

## CONDITIONS OF APPROVAL

**PROJECT:** PA 2018-78/TPM 37550/CUP 2018-22/CDR 2018-16  
**PROJECT NAME:** Lake Street Storage  
**PROJECT LOCATION:** APN: 390-130-018  
**APPROVAL DATE:**  
**EFFECTIVE DATE:**  
**EXPIRATION DATE:**

### **GENERAL**

1. Tentative Parcel Map No. 37550 is a subdivision of 14.4 acres to four (4) parcels ranging in size from 0.54 acres gross to 11.65 acres gross. Commercial Design Review No. 2018-16 and Conditional Use Permit No. 2018-22 include a proposal to establish an 80,000 square foot (SF), single-story indoor recreational vehicle and boat storage facility, with 24,000 SF of mezzanine and 192 surface RV parking spaces partially covered with three canopies with solar panels on Parcel 2 and a 3,528 SF service station with convenience store, fuel canopy with six (6) fuel pumps which could serve 12 vehicles, and two (2) underground storage tanks on Parcel 1. No development project is currently proposed for Parcels 3 and 4 with the exception of a 15-stall parking lot and vehicle access aisle on Parcel 3. The Project is located on the easterly side of Lake Street and south of the I-15 freeway (APN: 390-130-018).
2. 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 approval, implementation and construction of TPM 37550, CUP 2018-22, and CDR 2018-16, which action is brought within the time period provided for in California Government Code Sections 65009 and/or 66499.37, and Public Resources Code Section 21167, including the approval, extension or modification of TPM 37550, CUP 2018-22, and CDR 2018-16 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 for \$2,406.75 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.

## **PLANNING DIVISION**

5. Tentative Parcel Map No. 37550 will expire two years from the date of approval unless within that period of time a Final Map has been filed with the County Recorder, or an extension of time is granted by the City Council in accordance with the State of California Subdivision Map Act and applicable requirements of the Lake Elsinore Municipal Code (LEMC).
6. Tentative Parcel Map No. 37550 shall comply with the State of California Subdivision Map Act, the Alberhill Ranch Specific Plan (ARSP), and applicable requirements contained in the LEMC, unless modified by these Conditions of Approval.
7. Conditional Use Permit No. 2018-22 shall lapse and become void two years following the date on which the conditional use permit became effective, unless one of the following: (1) prior to the expiration of two years, a building permit related to the conditional use permit is issued and construction commenced and diligently pursued toward completion; or (2) prior to the expiration of two years, the applicant has applied for and has been granted an extension of the conditional use permit approval pursuant to subsections (a), (b), and (c) of Lake Elsinore Municipal Code (LEMC) Section 17.415.070.D.2. Subject to the provisions of LEMC Section 17.415.070.I, a conditional use permit granted pursuant to the provisions of this section shall run with the land and shall continue to be valid upon a change of ownership of the site or structure, which was the subject of the Conditional Use Permit application.
8. Commercial Design Review No. 2018-16 shall lapse and become void two years following the date on which the design review became effective, unless one of the following: (1) prior to the expiration of two years, a building permit related to the design review is issued and construction commenced and diligently pursued toward completion; or (2) prior to the expiration of two years, the applicant has applied for and has been granted an extension of the design review approval pursuant to subsections (1) and (2) of Lake Elsinore Municipal Code (LEMC) Section 17.415.050.I.1. Notwithstanding conditions to the contrary, a design review granted pursuant to LEMC Section 17.415.050.I.2 shall run with the land for this two-year period, subject to any approved extensions, and shall continue to be valid upon a change of ownership of the site, which was the subject of the design review application.
9. An application for modification, expansion or other change in a Conditional Use Permit shall be reviewed according to the provisions of the Section 17.415.070 of the LEMC, in a similar manner as a new application.
10. If operation of this use triggers concerns related to parking, noise, traffic, or other impacts, at the discretion of the Community Development Director, this Conditional Use Permit may be referred back to the Planning Commission for subsequent review at a Public Hearing. If necessary, the Commission may modify or add conditions of approval to mitigate such impacts, or may revoke said Conditional Use Permit.
11. The applicant shall provide all project-related on-site and off-site improvements as required by these Conditions of Approval.
12. All Conditions of Approval shall be reproduced on page one of building plans prior to their acceptance by the Building and Safety Division, Community Development Department. All Conditions of Approval shall be met prior to the issuance of a Certificate of Occupancy.
13. 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.

