lake Elsinore fees, participation in the Western Riverside Transportation Uniform Mitigation Fees program, payment of the project's fair share traffic contribution (see Tables 9 and 10 of Appendix E), assessment district and/or community facilities district financing, and construction of off-site facilities under appropriate fee credit agreements.
- kk. **Mitigation Measure TRA-5:** The developer shall construct on-site and off-site roadway improvements, including but not limited to, the following:
 - a. Construct Terra Cotta Road at its full-width improvement as a Secondary Highway with a 90-foot right-of-way from Lakeshore Drive north to the northern boundary of the project prior to building permit issuance.
 - b. Construct the extension of Terra Cotta Road from the north project boundary to Nichols Road with a paved roadway section, as approved by the City Engineer, in conjunction with development.
 - c. Construct the extension of Hoff Avenue from the west project boundary to Terra Cotta Road with a paved roadway section, as approved by the City Engineer, in conjunction with development.
 - d. Pay fair share of construction of a traffic signal at the intersection of Terra Cotta Road (NS) and Nichols Road (EW).
 - e. Construct Lakeshore Drive adjacent to the project site at its ultimate half- section width including sidewalk and parkway improvements consistent with the adjacent improved sections of Lakeshore Drive and additional 14' width for a northbound right turn lane on Lakeshore at Terra Cotta Road in conjunction with development.
 - f. Install a traffic signal at the off-set intersection of Lakeshore Drive and Terra Cotta Road.
 - g. Construct Dryden Street adjacent to the project site at its ultimate half- section width including sidewalk and parkway improvements in conjunction with development. Dryden Street shall be restricted to right turn in/out and left turns in only at its intersection with Lakeshore Drive.
 - h. Construct Stoddard Street adjacent to the project site at its ultimate half- section width including sidewalk and parkway improvements in conjunction with development.
 - i. On-site traffic signing/stripping shall be implemented in accordance with detailed street improvement plans for the project.

- j. Sight distance at the project accesses shall comply with standard California Department of Transportation/City of Lake Elsinore sight distance standards. The final grading, landscaping, and street improvement plans shall demonstrate that sight distance standards are met. Such plans shall be reviewed and approved by the City of Lake Elsinore prior to the issuance of any grading permits for the project.
 - ll. **Mitigation Measure TRA-6:** The traffic improvements to be installed by the developer will be phased improvements as required by the build-out of the project to address traffic impacts. A traffic improvement plan which includes the timing of phased improvements shall be submitted to the City of Lake Elsinore for review and approval prior to issuance of any grading permits for the project. Where improvements are needed to mitigate for operational impacts, the improvements must be in place and operational before occupancy permits are issued.
 - mm. **Mitigation Measure TRA-7:** The developer will comply with the traffic conditions of approval determined by the City of Lake Elsinore for the project, including but not limited to, the payment of Transportation Uniform Mitigation Fees and Traffic Infrastructure Fees as listed and required in Mitigation Measure TRA-4 and appropriate conditions of approval.
165. The applicant shall fund the implementation of the Mitigation Monitoring & Reporting Program (MMRP) 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.
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EXHIBIT 1
Subdivision Improvement Agreement
[ATTACHED]

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

Date: _____

Applicant's Signature: _____

Print Name: _____

Address: _____

Phone Number: _____