

CONDITIONS OF APPROVAL

PROJECT: PA 2018-49/TPM 37710/IDR 2019-01
PROJECT NAME: Pennington Industrial
PROJECT LOCATION: APN: 377-160-014
APPROVAL DATE:
EFFECTIVE DATE:
EXPIRATION DATE:

GENERAL

1. Planning Application No. 2018-49 (Tentative Parcel Map No. 37710 and Industrial Design Review No. 2019-01) is a proposal to construct three (3) industrial buildings ranging in size from 19, 200 sq. ft. to 39,000 sq. ft. (91,140 square foot total) with 167 parking spaces. The tentative parcel map proposes to subdivide the 5.01 gross acre site into three (3) parcels that are 1.06 acres, 1.72 acres, and 2.01 acres, respectively (Project). The Project is located at the located at the southeasterly corner of Chaney Street and Minthorn Street (APN: 377-160-014).
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 IDR 2019-01 and TPM 37710, which action is bought 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 IDR 2019-01 and TPM 37710 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.

Fees

5. The applicant shall pay all applicable fees as identified in Exhibit A, at the rate in effect at the time of payment by the payment milestone. No deferral of fees shall be granted unless approved by the City Council, which will require the applicant to execute a contract or other written instrument to pay the fee or charge at a later milestone than what is specified in

Exhibit A.

PLANNING DIVISION

6. Tentative Parcel Map No. 37710 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).
7. Tentative Parcel Map No. 37710 shall comply with the State of California Subdivision Map Act and applicable requirements contained in the LEMC, unless modified by these Conditions of Approval.
8. Industrial Design Review No. 2019-01 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 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. The applicant shall provide all project-related on-site and off-site improvements as required by these Conditions of Approval.
10. 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.
11. 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.
12. 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.
13. 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.
14. 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.

15. Graffiti shall be removed within 24 hours.
16. 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.
17. 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.
18. 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.
19. The applicant shall construct trash enclosure(s) with a decorative roof to match the colors, materials and design of the project architecture.
20. 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.
21. 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.
22. 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)

23. All lots shall comply with minimum standards set forth in Chapter 17.136 (M-1 Limited Manufacturing District) of the LEMC.
24. A precise survey with closures for boundaries and all lots shall be provided per the LEMC.
25. 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

26. Prior to issuance of a building permit, the applicant shall submit water and sewer plans to the Elsinore Valley Municipal Water District (EVMWD) for review and approval. The applicant shall incorporate all EVMWD required conditions and standards.
27. 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.
28. 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.
29. 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.
30. 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.
31. 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.

BUILDING DIVISION

General Conditions

- 32. 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.
- 33. 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.
- 34. Green Measures. The application shall provide 10% voluntary green measures on the project, as stipulated by the 2019 California Green Building Standards.
- 35. 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.
- 36. 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
- 37. Obtain Approvals Prior to Construction. Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.
- 38. Obtaining Separate Approvals and Permits. Trash enclosures, patio covers, light standards, and any block walls will require separate approvals and permits.
- 39. 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.

40. 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

41. 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)

42. 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.
43. 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)

44. 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

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

ENGINEERING DEPARTMENT

General

46. 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. 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.
47. 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.

48. Developer shall mitigate to prevent any flooding and/or erosion downstream caused by development of the site and or diversion of drainage.
49. 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.
50. All required hydrology and hydraulic reports shall be prepared by a Registered Civil Engineer. All required soils, geology, and seismic reports shall be prepared by a Registered Geotechnical Engineer.

