

## CONDITIONS OF APPROVAL

**PROJECT:** PA 2019-63/TPM 37854/CDR 2019-24  
**PROJECT NAME:** Lakeview Plaza  
**PROJECT LOCATION:** APNs: 375-092-002, 003, 004, 005, and 006  
**APPROVAL DATE:**  
**EFFECTIVE DATE:**  
**EXPIRATION DATE:**

### **GENERAL**

1. *Tentative Parcel Map No. 37854* proposes to subdivide the 3.9-acre vacant site into four (4) parcels ranging in size from 0.48 acres to 1.49 acres. *Commercial Design Review No. 2019-24* proposes to construct a neighborhood retail center with four (4) buildings ranging in size from 3,480 sq. ft. to 15,600 sq. ft. (approximately 43,120 sq. ft. in total) with 207 parking spaces, including 12 accessible spaces and 29 compact spaces and related improvements. The project site is located north of Lakeshore Drive, northwest of Manning Street, and southwest of Ryan Avenue (APNs 375-092-002, 375-092-003, 375-092-004, 375-092-005, and 375-092-006).
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 37854 and CDR 2019-24, 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 TPM 37854 and CDR 2019-24 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 \$2,530.25 made payable to the County of Riverside for the filing of a Notice of Determination. The check shall be submitted to the Planning Division for processing within 48 hours of the project's approval.

### **PLANNING DIVISION**

5. Tentative Parcel Map No. 37854 will expire two years from the date of approval unless within that period of time a Final Map has been filed with the County Recorder, or an extension of time is granted by the City Council in accordance with the State of California Subdivision

Map Act and applicable requirements of the Lake Elsinore Municipal Code (LEMC).

6. Tentative Parcel Map No. 37854 shall comply with the State of California Subdivision Map Act), and applicable requirements contained in the LEMC, unless modified by these Conditions of Approval.
7. Commercial Design Review No. 2019-24 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.
8. The applicant shall provide all project-related on-site and off-site improvements as required by these Conditions of Approval.
9. 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.
10. All future development proposals shall be reviewed by the City on a project-by-project basis. If determined necessary by the Community Development Director or designee, additional environmental analysis will be required.
11. 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.
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 signs are approved as part of this approval. Prior to installation, the applicant shall submit a sign program application with the appropriate fees for the shopping center for review and approval by the Planning Commission. Sign plans submitted to the City for review shall incorporate City identification signs.
14. Graffiti shall be removed within 24 hours.
15. 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.
16. 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. If the backside of the parapets are visible from public views, they shall be finished to provide adequate screening. 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.

17. 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.
18. The applicant shall construct trash enclosure(s) with a decorative roof to match the colors, materials and design of the project architecture.
19. In accordance with Section 17.148.030.D of the LEMC and the Shared Parking Analysis provided in the Traffic Impact Analysis, prepared by TJW Engineering, Inc., dated 1-7-2020, the project shall provide 207 parking spaces including 29 compact spaces. Per Section 17.148.030.D.1.i of the LEMC, the project shall provide additional parking spaces should demand for parking increase on site.
20. In accordance with Section 17.148.030.D.2 of the LEMC, the parking determination granting reduced parking requirements may be revoked at any time if there is evidence of insufficient on-site parking, i.e., "spill over" parking onto a public right-of-way or onto an adjacent lot. Upon revocation of a parking determination approval, the applicant will be required to submit a new application for a parking determination or provide on-site parking per code requirements.
21. 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)**

22. All lots shall comply with minimum standards set forth in the Neighborhood Commercial (C-1) zoning designation of the LEMC.
23. A precise survey with closures for boundaries and all lots shall be provided per the LEMC.
24. All of the project improvements shall be designed by the applicant's Civil Engineer to the specifications of the City of Lake Elsinore.
25. Prior to recordation of a Final Map, the applicant shall initiate and complete the formation of a Property Owner's Association (POA) which shall be approved by the City. All Association documents that address including, but not limited to, reciprocal easements, shall be submitted for review and approval by City Planning, Engineering and the City Attorney and upon City approval shall be recorded. Such documents shall include the Articles of Incorporation for the Association and Covenants, Conditions and Restrictions (CC&Rs).

- a. All slopes, landscaping within public right-of-way, all drainage basins, and common areas including but not limited to parking areas and drive aisles, shall be maintained by the (POA).
- b. Provisions to restrict parking upon other than approved and developed parking spaces shall be written into the CC&Rs for the project.