14. A subsequent Design Review application shall be submitted to the Community Development Department for review and approval in accordance with the LEMC, Chapter 17.415 Permitting Requirements, to ensure that the final design of the service station with convenience store and fuel canopy proposed on Parcel 1 is compatible with the design criteria, style, colors, and materials established for the entire project site.
15. No development project is currently proposed for Parcels 3 and 4 of TPM 37550. Any future development for these parcels is subject to a review and approval of a Conditional Use Permit and/or a Design Review application in accordance with the LEMC, Chapter 17.415 Permitting Requirements. If determined necessary by the Community Development Director or designee, additional environmental analysis will be required.
16. Any proposed minor revisions to approved plans shall be reviewed and approved by the Community Development Director or designee. Any proposed substantial revisions to the approved plans shall be reviewed according to the provisions of the Municipal Code in a similar manner as a new application.
17. A combination of masonry or block wall, tubular steel fence, and chain-link fence as shown on the Wall and Fence plan dated September 13, 2019 prepared for this project.
18. 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.
19. No individual signs are approved as part of this approval. The applicant or designee shall submit an application for a sign permit, pay appropriate fees and receive approval from the Community Development Department for any sign(s) installed at the project site. **OR** The applicant shall submit a sign program for review and approval of the Planning Commission prior to installation.
20. In accordance with Section 17.112.090.O. of the LEMC, establishments engaged in the concurrent sale of motor vehicle fuel with alcoholic beverages shall abide by the following requirements:
  - a. No beer or wine shall be displayed within five feet of the cash register or the front door.
  - b. No advertisement of alcoholic beverages shall be displayed at motor fuel islands.
  - c. No sale of alcoholic beverages shall be made from a drive-in window.
  - d. No display or sale of beer or wine shall be made from an ice tub.
  - e. No beer or wine advertising shall be located on motor fuel islands and no self-illuminated advertising for beer or wine shall be located on buildings or windows.
  - f. Employees on duty between the hours of 10:00 p.m. and 2:00 a.m. shall be at least 21 years of age to sell beer and wine.
21. Graffiti shall be removed within 24 hours.

22. The entire site shall be kept free from trash and debris at all times and in no event shall trash and debris remain for more than 24 hours.
23. All roof mounted or ground support air conditioning units or other mechanical equipment incidental to development shall be architecturally screened or shielded by landscaping so that they are not visible from neighboring property or public streets. Any roof mounted central swamp coolers shall also be screened, and the Community Development Director, prior to issuance of building permit shall approve screening plan.
24. The property address (in numerals at least six inches high) shall be displayed near the entrance and be easily visible from the front of the subject property and public right-of-way.
25. The applicant shall construct trash enclosure(s) with a decorative roof to match the colors, materials and design of the project architecture.
26. 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.

**Prior to Recordation of Final Map(s)**

27. All lots shall comply with minimum standards set forth in the Commercial-Specific Plan (C-SP) district of the Alberhill Ranch Specific Plan (ARSP).
28. A precise survey with closures for boundaries and all lots shall be provided per the LEMC.
29. All of the project improvements shall be designed by the applicant's Civil Engineer to the specifications of the City of Lake Elsinore.

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

30. Prior to issuance of a building permit, the applicant shall pay Development Impact Fees (DIF) and MSHCP Fees per LEMC Section 16.85, at the rate in effect at the time of payment.
31. All roof mounted or ground support air conditioning units or other mechanical equipment incidental to development shall be architecturally screened or shielded by landscaping so that they are not visible from neighboring property or public streets. Any roof mounted central swamp coolers shall also be screened, and the Community Development Director, prior to issuance of building permit shall approve screening plan.
32. The applicant shall pay School Mitigation Fees to the Lake Elsinore Unified School District prior to issuance of a building permit.
33. A uniform hardscape and street furniture design including seating benches, trash receptacles, free-standing potted plants, bike racks, light bollards, etc., shall be utilized and be compatible with the architectural style. Detailed designs shall be submitted for Planning

Division review and approval prior to the issuance of building permits.

