

CONDITIONS OF APPROVAL

PROJECT: PA 2019-47/TPM 2019-05
PROJECT NAME: TPM 37773
PROJECT LOCATION: APN: 377-120-065
APPROVAL DATE:
EFFECTIVE DATE:
EXPIRATION DATE:

GENERAL CONDITIONS

1. Tentative Parcel Map (TPM) No. 37773 is a subdivision of an 8.46-acre site into four (4) parcels ranging in size from 0.97 acres to 2.9 acres, and one (1) 1.6-acre remainder parcel. The Project is located at the southeasterly corner of Riverside Drive and Collier Avenue. (APN: 377-120-065).
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 37773, 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 37773 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.

PLANNING DIVISION

4. Tentative Parcel Map No. 37773 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 of Lake Elsinore City Council in accordance with the State of California Subdivision Map Act and applicable requirements of the Lake Elsinore Municipal Code (LEMC).
5. Tentative Parcel Map No. 37773 shall comply with the State of California Subdivision Map Act and applicable requirements contained in the LEMC, unless modified by approved Conditions of Approval.
6. A certificate of compliance (COC) shall be required for the 1.6-acre remainder parcel in accordance with Section 66424.6 of the State of California Subdivision Map Act.

7. The applicant shall provide all project-related on-site and off-site improvements as required by these Conditions of Approval.
8. 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.
9. 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.
10. 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 Parcel Map

11. All lots shall comply with minimum standards contained in Chapter 17.132 (C-M Commercial Manufacturing District) of the LEMC.
12. A precise survey with closures for boundaries and all lots shall be provided per the LEMC.
13. 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 Design Review Approval

14. All future structural development associated with this map requires separate Design Review and/or Conditional Use Permit approval pursuant to the provisions of Chapter 17.415 (Permitting Requirements) of the LEMC.
15. All commercial development within TPM 37773 shall comply with the non-residential development standards of Chapter 17.112 of the LEMC.

Prior to Issuance of Grading Permits/Building Permits

16. Prior to the issuance of a grading permit, the project applicant shall obtain all necessary State and Federal permits, approvals, or other entitlements, including obtaining 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.

17. Prior to the issuance of a building permit, the applicant shall pay the City's Multiple Species Habitat Conservation Plan (MSHCP) Local Development Mitigation Fee, at the rate in effect at the time of payment.
18. Prior to the issuance of a building permit, the applicant shall pay Development Impact Fees (DIF), at the rate in effect at the time of payment.
19. Prior to issuance of each building permit, 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.
20. Provisions of the City's Noise Ordinance (LEMC Chapter 17.176) shall be satisfied during all site preparation and construction activity. The applicant shall place a weatherproof 3' X 3' sign at the entrance to the project site identifying the approved days and hours of construction activity. Site preparation activity and construction shall not commence before 7:00 AM and shall cease no later than 5:00 PM, Monday through Friday. Only finish work and similar interior construction may be conducted on Saturdays and may commence no earlier than 8:00 am and shall cease no later than 4:00 p.m. Construction activity shall not take place on Sunday, or any Legal Holidays. The sign shall identify the name and phone number of the development manager to address any complaints.
21. The project shall connect to water and 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.
22. 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.
23. 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.
24. The applicant shall construct trash enclosure(s) with a decorative roof to match the colors, materials and design of the project architecture.
25. 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.
26. Prior to issuance of a building permit, one (1) set of the Final Landscaping / Irrigation Detail Plans along with a digital copy (i.e. PDF format) shall be submitted to the Community Development Department 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.
27. 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.
28. 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.

ENGINEERING DEPARTMENT

General

29. All required soils, geotechnical, hydrology and hydraulic and seismic reports shall be prepared by a Registered Civil Engineer.
30. The developer shall install blue dot markers in the roadway at a right angle to Fire Hydrant locations per CALTRANS and/or Riverside County Standards.
31. 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.
32. Sight distance into and out of this project location shall comply with CALTRANS Standards.
33. All 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.
34. A preconstruction meeting with the City Engineering Inspector (Engineering Department) is required prior to commencement of ANY grading activity.
35. All plans (Street, Storm Drain, Improvement, Grading) shall prepared by a Registered Civil Engineer using the City's standard title block, Design Manual guidance, Lake Elsinore Municipal Code, California Building Code, Riverside County Flood Control Standards for drainage, and City Standards unless otherwise noted or approved by City staff.
36. 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.
37. 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.
38. Developer shall mitigate to prevent any flooding and/or erosion downstream caused by development of the site and/or diversion of drainage.
39. Drainage across property lines shall not exceed that which existed prior to grading. Excess or concentrated drainage shall be contained on site or directed to an approved drainage facility. Erosion of the ground in the area of discharge shall be prevented by installation of nonerosive down drains or other devices.
40. Roof drains shall not be allowed to outlet directly through coring in the street curb. Roofs shall drain to a landscaped area.
41. 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 Standard Plans.