STORM WATER MANAGEMENT / POLLUTION PREVENTION / NPDES

Design

51. 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:
 - General Permit – Construction
 - Deminimus Discharges
 - MS4
52. A Water Quality Management Plan (WQMP) (preliminary and final) are required and shall be prepared using the Santa Ana Region 8 approved template and guidance and submitted for review and approval to the City.
53. The Final WQMP shall be in substantial compliance with the approved preliminary WQMP and shall be approved by the City prior to precise grading plan approval and issuance of ANY permit for construction.
54. The Final WQMP shall document the following:
 - Detailed site and project description.
 - Potential stormwater pollutants.
 - Post-development drainage characteristics.
 - Low Impact Development (LID) BMP selection and analysis.
 - Structural and Non-Structural source control BMPs.
 - Treatment Control BMPs
 - Site design and drainage plan (BMP Exhibit).
 - Documentation of how vector issues are addressed in the BMP design, operation and maintenance.
 - GIS Decimal Minute Longitude and Latitude coordinates for all LID and Treatment Control BMP locations.
 - HCOC – demonstrate that discharge flow rates, velocities, duration and volume for the post construction condition from a 2 year and 10 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.
- 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.
55. 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).
- Preventatives measures (these are mostly non-structural measures, e.g., minimizing impervious areas, conserving natural areas, minimizing directly connected impervious areas, etc.)
 - The Project shall in the order presented, infiltrate, harvest and use, evapotranspire and/or bio-treat the Design Capture Volume (DCV).
 - 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.
 - 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.
56. Parking lot landscaping areas shall be designed to provide for treatment, retention or infiltration of runoff.
57. Project hardscape areas shall be designed and constructed to provide for drainage into adjacent landscape.
58. The project shall implement State Water Quality Control Board and City 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.
59. Trash enclosure shall be covered and bermed to prevent discharge.
60. 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.
61. All storm drain inlet facilities shall be appropriately marked "Only Rain in the Storm Drain" using the City authorized marker.
62. The project shall use either volume-based and/or flow-based criteria for sizing BMPs in accordance with NPDES Permit Provision XII.D.4.

Construction

63. 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.

64. 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.
65. 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 and kept updated as needed to address changing circumstances of the project site, be kept at the project site and available for review upon request.

Post-Construction

66. 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 or a copy of the recorded City approved CC&R.
 - 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 (commercial/industrial) or POA as appropriate.
 - Agree to pay for a Special Investigation from the City of Lake Elsinore for a date twelve (12) months after the issuance of a Certificate of Use and/or Occupancy for the project to verify compliance with the approved WQMP and O&M Plan. A signed/sealed certification from the engineer of work dated 12 months after Certificate of Occupancy will be considered in lieu of a Special Investigation by the City.
 - Provide the City with a digital .pdf copy of the Final WQMP.
67. 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.

68. Industrial Facilities – Subject to California's General Permit for Stormwater Discharges Associated with Industrial Activity as defined by Standard Industrial Classification (SIC) Code.
- Prior to grading or building permit close-out and/or the issuance of a certificate of use and occupancy, the applicant shall demonstrate that compliance with the permit has been obtained by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing to the satisfaction of the City Engineer.

FINAL TRACT OR PARCEL MAP

69. The developer shall submit for plan check review and approval a final map.
70. The final map shall reflect reciprocal easements for access purposes.
71. Prior to City Council approval of the Parcel Map, the developer shall, in accordance with Government Code, have constructed all improvements or have improvement plans submitted and approved, agreements executed and securities posted.

UTILITIES

72. 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.
73. All overhead utilities shall be undergrounded in accordance with Chapter 16.64 of the Lake Elsinore Municipal Code (LEMC)
74. 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.
75. The developer shall apply for, obtain and submit to the City Engineering Division a letter from Southern California Edison (SCE) indicating that the construction activity will not interfere with existing SCE facilities (aka SCE NIL).
76. The developer shall submit a copy of the "Will Serve" letter to the City Engineering Division from the applicable water agency stating that water and sewer arrangements have been made for this project and specify the technical data for the water service at the location, such as water pressure and volume etc.

IMPROVEMENTS

Design

77. Sight distance into and out of the project location shall comply with CALTRANS Standards.
78. The developer shall install blue dot markers in the roadway at a right angle to Fire Hydrant locations per Lake Elsinore Standards.
79. The developer shall coordinate with Riverside Transit Authority for location and installation of bus transit facilities.
80. 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.
81. All drainage facilities in this project shall be constructed to Riverside County Flood Control District Standards.
82. 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 24 hour storm duration shall be analyzed to determine the detention basin capacities necessary to accomplish the desired results.
83. 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.
84. Roof drains shall not be allowed to outlet directly through coring in the street curb. Roofs should drain to a landscaped area.
85. The site shall be planned and developed to keep surface water from entering buildings (California Green Building Standards Code 4.106.3).
86. 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.
87. 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.
88. The owner shall dedicate in fee title to the City right-of-way along Chaney Street adjacent to the property frontage for a total right-of-way of 50' wide from centerline to the project property line.
89. The owner shall dedicate in fee title to the City right-of-way along Minthorn Street adjacent to the property frontage for a total right-of-way of 30' wide from centerline to the project

property line.

