

## CONDITIONS OF APPROVAL

**PROJECT:** PA 2019-42/CUP 2019-10/CDR 2019-15  
**PROJECT NAME:** Chevron Gas Station Remodel  
**PROJECT LOCATION:** APN: 379-290-019 (16830 Lakeshore Dr.)  
**APPROVAL DATE:**  
**EFFECTIVE DATE:**  
**EXPIRATION DATE:**

### **GENERAL**

1. Planning Application No. 2019-42 (Conditional Use Permit No. 2019-10 and Commercial Design Review No. 2019-15) proposes to demolish an existing 1,132 sq. ft. convenience store and a 4,561 sq. ft. canopy with eight (8) fueling stations to construct a new 3,800 sq. ft. convenience store, a 3,910 sq. ft. canopy with 12 fueling stations (Project). The Project also proposes to construct a 640 sq. ft. trash enclosure and 12 parking spaces on an approximately 0.69-acre site.
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 CUP 2019-10 and CDR 2019-15, which action is sought 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 CUP 2019-10 and CDR 2019-15 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. Conditional Use Permit No. 2019-10 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.

5. Commercial Design Review No. 2019-15 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.
6. 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
7. 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.
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 and release of utilities.
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. 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. Grading plan revisions shall be reviewed by the City Engineer.
11. The applicant shall provide all project-related on-site and off-site improvements as required by these Conditions of Approval.
12. 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.
13. 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.

14. 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.
15. Graffiti shall be removed within 24 hours.
16. All materials and colors depicted on the approved plans shall be used. If the applicant wishes to modify any of the approved materials or colors depicted on the plans, the applicant shall submit a proposal setting forth the modifications for review by the Community Development Director or his designee
17. 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.
18. 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 Issuance of Grading Permits/Building Permits**

19. 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.
20. 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.
21. The project shall 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. 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.

23. The applicant shall construct trash enclosure(s) with a decorative roof to match the colors, materials and design of the project architecture.
24. 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.
25. 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 landscaping and irrigation shall be installed within affected portion of any phase at the time a Certificate of Occupancy is requested for any building.
  - j. Final landscape plan must be consistent with approved site plan.
  - k. Final landscape plans to include planting and irrigation details.
  - l. Final landscape plans shall include drought tolerant planting consistent with Elsinore Valley Municipal Water District standards subject to plan check and approval by the City's landscape plan check consultant.
  - m. No turf shall be permitted.
26. 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.
27. 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.

## **BUILDING DIVISION**

### **General Conditions**

28. 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.
29. 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.
30. Green Measures. The application shall provide 10% voluntary green measures on the project, as stipulated by the 2019 California Green Building Standards.
31. 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 club house, trash enclosure, tot lots and picnic areas.
32. 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. Please contact Sonia Salazar at [ssalazar@lake-elsinore.org](mailto:ssalazar@lake-elsinore.org) or 951-674-3124 X 286.
33. Clearance from LEUSD. A receipt or clearance letter from the Lake Elsinore School District shall be submitted to the Building and Safety Department to ensure the payment or exemption from School Mitigation Fees.
34. Obtain Approvals Prior to Construction. Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.
35. Obtaining Separate Approvals and Permits. Trash enclosures, patio covers, light standards, and any block walls will require separate approvals and permits.
36. 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.

37. 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**

38. 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 5.507, 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)**

39. 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.
40. Demolition Permits. A demolition permit shall be obtained if there is an existing structure to be removed as part of the project. Asbestos report and lead base paint reports are required before demo permit will be issued.

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

41. 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**

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

### **ENGINEERING DIVISION**

#### **General**

43. All required soils, geotechnical, hydrology and hydraulic and seismic reports shall be prepared by a Registered Civil Engineer or other qualified state license holder.
44. All new submittals for plan check or permit shall be made using the City's online Client Self-Service Portal (CSSP).
45. For commercial, industrial, office or multi-family projects, all refuse enclosures are required