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

26. The applicant shall pay all applicable City fees, including but not limited to Development Impact Fees (DIF) and MSHCP Fees per LEMC Section 16.85, at the rate in effect at the time of payment.
27. 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.
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. 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..
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. Mature specimen trees shall be planted on locations visible from public views.
  - c. 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.
  - d. Planting within fifteen feet (15') of ingress/egress points shall be no higher than twenty-four inches (24").
  - e. Landscape planters shall be planted with an appropriate parking lot shade tree pursuant to the LEMC and Landscape Design Guidelines.
  - f. No required tree planting bed shall be less than 5 feet wide.
  - g. Root barriers shall be installed for all trees planted within 10 feet of hardscape areas to include sidewalks.

- h. Any transformers and mechanical or electrical equipment shall be indicated on landscape plan and screened as part of the landscaping plan.
  - i. The landscape plan shall provide for ground cover, shrubs, and trees and meet all requirements of the City's adopted Landscape Guidelines.
  - 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.
32. 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.
33. 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**

34. 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.
35. 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.
36. 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.

37. 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 or 951-674-3124 X 277.
38. Clearance from LEUSD. A receipt or clearance letter from the Lake Elsinore School District shall be submitted to the Building and Safety Department evidencing the payment or exemption from School Mitigation Fees.
39. Obtain Approvals Prior to Construction. Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.
40. Obtaining Separate Approvals and Permits. Trash enclosures, patio covers, light standards, and any block walls will require separate approvals and permits.
41. 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.
42. 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**

43. 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 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)**

44. 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.
45. 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)**



46. 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**

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

## **ENGINEERING DEPARTMENT**

### **GENERAL**

48. All new submittals for plan checks and permits shall be made using the City's online Citizen Self-Service Portal (CSSP).
49. All plans (Street, Storm Drain, Improvement, Grading) shall be prepared by a Registered Civil Engineer using the City's standard title block.
50. All required soils, geotechnical, hydrology and hydraulic reports shall be prepared by a Registered Civil Engineer.
51. In accordance with the City's Franchise Agreement for waste disposal and 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.
52. 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.
53. An Encroachment Permit shall be obtained prior to any work on City and/or State public right-of-way. The developer shall submit the permit application, required fees and executed agreements, security and other required documentation prior to issuance.
54. All slopes and landscaping within the public right-of-way shall be maintained by the property owner or another maintenance entity approved by the City Council.

### **FEES**

55. Applicant shall pay all applicable permit application and Engineering assessed fees, including without limitation plan check and construction inspection fees, at the prevalent rate at time of payment in full.
56. Applicant shall pay all applicable Mitigation and Development Impact Fees at the prevalent rate at time of payment in full. Mitigation and Development Impact Fees include without limitation the following:
- Traffic Infrastructure Fee: \$3.84 per square foot – Due at Building Permit
  - Transportation Uniform Mitigation Fee (TUMF): \$7.50 per square foot – Due at Occupancy

57. The project may be eligible for TIF credit of capacity enhancing road improvements (excludes sidewalk, landscape, streetlights) constructed on Lakeshore Drive.
58. Developer shall participate in Fair Share payment of off-site improvements as described in Table ES-2 of the Traffic Impact Analysis prepared by TJW Engineering, Inc. dated January 7, 2020. Riverside Drive and Joy Street intersection has been signalized by a separate project. No fair share participation will be required for the Riverside and Joy Street intersection.

#### **LAND DIVISION – PARCEL MAP**

59. The developer shall submit for plan check review and approval of final Parcel Map.
60. 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 of the improvements to be constructed or have improvements plans submitted and approved, agreements executed and securities posted.
61. Legal agreements and financial commitments (LLMD, CFD, etc.) for operation and maintenance be recorded prior to or concurrent with recordation of Parcel Map.
62. Monumentation shall be in accordance with LEMC 16.32 and Subdivision Map Act.
63. Security and inspection fee for monumentation shall be paid and two contiguous monuments shall be inspected prior to scheduling map for City Council.
64. Ownership of slopes along right-of-ways and open spaces shall be identified on the map as held by the developer.
65. The applicant shall cause to be recorded Covenants, Conditions and Restrictions (CC&Rs) with recordation of final map which provides for irrevocable reciprocal parking and access easement, subject to approval of the City Attorney.
66. Dedicate to the City of Lake Elsinore in fee title right-of-way along Lakeshore Drive adjacent to the property frontage for a total right-of-way of 45 feet wide from the centerline to the project property line. Dedication may be made on the Parcel Map or by separate instrument.
67. Dedicate to the City of Lake Elsinore in fee title right-of-way along Manning Street adjacent to the property frontage for a total right-of-way of 15 feet wide from the centerline to the project property line. Dedication may be made on the Parcel Map or by separate instrument.
68. 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.