34. Prior to issuance of Building Permit, the Applicant shall submit a photometric study to the Community Development Department for review and approval. The plan shall ensure that all exterior on-site lighting are shielded and directed on-site so as not to create glare onto neighboring properties and streets or allow illumination above the horizontal plane of the fixture.
35. Prior to the issuance of a Building Permit, all exterior wall mounted and freestanding light fixtures shall be submitted for review and approval by the Director of Community Development, or their designee. Light fixtures shall compliment the architectural style of the buildings onsite.
36. Prior to the issuance of a Building Permit, the color, finish and pattern of all decorative paving onsite shall be submitted for review and approval by the Director of Community Development, or their designee.
37. Prior to issuance of a building permit, Final Landscaping / Irrigation Detail Plans (one full size set along with a PDF copy) shall be submitted along with appropriate fees for review and approval by the Community Development Director or designee.
  - 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.
  - c. Planting within fifteen feet (15') of ingress/egress points shall be no higher than twenty-four inches (24").
  - d. Landscape planters shall be planted with an appropriate parking lot shade tree pursuant to the LEMC and Landscape Design Guidelines.
  - e. No required tree planting bed shall be less than 5 feet wide.
  - f. Root barriers shall be installed for all trees planted within 10 feet of hardscape areas to include sidewalks.
  - g. Any transformers and mechanical or electrical equipment shall be indicated on landscape plan and screened as part of the landscaping plan.
  - h. The landscape plan shall provide for ground cover, shrubs, and trees and meet all requirements of the City's adopted Landscape Guidelines.
  - i. 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.
  - j. 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.
  - k. Final landscape plan must be consistent with approved site plan.
  - l. Final landscape plans to include planting and irrigation details.
  - m. 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.
  - n. No turf shall be permitted.



38. Landscaping installed for the project shall be continuously maintained to the reasonable satisfaction of the Community Development Director. If it is determined that the landscaping is not being maintained, the Director of Community Development shall have the authority to require the property owner to bring the landscaping into conformance with the approved landscape plan. The continued maintenance of all landscaped areas shall be the responsibility of the developer or any successors in interest.
39. The proposed location of on-site construction trailers shall be approved by the Community Development Director or designee. A cash bond of \$1,000 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 an acceptable state, subject to approval of the Community Development Director or designee. Such trailer(s) shall be fully on private property and outside the public right of way.
40. If any of the conditions of approval set forth herein fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted, deny or further condition issuance of all future building permits, deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted; record a notice of violation on the property title; institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation.

## **BUILDING DIVISION**

### **General Conditions**

41. Final Building and Safety Conditions. Final Building and Safety Conditions will be addressed when building construction plans are submitted to Building and Safety for review. These conditions will be based on occupancy, use, the California Building Code (CBC), and related codes which are enforced at the time of building plan submittal.
42. Compliance with Code. All design components shall comply with applicable provisions of the 2019 edition of the California Building, Plumbing and Mechanical Codes: 2019 California Electrical Code; California Administrative Code, 2019 California Energy Codes, 2019 California Green Building Standards, California Title 24 Disabled Access Regulations, and Lake Elsinore Municipal Code.
43. Green Measures. The application shall provide 10% voluntary green measures on the project, as stipulated by the 2019 California Green Building Standards.
44. Disabled Access. Applicant shall provide details of all applicable disabled access provisions and building setbacks on plans to include:
  - a. All ground floor units to be adaptable.
  - b. Disabled access from the public way to the entrance of the building.
  - c. Van accessible parking located as close as possible to the main entry.
  - d. Path of accessibility from parking to furthest point of improvement.
  - e. Path of travel from public right-of-way to all public areas on site, such as clubhouse, trash enclosure tot lots and picnic areas.

45. Street Addressing. Applicant must obtain street addressing for all proposed buildings by requesting street addressing and submitting a site plan for commercial or multi-family residential projects or a recorded final map for single-family residential projects. It takes 10 days to issue address and notify other agencies
46. Clearance from LEUSD. A receipt or clearance letter from the Lake Elsinore School District shall be submitted to the Building and Safety Department evidencing the payment or exemption from School Mitigation Fees.
47. Obtain Approvals Prior to Construction. Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.
48. Obtaining Separate Approvals and Permits. Trash enclosures, patio covers, light standards, and any block walls will require separate approvals and permits.
49. Sewer and Water Plan Approvals. On-site sewer and water plans will require separate approvals and permits. Septic systems will need to be approved from Riverside County Environmental Health Department before permit issuance.
50. House Electrical Meter. Applicant shall provide a house electrical meter to provide power for the operation of exterior lighting, irrigation pedestals and fire alarm systems for each building on the site. Developments with single user buildings shall clearly show on the plans how the operation of exterior lighting and fire alarm systems when a house meter is not specifically proposed.