42. No grading shall be performed without first having obtained a permit from the City Engineer. A grading permit does not authorize the construction of retaining walls or other structures.
43. A Soil/Geotechnical Report is required for any land disturbance
44. Minimum good housekeeping and erosion and sediment control BMP's as identified by the Green Building Code and City shall be implemented by all projects.
45. Construct all public works improvements per approved street plans (LEMC 16.34) in accordance with project phasing plan. Plans must be approved and signed by the City Engineer prior to construction. Construction shall be completed prior to Certificate of Occupancy of any building within a particular phase.
46. Developer shall enter into an agreement with the City for the construction for the public works improvements and shall post the appropriate bonds prior to commencement of work.
47. 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.

FEES

48. The developer shall pay all Engineering Department assessed Development Impact Fees (DIF), Plan Check and Permit fees and In Lieu/Fair Share fees (LEMC 16.34). Fees will be assessed at the prevalent rate at time of payment in full. Applicable DIF include:

- a. Stephens Kangaroo Habitat Fee (K-Rat) \$500 per gross acre. Due at grading permit.
- b. Traffic Infrastructure Fee (TIF) primary use. Due at building permit:
 - i. Commercial - \$3.84 per square foot of buildings.
 - ii. Industrial - \$0.81 per square foot of buildings.
 - iii. Office - \$1.45 per square foot of buildings.

The project may be eligible for TIF credit and reimbursement of capacity enhancing road improvements (excludes sidewalk, landscape, street lights) constructed on Collier Ave and Riverside Drive (SR 74).

- c. Transportation Uniform Mitigation Fee (TUMF) primary use. Due at occupancy:
 - i. Industrial - \$ 1.77 per square foot of buildings
 - ii. Retail - \$ 7.50 per square foot of buildings
 - iii. Service- \$4.56 per square foot of buildings
 - iv. Class A & B Office - \$ 2.19 per square foot

The project may be eligible for TUMF credit and reimbursement of road improvements constructed on Collier Ave and Riverside Drive (SR 74)

- d. Master Plan of Drainage Fee: \$7,120.00 per gross acre (Arroyo del Toro). Due with map recordation.
- e. Fair Share/In Lieu fees calculated on a project basis if required by the traffic impact analysis.

STORM WATER MANAGEMENT / POLLUTION PREVENTION

Design

49. 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. General Permit – Industrial
 - c. Scrap Metal
 - d. Deminimus Discharges
 - e. MS4
50. A Water Quality Management Plan (WQMP) (preliminary and final) shall be prepared for each proposed project using the Santa Ana Region 8 approved template and guidance and submitted for review and approval to the City. The Preliminary WQMP shall be approved prior to Planning Commission hearing; the Final WQMP shall be approved by the City prior to rough or precise grading plan approval and issuance of ANY permit for construction.
51. The Final WQMP shall be in substantial conformance with the approved preliminary WQMP.
52. 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 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. (Note the facilities may need to be larger due to flood mitigation for the 10-yr 6 and 24 hour rain events).
 - k. The Operation and Maintenance (O&M) Plan and Agreement and/or CC&R's 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. For facilities in the right-of-way to be maintained by the City, the project shall annex into a CFD for funding.
 - l. The grading and/or improvement plan shall include a table listing each stormwater facility, and the plan sheet where it appears.

53. 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.E3, and XII.E.7).
 - a. Preventatives 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.
54. Parking lot landscaping areas shall be designed to provide for treatment, retention or infiltration of runoff.
55. Project onsite hardscape areas shall be designed and constructed to provide for drainage into adjacent landscape.
56. Project trash enclosure shall be covered and bermed to prevent untreated discharge.
57. If CEQA identifies resources requiring Clean Water Act Section 401 Permitting, the developer shall obtain certification of compliance through the Santa Ana Regional Water Quality Control Board and provide a copy to the Engineering Department.
58. All storm drain inlet facilities shall be appropriately marked "Only Rain in the Storm Drain" using the City authorized marker.
59. The project shall use either volume-based and/or flow-based criteria for sizing BMPs in accordance with NPDES Permit Provision XII.D.4.
60. 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.