- to provide adequate space for recycling bins... Check with CR & R Environmental Services to determine the adequate size of enclosure based on the number and size of containers to be stored in the enclosure.
46. Sight distance into and out of this project location shall comply with City of Lake Elsinore (or CALTRANS) Standards.
  47. All open space, landscaping, 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. Documentation of maintenance responsibility (ex. CR&Rs) shall be recorded prior to occupancy.
  48. A preconstruction meeting with the City Engineering Inspector (Engineering Department) is required prior to commencement of ANY grading activity.
  49. 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.
  50. All on-site and off-site public improvements shall be installed prior to occupancy.
  51. 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.
  52. 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.
  53. Prior to the issuance of a grading permit, it shall be the sole responsibility of the owner/applicant to obtain any and all proposed or required easements and/or permissions necessary to perform the grading herein proposed.
  54. The developer shall coordinate all grading and improvements with adjacent property owners to the satisfaction of the City. Any grading or drainage onto adjacent properties shall require written approval of those property owners affected, with said approval provided to the City Engineer prior to grading permit.
  55. Roof drains shall not be allowed to outlet directly through coring in the street curb. Roofs should drain to a landscaped area.
  56. No grading shall be performed without first having obtained a permit from the City Engineer. A grading permit does not include the construction of retaining walls or other structures for which a building permit is required.
  57. A Soil/Geotechnical Report is required for any land disturbance
  58. Minimum good housekeeping and erosion and sediment control BMP's as identified by the City shall be implemented by all projects.

59. AutoCad: To facilitate the transfer to ARC GIS, the following guidelines are provided:
- The applicant shall submit a digital AutoCAD file (.DWG format) of all Storm Drain system sheets including all features and attributes.
  - The DWG file shall be properly projected, preferably in NAD 1983 State Plane, California Zone 406.
  - All of the parts and elements of the designed system shall be represented discretely.
  - If possible, include in the attribute table basic data for each feature, such as diameter and length, as applicable, and for pipes also include material (PVC/RCP, etc.) and slope.

### **Fees**

60. 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). Project applicable DIF fees are assessed at the prevalent rate at time of payment in full and include:

- Traffic Infrastructure Fee (TIF) primary use. Due at building permit:
  - Commercial - \$3.84 per square foot of buildings
  - Industrial - \$0.81 per square foot of buildings.
  - Office - \$1.45 per square foot of buildings.
- Transportation Uniform Mitigation Fee (TUMF) primary use. Due at occupancy:
  - Industrial - \$ 1.77 per square foot of buildings
  - Retail - \$ 7.50 per square foot of buildings
  - Service- \$4.56 per square foot of buildings
  - Class A & B Office - \$ 2.19 per square foot
- Fair Share/In Lieu fees calculated on a project basis.

\*Following are contingent upon approved Traffic Study:

*The developer shall pay fair share fee as determined by the approved Traffic Impact Analysis/Study for Chevron Extra Mile Gas Station approved on September 20, 2020.*

*The developer shall pay fee in-lieu of construction of future City road cross-section median improvements on Lakeshore Drive. The fee shall be equal to current cost estimate for improvements (including contingency) plus an additional 15% of the total construction cost estimate to cover design and administrative costs. The City's median engineer's estimate form shall be used and approved by City staff.*

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

#### **Design**

61. 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
62. The Final WQMP shall be approved by the City prior to issuance of ANY permit to include demolition, building, rough or precise grading.



63. 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 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 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.
64. The project discharges to Lake Elsinore warranting the 2010 SAR MS4 Permit highest and best use exemption to LID infiltration and retention.
- The Project shall bio-treat and release to the MS4 the Design Capture Volume (DCV).
  - The Project shall consider a properly engineered and maintained treatment control BMP system only if infiltration, harvesting and use and evapotranspiration cannot be feasibly implemented at the project site.
65. BMPs in the right of way will be maintained by the City; long term funding source (ex. CFD) for the maintenance shall be provided by the project.
66. Project hardscape areas shall be designed and constructed to provide for drainage into adjacent landscape.
67. Project trash enclosure shall be covered and bermed to prevent discharge.
68. 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.
69. All storm drain inlet facilities shall be appropriately marked “Only Rain in the Storm Drain” using the City authorized marker.
70. The project shall use either volume-based and/or flow-based criteria for sizing BMPs in

accordance with NPDES Permit Provision XII.D.4.