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

51. Submitting Plans and Calculations. Applicant must submit to Building and Safety four (4) complete sets of plans and two (2) sets of supporting calculations for review and approval including:
  - a. An electrical plan including load calculations and panel schedule, plumbing schematic, and mechanical plan applicable to scope of work.
  - b. A Sound Transmission Control Study in accordance with the provisions of the Section 1207, of the 2019 edition of the California Building Code.
  - c. A precise grading plan to verify accessibility for the persons with disabilities.
  - d. Truss calculations that have been stamped by the engineer of record of the building and the truss manufacturer engineer.

#### **Prior to Issuance of Grading Permit(s)**

52. Onsite Water and Sewer Plans. Onsite water and sewer plans, submitted separately from the building plans, shall be submitted to Building and Safety for review and approval.
53. Demolition Permits. A demolition permit shall be obtained if there is an existing structure to be removed as part of the project.

#### **Prior to Issuance of Building Permit(s)**

54. Plans Require Stamp of Registered Professional. Applicant shall provide appropriate stamp of a registered professional with original signature on the plans. Provide C.D. of approved

plans to the Building Division.

### **Prior to Beginning of Construction**

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

### **ENGINEERING DEPARTMENT**

#### **General**

56. All slopes and landscaping within public right-of-way shall be maintained by the property owner or property owner's association or another maintenance entity approved by the City Council.
57. All open space and slopes except for public parks and schools and flood control district facilities, outside the public right-of-way shall be owned and maintained by property owner or property owner's association.
58. In accordance with the City's Franchise Agreement for waste disposal & recycling, the developer shall be required to contract with CR&R Inc. for removal and disposal of all waste material, debris, vegetation and other rubbish generated during cleaning, demolition, clear and grubbing or all other phases of construction.
59. Developer shall mitigate to prevent any flooding and/or erosion downstream caused by development of the site and or diversion of drainage.
60. Any grading that affects "waters of the United States", wetlands or jurisdictional streambeds, shall require approval and necessary permits from respective Federal and/or State agencies.
61. The developer shall provide a copy of an encroachment permit or any approval documents from the Riverside County Flood Control District and/or Caltrans for encroaching, grading, or discharging into County flood control facilities or Caltrans right of way.
62. All required soils, geology, hydrology and hydraulic, and seismic reports shall be prepared by a Registered Civil Engineer.

### **FEES**

63. The developer shall pay all Engineering Division assessed, Development Impact Fees, Plan Check and Permit fees (LEMC 16.34). Applicable Development Impact Fees include: Stephens Kangaroo Habitat Fee (K-Rat) paid with Grading Permit, Traffic Infrastructure Fee (TIF), paid with building permit, Transportation Uniform Mitigation Fee (TUMF), paid with building permit, and Area Drainage Fee paid with final map or grading permit, which ever is first.
64. Mitigation Fees will be assessed at the prevalent rate at time of payment in full.



## **FLOOD PLAIN**

65. Site development along the wetlands shall require special grading and erosion control requirements (LEMC Title 15)
66. Proposed TPM 37550 Parcels 1 and 3 lie partially within a FEMA mapped special flood hazard zone and within the Floodplain Management area as defined at LEMC 15.64.
67. Any fill placed in the 100-year flood plain for the purposes of elevating the building floor out of the flood plain shall require a CLOMR-F and LOMR-F to be processed with FEMA.
68. Meet all requirements of LEMC 15.64 regarding flood hazard regulations to include elevation of the lowest floor a minimum of 2 feet above the base flood elevation in FEMA mapped special flood hazard areas (100 year).
69. Provide written approval of construction activity within the wetlands from the U.S. Department of Fish and Game and U.S. Army Corp of Engineers.

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

### **Design:**

70. 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. De minimis Discharges
  - c. MS4
71. A Water Quality Management Plan (WQMP) (preliminary and final) shall be prepared using the Santa Ana Region 8 approved template and guidance and submitted for review and approval to the City. The Final WQMP shall substantially conform to the approved preliminary WQMP and be approved by the City prior to rough or precise grading plan approval and issuance of ANY permit for construction.
72. The Final WQMP shall document the following:
  - a. Detailed site and project description.
  - b. Potential stormwater pollutants.
  - c. Post-development drainage characteristics.
  - d. Low Impact Development (LID) BMP selection and analysis.
  - e. Structural and Non-Structural source control BMPs.
  - f. Treatment Control BMPs
  - g. Site design and drainage plan (BMP Exhibit).
  - h. Documentation of how vector issues are addressed in the BMP design, operation and maintenance.
  - i. GIS Decimal Minute Longitude and Latitude coordinates (33.00000, -117.00000) for all LID and Treatment Control BMP locations.
  - j. HCOC – demonstrate that discharge flow rates, velocities, duration and volume for the post construction condition from a 2-year 24-hour rainfall event will not cause adverse impacts on downstream erosion and receiving waters, or measures are implemented