Construction

61. 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.
62. Prior to grading or building permit for construction or demolition and/or weed abatement activity projects subject to coverage under the NPDES General Construction Permit 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.

63. 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 developer 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.

LAND DIVISION-DEDICATION

64. After approval of the Tentative Parcel Map, the developer shall submit the parcel map for plan check review and approval to the Engineering Department.
65. Parcel Map - 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.
66. Legal agreements and financial commitments (LLMD, CFD, etc.) for operation and maintenance be recorded prior to or concurrent with recordation of a final tract or parcel map or Certificate of Occupancy if a map is not required.
67. Parcel Map - Right-of-way and easement dedications can be made either on the Parcel Map or by separate instrument.
68. Monumentation shall be in accordance with LEMC 16.32 and Subdivision Map Act.
69. Security and inspection fee for monumentation shall be paid and two contiguous monuments shall be inspected prior to scheduling map for City Council.
70. Covenants, Conditions and Restrictions (CC&Rs) or Property Owner's Association memorandum of understanding shall be submitted to the Engineering Department for review and approval.
71. The developer shall dedicate an access easement providing for reciprocal access across the properties for public use.

UTILITIES

72. Arrangements for relocation of utility company facilities (power poles, vaults, etc.) on site and/or out on the roadway shall be the responsibility of the property owner or his agent. All power lines (temporary or permanent) shall comply with CALTRANS standards for vehicle clearance.
73. All overhead utilities (34.5 KV or lower) shall be undergrounded in accordance with Chapter 12.16 of the Lake Elsinore Municipal Code (LEMC) and CALTRANS standards.

74. 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). Due prior to Grading Permit.
75. 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. Due prior to Building Permit.

IMPROVEMENTS AND DRAINAGE

76. This project shall provide roadway connections to facilitate reciprocal access to adjacent developments unless otherwise deemed unfeasible as concurred by the City.
77. Install a root barrier for the dripline of trees installed within 10 feet of any on or off-site hardscape (sidewalk, driveway, pavement, etc.).
78. If the existing street improvements are to be modified, a delta revision to the existing street plans on file shall be prepared and approved by the City Engineer prior to issuance of building permit.
79. An encroachment permit from the City and CALTRANS is required for all work to be done in the public right-of-way. Upon approval of engineered plans, the requirements outlined in these COA's and the permit issue letter shall be met prior to Encroachment Permit issuance.
80. Developer is responsible for constructing half width street improvements (to include curb, gutter, sidewalk, street lights, etc.) on Collier Ave to match existing improvements.
81. Developer is responsible for constructing half width street improvements (to include curb, gutter, sidewalk, street lights, etc.) on project adjacent frontage on Riverside Drive (SR 74). Improvements shall be designed to provide to match and/or provide safe transition to existing improvements.
82. Developer shall evaluate feasibility of shared access by and between newly created parcels on Riverside Drive and Collier Avenue.
83. In conformance with the General Plan Circulation Element Urban Arterial designation (120' ROW) and/or traffic impact analysis, the developer shall dedicate in fee title to the City addition right-of-way along Riverside Drive and Collier Avenue for a total half width of 60 feet from centerline.
84. 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 (on or off site) constructed by this project shall include a storm drain filter.
85. Provide public street lighting, consistent with City Standards. Street lights shall be LED and the design submitted to Engineering Department for plan check review and approval.
86. Developer shall submit signing and striping plans for City review and approval. All signing and striping and traffic control devices shall be installed and approved by the City.

87. Improvements shall be designed and constructed to City of Lake Elsinore Standards, Municipal Code (12.04 and 16.34) and CALTRANS Standards, or as directed or approved by the City Engineer.
88. The developer shall coordinate with Riverside Transit Authority for location and installation of bus transit facilities.
89. 10-year storm runoff shall be contained within the curb and the 100-year storm runoff shall be contained within the curbs. When either of these criteria are exceeded, drainage facilities shall be provided.
90. All drainage facilities in this project shall be constructed to Riverside County Flood Control District Standards.
91. 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 on-site 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-year storm of 6-hour or 24-hour duration under developed condition is equal or less than the runoff under existing conditions of the same storm frequency. Both 6-hour and 24-hour storm duration shall be analyzed to determine the detention basin capacities necessary to accomplish the desired results.
92. CALTRANS review and approval of plans is required. The developer shall provide a copy of the CALTRANS approval and/or permit for construction.
93. All storm drain inlet facilities shall be appropriately marked "Only Rain Down the Storm Drain" using the City authorized marker to prevent illegal dumping in the drain system.