71. 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**

72. 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.
73. 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.
74. 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 provide for implementation of minimum good housekeeping and erosion and sediment control BMP's as identified by the City. It shall identify how all construction materials, wastes, grading or demolition debris, and stockpiles of soil, aggregates, soil amendments, etc. shall be properly covered, stored and secured to prevent transport into local drainages or waters by wind, rain, tracking, or dispersion. The plan shall also describe how the project will ensure that all BMPs will be maintained during construction of any future right of ways. A copy of the plan shall be incorporated into the SWPPP as applicable, kept updated as needed to address changing circumstances of the project site, be kept at the project site and available for review upon request.

### **Post-Construction**

75. 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) is available onsite.

- Agree to pay for a Special Investigation from the City of Lake Elsinore for a date twelve (12) months after the issuance of a Certificate of Use and/or Occupancy for the project to verify compliance with the approved WQMP and O&M Plan. A signed/sealed certification from the engineer of work dated 12 months after C of O will be considered in lieu of a Special Investigation by the City.
  - Provide the City with a digital .pdf copy of the Final WQMP.
76. 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.

#### **LAND DIVISION-DEDICATION**

77. The developer shall submit for plan check review and approval a 10' street Right of Way dedication on Lakeshore Drive resulting in a 60' street half section. (Lakeshore Drive classified as an Urban Arterial with a 120' right of way.)
78. 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.
79. All required public right-of-way dedications, vacations and easements shall be prepared by the developer or his agent and shall be submitted to the Engineering Division for review and approval prior to issuance of building permit.
80. Monumentation shall be in accordance with LEMC 16.32 and Subdivision Map Act.
81. Security and inspection fee for monumentation shall be paid and two contiguous monuments shall be inspected prior to scheduling map for City Council.
82. Ownership of slopes along right-of-ways and open spaces shall be identified on the map as held by the developer.
83. Covenants, Conditions and Restrictions (CC&Rs) and/or Operations and Maintenance (O&M) Plan shall be submitted to the Engineering Department for review and approval. Recordation shall be with Final Map or if no map, prior to Certificate of Occupancy.
84. 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.

#### **IMPROVEMENTS AND DRAINAGE**

85. Install a root barrier for the dripline of trees installed within 10 feet of any on or off-site hardscape (sidewalk, driveway, pavement, etc.).

86. An encroachment permit 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.
87. All existing and new storm drain inlet facilities to which the project discharges shall be fitted with full trash capture devices. The device selected shall be approved by the State of California and City of Lake Elsinore.
88. Improvements shall be designed and constructed to City of Lake Elsinore Standards and City Codes (LEMC 12.04 and 16.34), or as directed or approved by the City Engineer.
89. All drainage facilities in this project shall be constructed to Riverside County Flood Control District Standards.
90. If the grading plan identifies alterations in the existing drainage patterns as they exit the site, 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 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.
91. 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.
92. Any damage or damage incurred during construction to the curb, gutter and/or sidewalk shall be repaired and/or replaced to the approval of the City Engineer.
93. 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.

#### **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](http://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.
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 and include recommendations for parameters for seismic design of buildings, and walls. A certified letter from a registered geologist or geotechnical engineer shall be submitted confirming the absence of this hazard prior to grading permit.
99. An Alquist-Priolo seismic study/investigation shall be performed. The study shall be submitted to the Engineering Department for plan check. The cost of plan check shall be paid by the developer.
100. 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.
101. The requirements outlined in these COA's and the permit issue letter shall be met prior to grading permit issuance.
102. 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.
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.

#### **CERTIFICATE OF OCCUPANCY/FINAL CLOSEOUT**

105. 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.

106. Paper copy of plan with any redlines (record drawing) shall be submitted to the Engineering Department before final inspection will be scheduled.
107. 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.
108. 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**

109. Developer shall As-built all Engineering Department approved project plan sets. After City approval of paper copy, developer/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.
110. Prior to acceptance of improvements by the City, the developer shall perform roadway surface improvements, such as slurry seal or overlay as required by the City Engineer, and shall install any additional traffic signs, striping and pavement markings determined necessary by the City's Traffic Engineer, after inspection of the final physical improvement, to insure safe operation of all intersections and segments of streets before any building can be occupied.
111. Developer shall submit documentation pursuant to City's Security Release handout.
112. 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.
113. 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**

114. 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.
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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 Planning Commission 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: \_\_\_\_\_