- to mitigate significant adverse impacts downstream public facilities and water bodies. Evaluation documentation shall include pre-and post-development hydrograph volumes, time of concentration and peak discharge velocities, construction of sediment budgets, and a sediment transport analysis.
- k. The Operation and Maintenance (O&M) Plan and Agreement shall (1) describe the long-term operation and maintenance requirements for BMPs identified in the BMP Exhibit; (2) identify the entity that will be responsible for long-term operation and maintenance of the referenced BMPs; (3) describe the mechanism for funding the long-term operation and maintenance of the referenced BMPs; and (4) provide for annual certification of water quality facilities by a registered civil engineer. The City format shall be used.
73. 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).
- a. Preventative measures (these are mostly non-structural measures, e.g., minimizing impervious areas, conserving natural areas, minimizing directly connected impervious areas, etc.)
  - b. The Project shall in the order presented, infiltrate, harvest and use, evapotranspire and/or bio-treat the Design Capture Volume (DCV).
  - c. 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.
  - d. Any portion of the DCV that is not infiltrated, harvested and used, evapo-transpired, and/or bio-treated shall be treated and discharged in accordance with the requirements set forth in Section XII.G.
74. Parking lot landscaping areas shall be designed to provide for treatment, retention or infiltration of runoff.
75. Project onsite hardscape areas shall be designed and constructed to provide for drainage into adjacent landscape.
76. Project trash enclosure shall be covered and bermed to prevent untreated discharge.
77. Project onsite RV maintenance area shall be covered and have BMPs identified to prevent untreated discharge.
78. Runoff from the gas pump island area shall discharge to a water quality treatment facility.
79. 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.
80. All storm drain inlet facilities shall be appropriately marked "Only Rain in the Storm Drain" using the City authorized marker.
81. The project shall use either volume-based and/or flow-based criteria for sizing BMPs in accordance with NPDES Permit Provision XII.D.4.

82. The project shall implement State Water Quality Control Board approved full capture trash devices. This shall include installation of connector pipe screens on all onsite catch basins and all offsite catch basins to which the project discharges.
83. Post construction water quality treatment facilities and storm drain infrastructure shall be certified functional prior to the first occupancy of the project. (Use of City form required.)

### **Construction**

84. A Storm Water Pollution Prevention Plan (SWPPP) (as required by the NPDES General Construction Permit) and compliance with the Green Building Code for sediment and erosion control are required for this project Prior to grading or building permit for construction or demolition and/or weed abatement activity the project 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 notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing to the satisfaction of the City Engineer. A copy of the SWPPP shall be kept at the project site, updated, and be available for review upon request.
85. Erosion & Sediment Control – Prior to the issuance of any grading or building permit for construction or demolition, the applicant shall submit for review and approval by the City Engineer, an Erosion and Sediment Control Plan as a separate sheet of the grading plan submittal to demonstrate compliance with the City's NPDES Program and state water quality regulations for grading and construction activities. 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.
86. Minimum good housekeeping and erosion and sediment control BMP's as identified by the City shall be implemented by all projects.

### **Post-Construction**

87. Prior to the issuance of a certificate of use and/or occupancy, the applicant shall demonstrate compliance with applicable NPDES permits for construction, industrial/commercial, MS4, etc. to include:
  - Demonstrate that the project has complied with all non-structural BMPs described in the project's WQMP.
  - Provide signed, notarized certification from the engineer of work that the structural BMP's identified in the project's WQMP are installed in conformance with approved plans and specifications and operational.
  - Submit a copy of the fully executed, recorded City approved Operations and Maintenance (O&M) Plan and Agreement for all structural BMPs.
  - Provide documentation of annexation into a CFD for funding of facilities to be