90. The developer shall construct half width street improvements on Chaney Street such that the ultimate right-of-way width conforms to the General Plan Circulation Element right-of-way cross sections. The cross section of roadway improvements with a striped median, curb, gutter, sidewalk, asphalt, parkway and street lights, shall be consistent with other development on Chaney Street, as recommended by the City. The road improvements for Chaney Street shall be consistent with the Traffic Analysis (revised) dated July 29, 2019. Chaney Street improvements associated with the Pennington Industrial Development shall be eligible for TIF credits within the program criteria. This includes the widening of the Roadway only. The pavement section, curb and gutter are eligible for TIF credit/reimbursement (pavement, \$30/lf x 440 lf plus contingencies [estimated at \$17,820]). TIF reimbursement is made with appropriate statements of work and invoices and are subject to applicable State and Local laws. Note that work related to landscape, sidewalk, etc., is not eligible for TIF credits.
91. The developer shall construct half width street improvements on Minthorn Street such that the ultimate right-of-way width conforms to the General Plan Circulation Element right-of-way cross sections. The cross section of roadway improvements with curb, gutter, sidewalk, asphalt, parkway and street lights, shall be consistent with other development on Minthorn Street, as recommended by the City. The road improvements for Minthorn Street shall be consistent with the Traffic Analysis (revised) dated July 29, 2019.
92. Street improvement plans shall be prepared by a Registered Civil Engineer and the plans shall include curb and gutter, sidewalk, ac pavement, street lighting, median, and drainage improvements.
93. If existing improvements are to be modified, the existing improvement plans on file shall be modified accordingly and approved by the City Engineer prior to issuance of building permit.

Permitting/Construction

94. 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.
95. All compaction reports, grade certifications, monument certifications (with tie notes delineated on 8 ½" x 11" Mylar) shall be submitted to the Engineering Division before final inspection of public works improvements will be scheduled and approved.
96. 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

97. The developer shall submit a written request for acceptance to the City Engineer.
98. As-built plans shall be completed and signed by the City Engineer.

GRADING

Design

99. 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).
100. All grading plan contours shall extend to minimum of 50 feet beyond property lines to indicate existing drainage pattern.
101. The grading plan shall show that no structures, landscaping, or equipment are located near the project entrances that could reduce sight distance.
102. Plant and irrigate all manufactured slopes equal to or greater than 3 feet in vertical height with drought tolerant grass or ground cover; slopes 15 feet or greater in vertical height shall also be planted with drought tolerant shrubs or trees in accordance with the requirements of Ordinance 457.
103. 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.
104. 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.

Permit/Construction:

105. Developer shall execute and submit grading and erosion control agreement, post grading security and pay permit fees as a condition of grading permit issuance.
106. A preconstruction meeting with the City Public Works Inspector (Engineering Division) is required prior to commencement of ANY grading activity.
107. 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
108. 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 import/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)
109. Import/Export sites located within the Lake Elsinore City limits must have an active grading permit.
110. 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.

111. 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.
112. A copy of the current SWPPP shall be kept at the project site and be available for review upon request.
113. Approval of the project Water Quality Management Plan (WQMP) for post construction shall be received prior to issuance of a grading permit.
114. Submit an approved environmental clearance document to the Engineering Division. This approval shall identify and clear all proposed grading activity anticipated for this project.
115. Developer shall pay all grading permit applicable processing, permit, security and development fees including Stephens Kangaroo Rat Habitat.

PRIOR TO ISSUANCE OF A BUILDING PERMIT

116. Provide final soils and geology report, including recommendations for parameters for seismic design of buildings, and walls prior to building permit.
117. ~~The developer shall participate in "fair share" payment of offsite improvements as described in Table 4 of the Traffic Analysis dated July 29, 2019.~~
118. The Parcel Map shall be recorded.
119. All street improvement plans and signing and striping plans shall be completed and approved by the City Engineer.

PRIOR TO OCCUPANCY

120. All signing and striping and traffic control devices for the required improvements of this development shall be installed.
121. 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.
122. The Project CC&R's shall be recorded.
123. Prior to the issuance of the first Certificate of Occupancy, the Developer shall pay their, "fair share" payment for traffic signal at the intersection of Collier and Chaney streets as described in Table 4 of the Traffic Analysis dated July 29, 2019 and depicted in Table - 1.

Table – 1 Chaney at Collier Intersection, per TIF Study:	
Improvements	\$125,000
10% Supplemental work	\$12,500
10% Mobilization	\$12,500
20 % Contingencies	25,000

Total	\$175,000
Project's "Fair Share"	\$17,850

The Developer may elect to make the signing and striping improvements of a left turn pocket from northbound Collier Avenue onto Chaney Street prior to the issuance of a Certificate of Occupancy. If not elected, the Developer shall deposit \$17,500 to offset the City's cost of the signing and striping, satisfying this condition of approval.