GRADING PERMIT

94. 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).
95. All grading plan contours shall extend to minimum of 50 feet beyond property lines to indicate existing drainage pattern.
96. 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 in compliance with federal, state and local law and be approved by the City Engineer.
97. 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 Engineer.

98. The soil study shall include a seismic investigation of 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 prior to grading permit.
99. The developer shall obtain all necessary off-site easements and/or permits for off-site grading and/or drainage acceptance from the adjacent property owners prior to grading permit issuance.
100. The requirements outlined in these conditions of approval and the permit issue letter shall be met prior to grading permit issuance.
101. Haul – Import or Export: Prior to issuance of a Grading Permit, developer shall provide the City for review and approval a plan of all proposed haul routes to be used for movement of import or export material. Export or Import sites located within the Lake Elsinore City limits must have an active grading permit. Public Noticing and City Council approval is required for haul routes of over 5,000 cubic yards. The cost of noticing shall be paid by the developer.
102. Haul - 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 by the City Engineer.
103. Obtain and submit an environmental clearance from City Planning Division to the Engineering Department. This approval shall specify that the project is in compliance with any and all required environmental mitigation triggered by the proposed grading activity. (ex. burrowing owl)
104. Erosion & Sediment Control – Prior to the issuance of any grading or building permit for construction or demolition, the developer 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.

PRIOR TO BUILDING PERMIT

105. All required public right-of-way dedications and easements (not dedicated on the map) shall be prepared by the developer or his agent and shall be submitted to the Engineering Department for review and approval prior to issuance of building permit.

PRIOR TO OCCUPANCY/FINAL APPROVAL:

106. Final soil report in digital form showing compliance with recommendations, 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 will be scheduled.
107. Paper copy of plan with any redlines shall be submitted to the Engineering Department before final inspection will be scheduled.
108. 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.
109. City Engineering Department approved Covenants, Conditions and Restrictions (CC&Rs) or Property Owner MOU shall be recorded prior to occupancy with a digital copy provided to the Engineering Department.
110. All off-site street improvements (curb, gutter, street light, signage, striping, pavement, etc.) shall be completed in accordance with approved plans to the satisfaction of the City Engineer.
111. All on-site improvements shall be installed prior to occupancy.
112. Water Quality: Prior to occupancy, developer shall:
 - a. Provide certification by Registered Civil Engineer using City form that each post construction BMP is as built per plan, clean and functional.
 - b. Demonstrate that an adequate number of copies of the approved project specific WQMP are available for the future owners/occupants; and
 - c. Provide copy of package of education guidelines for Water Quality Management Practices to be distributed to the tenants, operators and owners of the businesses of the development, regarding the environmental awareness on good housekeeping practices that contribute to protection of storm water quality and meet the goals of the approved WQMP in the Riverside County NPDES Drainage Area Management Plan.
113. Chemical management plans shall be approved by the County/City and other appropriate agencies such as County/City Fire Department, the Health Services Agency's Department of Environmental Health, and sewerage and/or water agencies to ensure implementation of each agency's respective requirements. Approval by the appropriate agencies shall be furnished to the Engineering Department, prior to the issuance of any certificates of use and/or occupancy.
114. Certificates or permits may be ministerially withheld if features needed to properly manage chemicals cannot be incorporated into a previously completed building, center, or complex.
115. 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 CLOSEOUT/SECURITY RELEASE

116. Developer shall As-built all Engineering Department approved project plan sets. After City approval of paper copy, developer/owner is responsible for revising the original mylar plans. Once the original mylars have been approved, the developer shall provide the City with a CD of the "as-built" plans in .tif format.
117. Developer shall submit documentation pursuant to City's Security Release handout.
118. All final studies and reports shall be submitted in .tif format on a CD/DVD. Studies and reports include, Soils, Seismic, Hydrology, Hydraulics, Grading, WQMP, etc.
119. Provide on compact disc auto cad and GIS Shape files of all final maps and street and storm drain plans. *ALL DATA MUST BE IN projected Coordinate System: NAD 83 State Plane California Zone VI U.S. Fleet.

CITY OF LAKE ELSINORE FIRE MARSHAL

120. 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.

DEPARTMENT OF ADMINISTRATIVE SERVICES

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

121. 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.
-

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: _____