- maintained by the City.
  - Demonstrate that copies of the project's approved WQMP (with recorded O&M Plan or CC&R's attached) are available for each of the initial occupants as appropriate.
  - Provide the City with a digital .pdf copy of the Final WQMP.
88. Chemical Management – Prior to the issuance of building permits for any tank or pipeline, the uses of said tank or pipeline shall be identified and the applicant shall submit a Chemical Management Plan in addition to a WQMP with all appropriate measures for chemical management (including, but not limited to, storage, emergency response, employee training, spill contingencies and disposal) in a manner meeting the satisfaction of the Manager, Permit Intake, in consultation with the Riverside County Fire Department and wastewater agencies, as appropriate, to ensure implementation of each agency's respective requirements. A copy of the approved "Chemical Management Plans" shall be furnished to the Fire Marshall, prior to the issuance of any Certificates of Use and Occupancy.

### **PARCEL MAP**

89. The developer shall submit for plan check review and approval for a parcel map.
90. Phasing plan, if any, shall be approved by the City Engineer prior to issuance of any permits.
91. Prior to City Council approval of the Parcel Map, the developer shall, in accordance with Government Code, have constructed all improvements or noted on the title sheet of the map the improvements to be constructed or have improvement plans submitted and approved, agreements executed and securities posted.
92. The owner shall dedicate an access easement across the property for access to the conservation areas.
93. Area drainage fee is payable prior to parcel map recordation.

### **UTILITIES**

94. All arrangements for relocation of utility company facilities (power poles, vaults, etc.) out of the roadway shall be the responsibility of the property owner or his agent.
95. All overhead utilities (34.5KV and below) shall be undergrounded in accordance with Chapter 12.16 of the Lake Elsinore Municipal Code (LEMC)
96. 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.
97. The developer shall apply for, obtain and submit to the City Engineering Department a letter from Southern California Edison (SCE) indicating that the construction activity will not interfere with existing SCE facilities (aka SCE NIL).
98. The developer shall submit a copy of the "Will Serve" letter to the City Engineering Department from the applicable water agency stating that water and sewer arrangements have been made for this project and specify the technical data for the water service at the location, such as water pressure and volume etc.

## **IMPROVEMENTS**

### **Design**

99. Sight distance into and out of the project location shall comply with CALTRANS Standards.
100. The developer shall install permanent bench marks per City of Lake Elsinore Standards and at locations to be determined by City Engineer.
101. The developer shall install blue dot markers in the roadway at a right angle to Fire Hydrant locations per Lake Elsinore Standards.
102. The developer shall coordinate with Riverside Transit Authority for location and installation of bus transit facilities.
103. Flood control - 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.
104. All drainage facilities in this project shall be constructed to Riverside County Flood Control District Standards.
105. A drainage study shall be provided. The study shall identify the following: identify storm water runoff from and upstream of the site; show existing and proposed off-site and onsite drainage facilities; and include a capacity analysis verifying the adequacy of the facilities. The drainage system shall be designed to ensure that runoff from a 10-yr storm of 6 hours or 24 hours duration under developed condition is equal or less than the runoff under existing conditions of the same storm frequency. Both 6 hour and 24hour storm duration shall be analyzed to determine the detention basin capacities necessary to accomplish the desired results.
106. All natural drainage traversing the site shall be conveyed through the site, or shall be collected and conveyed by a method approved by the City Engineer. All off-site drainage, if different from historic flow, shall be conveyed to a public facility.
107. Roof drains shall not be allowed to outlet directly through coring in the street curb. Roofs should drain to a landscaped area.
108. The site shall be planned and developed to keep surface water from entering buildings (California Green Building Standards Code 4.106.3).
109. All existing storm drain inlet facilities adjacent to the subject properties shall be retrofitted with a storm drain filter; all new storm drain inlet facilities constructed by this project shall include a storm drain filter.
110. All Public Works requirements shall be complied with as a condition of development as specified in the Lake Elsinore Municipal Code (LEMC) and Lake Elsinore Public Works Standard Plans.
111. The owner shall dedicate in fee title to the City right-of-way along Lake Street adjacent to the property frontage for a total right-of-way of 67' wide, at a minimum, from centerline to

the project property line.