124. All water and sewer improvements shall be completed in accordance with Water District requirements.
125. Proof of acceptance of maintenance responsibility of slopes, open spaces, landscape areas, and drainage facilities shall be provided.
126. As-built plans for all approved plan sets shall be submitted for review and approval by the City. As-built plans are required as a function of project closeout.
127. 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.
128. 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.
129. 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 – GIS Shape files* and .tif of approved as built mylar.
 - Grading Plans - .tif of approved as built mylar.*GIS Shape files must be in projected Coordinate System: NAD 83 State Plane California Zone VI U.S. Fleet.
130. Documentation of responsibility for maintenance along right-of-ways and open spaces to be maintained by the POA or other entity shall be provided in a recordable format and recorded prior to occupancy/final.
131. All street improvements including signing and striping onsite and project adjacent sections of Chaney and Minthorn Streets shall be installed.
132. Prior to grading or building permit close-out and/or the issuance of a certificate of use or a certificate of occupancy, developer shall:
 - Demonstrate that all structural BMPs have been constructed, installed and are functioning in conformance with approved plans and specifications and the WQMP through completion of City's Water Quality Certification Form;
 - Demonstrate that they are prepared to implement all non-structural BMPs included in the conditions of approval or building/grading permit conditions;
 - Demonstrate that an adequate number of copies of the approved project specific WQMP are available for the future owners/occupants; and
 - The developer shall provide all education guidelines for Water Quality Management Practices 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. Contact the City NPDES Coordinator for handout/guideline information.

133. 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 Division, prior to the issuance of any certificates of use and/or occupancy.
134. 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 City Building Official.
135. 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.
136. The property owner (aka Legally Responsible Party) shall execute and cause to be recorded a "Covenant and Agreement" in the form provided by the City to inform future property owners of the requirement to implement the approved final project-specific WQMP.

CITY OF LAKE ELSINORE FIRE MARSHAL

137. 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.
138. **Gates:** Gates must meet Fire Department standards at the time of building permit issuance. Current standards require gates be set back 35 feet from roadways, equipped with a Knox Rapid Entry System, and an infrared automatic gate opener.
139. **Fire flow and hydrants:** The applicant or developer shall provide fire hydrants in accordance with the following:
 - a. Prior to placing any combustibles on site, provide an approved water source for firefighting purposes.
 - b. Prior to building permit issuance, submit plans to the water district for a water system capable of delivering fire flow as required by the California Fire Code and Fire Department standards. Fire hydrants shall be spaced in accordance with the California Fire Code. Based on current standards, the required fire flow is estimated to be 2,625 GPM at 20 PSI for a 2 hour duration. Estimated fire flow is based on 39,000 square foot building area, Type V-B construction, and buildings having a fire sprinkler system per 2016 California Fire Code.

140. Prior to building permit issuance, install the approved water system, approved access roads, and contact the Fire Department for a verification inspection.
141. Emergency access roads must meet fire department standards at the time of building permit application. Current standards require minimum 24-foot wide roads for buildings less than 30 feet tall, and minimum 30-foot wide roads for buildings 30 feet tall and higher. Roads must be capable of supporting at least 80,000 pounds.

DEPARTMENT OF ADMINISTRATIVE SERVICES

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

142. Prior to recordation of a Final Map, 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

143. The applicant shall comply with all mitigation measures identified in the Mitigation Monitoring & Reporting Program for the Mitigated Negative Declaration (Environmental Review No. 2019-03; SCH # 2019129075) 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: _____

Exhibit A

Fee	Payment Milestone
Area Drainage (Warm Springs East District)	Final Map Approval or Building Permit Issuance, whichever occurs first
Building Permit	Building Permit Issuance
Development Impact Fees (DIF)	Building Permit Issuance
Animal shelter facilities	Building Permit Issuance
City Hall and public works facilities	Building Permit Issuance
Community center facilities	Building Permit Issuance
Fire Facilities Fees	Building Permit Issuance
Lakeside Facilities Fees	Building Permit Issuance
Traffic Infrastructure Fees (TIF)	Building Permit Issuance
Grading Permit & Fee post grading security	Grading Permit Issuance
MSHCP	Building or Grading Permit Issuance, whichever occurs first
School Mitigation Fees	Building Permit Issuance
Stevens Kangaroo Rat	Grading Permit Issuance
Transportation Uniform Mitigation (TUMF)	Issuance of a Certificate of Occupancy or Final Inspection, whichever occurs first