112. The developer shall construct street improvements and dedicate right-of-way on Lake Street such that the ultimate right-of-way width conforms to General Plan right-of-way cross sections. The cross section of roadway improvements with a raised median (if applicable, developer shall pay cash-in-lieu of construction of ½ the raised median), parkway, street lights, and curb/gutter sidewalk shall be consistent with the Traffic Impact Analysis dated September 10, 2018.
113. The developer shall implement mitigation measures identified in the Traffic Impact Analysis dated September 10, 2018 of this Study to the satisfaction of the City Engineer.
114. Street improvement plans shall be prepared by a Registered Civil Engineer and the plans shall include curb and gutter, sidewalk, ac pavement, median, and drainage improvements.
115. The developer shall provide and submit for plan check a separate signing and striping plan set and a separate street light plan set for the required improvements of this project.
116. A portion of the required improvements for this development may be covered under the Traffic Impact Fee (TIF), TUMF and Area Drainage Fee program. Request for reimbursement or credits shall be approved by the City Engineer and based on allowable costs in the fee program and availability of funds.

#### **Permitting/Construction**

117. An Encroachment Permit shall be obtained prior to any work on City and/or State right-of-way. The developer shall submit the permit application, required fees and executed agreements, security and other required documentation prior to issuance.
118. All compaction reports, grade certifications, monument certifications (with tie notes delineated on 8 ½" x 11" Mylar) shall be submitted to the Engineering Department before final inspection of public works improvements will be scheduled and approved.
119. All streets shall be constructed per Lake Elsinore City Standards and/or applicable specific plan. Any deviation from City standards shall be approved by the City Engineer.

#### **Acceptance of Improvements**

120. The developer shall participate in "fair share" payment of offsite improvements as described in Table 1-4 of the Traffic Impact Analysis dated September 10, 2018, to the satisfaction of the City Engineer, if the offsite improvements are not subject to TUMF or established City of Lake Elsinore fees.
121. The developer shall submit a written request for acceptance of construction improvements along with the recorded Notice of Completion to the City Engineer.
122. As-built plans shall be completed and signed by the City Engineer.



## **GRADING**

### **Design:**

123. A grading plan signed and stamped by a California Registered Civil Engineer shall be submitted for City review and approval for all addition and/or movement of soil (grading) on the site. The plan shall include separate sheets for erosion control, haul route and traffic control. The grading submittal shall include all supporting documentation and be prepared using City standard title block, standard drawings and design manual (available at [www.lake-elsinore.org](http://www.lake-elsinore.org)).
124. All grading plan contours shall extend to minimum of 50 feet beyond property lines to indicate existing drainage pattern.
125. The grading plan shall show that no structures, landscaping, or equipment are located near the project entrances that could reduce sight distance.
126. If the grading plan identifies alterations in the existing drainage patterns as they exit the site, a Hydrology and Hydraulic Report for review and approval by City Engineer shall be required prior to issuance of grading permits. All grading that modifies the existing flow patterns and/or topography shall be approved by the City Engineer.
127. An evaluation of the potential for seismic activity 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.
128. The developer shall obtain all necessary off-site easements and/or permits for off-site grading and the applicant shall accept drainage from the adjacent property owners.
129. Provide final soils, geology and seismic report, including recommendations for parameters for seismic design of buildings, and walls prior to issuance of building permit.

### **Permit/Construction:**

130. Developer shall execute and submit grading and erosion control agreement, post grading security and pay development impact and permit fees as a condition of grading permit issuance.
131. A preconstruction meeting with the City Public Works Inspector (Engineering Department) is required prior to commencement of ANY grading activity.
132. Developer shall provide the city with a copy of the Notice of Intent (NOI) and Waste Discharge Identification (WDID) letter issued by the Regional Water Quality Control Board for the National Pollutant Discharge Elimination System (NPDES) program.
133. 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)

134. Import and export sites located within the Lake Elsinore City limits must have an active grading permit.
135. Applicant to provide to the City a video record of the condition of all proposed public City haul roads. In the event of damage to such roads, applicant shall pay full cost of restoring public roads to the baseline condition. A bond may be required to ensure payment of damages to the public right-of-way, subject to the approval of the City Engineer.
136. 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.
137. Approval of the project Final Water Quality Management Plan (WQMP) for post construction shall be received prior to issuance of a grading permit.
138. Submit Planning Division environmental clearance to the Engineering Department. This approval shall document that all CEQA identified grading mitigation has been met allowing all proposed grading activity anticipated for this project.

#### **PRIOR TO ISSUANCE OF BUILDING PERMIT**

139. Approval of a letter of map revision (LOMR) or letter of map revision based on fill (LOMR-F) must be received from FEMA.
140. Prior to issuance of certificates of use and occupancy or building permits for individual tenant improvements or construction permits for a tank or pipeline, uses shall be identified and, for specified uses (where the proposed improvements will store, generate or handle hazardous materials in quantities that will require permitting and inspection once operational), the developer shall propose plans and measures for chemical management (including, but not limited to, storage, emergency response, employee training, spill contingencies and disposal) to the satisfaction of the County/City Building Official(s).
141. The Parcel Map shall be recorded.
142. All street improvement plans, traffic signal plans, signing and striping plans shall be completed and approved by the City Engineer per the Traffic Impact Analysis dated September 10, 2018.
143. The developer shall pay all Development Impact Fees: TIF and TUMF (TUMF may be deferred to occupancy) and outstanding Plan Check fees (LEMC 16.34).
144. Final soil report showing compliance with recommendations, compaction reports, grade certifications, monument certifications (with tie notes delineated on 8 ½ x 11" mylar) shall be submitted in .tif format on CD to the Engineering Department before final inspection will be scheduled.

#### **PRIOR TO OCCUPANCY**

145. All signing and striping, street light, and traffic control devices for the required improvements of this development shall be installed.

146. All public improvements shall be completed in accordance with the approved plans or as condition of this development to the satisfaction of the City Engineer.
147. The fair share cost of future improvements as a condition of this development shall be paid.
148. TUMF fees shall be paid. The TUMF fees shall be the effective rate at the time of payment in full in accordance with the LEMC.
149. Developer shall provide FEMA elevation certificates for all buildings (includes trailers and storage facilities) prior to final approvals. If a LOMR-F has been processed and approved by FEMA, the letter of determination and certification may be in the form of a letter signed and sealed by a licensed civil engineer.
150. 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.
151. Developer shall pay all outstanding applicable processing and development fees including but not all inclusive: TUMF, MSHCP, TIF, Stephens Kangaroo Rat Habitat and area drainage prior to occupancy/final approval.

### **PROJECT CLOSE OUT**

152. As-built plans for all approved plan sets shall be submitted for review and approval by the City. The developer/owner is responsible for revising the original mylar plans.
153. 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.
154. All plan sets and recorded maps shall be digitized and provided on CD/DVD as follows:
  - Final Map(s) - GIS Shape files\* and .tif of recorded map.
  - Improvement Plans – AutoCad GIS Shape files\* and .tif of approved as built mylar.
  - Grading Plans – AutoCad and .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.

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

155. The applicant/operator shall comply with all requirements of the Riverside County Fire Department Lake Elsinore Office of the Fire Marshal. Questions should be directed to the Riverside County Fire Department, Lake Elsinore Office of the Fire Marshal at 130 S. Main St., Lake Elsinore, CA 92530. Phone: (951) 671-3124 Ext. 225.
156. **Hazardous Fire Area:** This project is in a Very High Fire Hazard Severity Zone of Riverside County as shown on a map on file with the Clerk of the Board of Supervisors. Any building constructed within this project shall comply with the special construction provisions contained in Riverside County Ordinance 787 and the California Building Code.
157. **Gates:** Gates must meet Fire Department standards at the time of building permit issuance. Current standards require gates be equipped with a Knox Rapid Entry System and an Infrared Automatic Gate Opening system.

158. **Fire hydrants and fire flow:** prior to building permit issuance, the applicant or developer shall install a water system capable of providing the required fire flow in accordance with the California Fire Code and City of Lake Elsinore standards in effect at the time of building permit application. The required fire flow is estimated to be 3,125 GPM at 20 PSI for 3 hours based 90,000 square-foot Type III-B construction, the building having a fire sprinkler system, and current standards.
159. Prior to building permit issuance, install the approved water system, approved access roads, and contact the Fire Department for a verification inspection.

#### **DEPARTMENT OF ADMINISTRATIVE SERVICES**

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

160. Prior to approval of the Final Map, Parcel Map, Design Review, Conditional Use Permit or building permit (as applicable), the applicant shall annex into the Community Facilities District No. 2015-2 (Maintenance Services) or current Community Facilities District in place at the time of annexation 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, street maintenance, 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 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.

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

161. The applicant shall comply with all mitigation measures identified in the Mitigation Monitoring & Reporting Program for the Mitigated Negative Declaration (Environmental Review No. 2019-02; SCH # 2020010164) prepared for the Project.
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I hereby state that I acknowledge receipt of the approved Conditions of Approval for the above named project and do hereby agree to accept and abide by all Conditions of Approval as approved by the City 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: \_\_\_\_\_