#### **STORMWATER MANAGEMENT / POLLUTION PREVENTION / NPDES**

##### **Design**

69. The project is responsible for complying with the Santa Ana Region NPDES Permits as



warranted based on the nature of development and/or activity. Permits include:

- General Permit – Construction
- De Minimis Discharges
- MS4

70. A Water Quality Management Plan (WQMP) shall be prepared using the Santa Ana Region 8 approved template and guidance and submitted for review and approval to the City. The Final WQMP shall be approved by the City prior to rough or precise grading plan approval and issuance of any permit for construction.
71. The Final WQMP shall be in substantial conformance with the approved Preliminary WQMP prior to entitlement.
72. 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 location.
  - HCOC – demonstrate that discharge flow rates, velocities, duration and volume for 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).
  - 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 maintenance of the referenced BMPs
    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.
  - The grading and/or improvement plan shall include a table listing each stormwater facility, and the plan sheet where it appears.
73. The 2010 SAR MS4 Permit requires implementation of LID Principles and LID Site Design, where feasible, to treat the pollutants of concern identified for the project, in the following

manner (from highest to lowest priority): (Section XII.E.2, XII.E3, and XII.E.7).

- Evaluate site for highest and best use applicability (Exemption for projects that discharge to the lake).
  - Preventative measures (these are mostly non-structural measures, e.g., preservation of natural features to a level consistent with the MEP standard; minimization of urban runoff through clustering, reducing impervious areas, etc.)
  - The Project shall 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, evapotranspired, and/or bio-treated shall be treated and discharged in accordance with the requirements set forth in Section XII.G.
74. Parking lot landscaping areas shall be designed to provide for treatment, retention or infiltration of runoff.
75. Project hardscape areas shall be designed constructed to provide for drainage into adjacent landscape.
76. Project trash enclosure shall be covered, bermed, and designed to divert drainage from adjoining paved areas and regularly maintained.
77. Hydromodification / Hydraulic Conditions of Concern – The project shall identify potential Hydraulic Conditions of Concern (HCOC) and implement measures to limit disturbance of natural water bodies and drainage systems; conserve natural areas; protect slopes, channels and minimize significant impacts.
78. 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 Department.
79. All storm drain inlet facilities shall be appropriately marked “Only Rain in the Storm Drain” using the City authorized marker.
80. 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**

81. A Storm Water Pollution Prevention Plan (SWPPP) (as required by the NPDES General Construction Permit) and a Water Quality Management Plan (WQMP) for post construction are required this project.
82. 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.

### **Post-Construction**

83. 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 all structural Best Management Practices (BMPs) described in the BMP Exhibit from the project's approved WQMP have been implemented, constructed and installed in conformance with approved plans and specifications.
  - 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 BMPs identified in the project's WQMP are installed and operational.
  - Submit a copy of the fully executed, recorded Operations and Maintenance (O&M) Plan for all structural BMPs or a copy of the City approved CC&R.
  - Demonstrate that copies of the project's approved WQMP (with recorded O&M Plan or CC&Rs attached) are available for each of the initial occupants.
  - Agree to pay for a Special Investigation from the City of the 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 WQMP.

### **UTILITIES**

84. 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.
85. All overhead utilities shall be undergrounded in accordance with Chapter 12.16 of the LEMC.
86. The developer shall apply for, obtain and submit to the Engineering Department a letter from Southern California Edison (SCE) indicating that the construction activity will not interfere with the existing SCE facilities.

### **IMPROVEMENTS**

87. Sight distance into and out and throughout the project location shall comply with City or Caltrans standards.
88. 10-year storm runoff shall be contained within the curb and the 100-year shall be contained within the street right-of-way. When either of these criteria are exceeded, drainage facilities shall be provided.
89. All drainage facilities in this project shall be constructed to Riverside County Flood Control District Standards. Antecedent Moisture Condition (AMC) value of 2 shall be used for hydrology calculations.

90. A drainage study shall be provided. The study shall include the following: identify storm water runoff from the upstream of the site; show existing and proposed off- and on-site drainage facilities; and include a capacity analysis verifying the adequacy of the facilities.
91. 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.
92. Developer shall mitigate to prevent any flooding and/or erosion downstream caused by the development of the site and/or diversion of drainage.
93. Roof drains shall be allowed to outlet directly through curbing in the street curb. Roofs should drain to a landscaped area.
94. The site shall be planned and developed to keep surface water from entering buildings (California Green Building Standards Code 4.106.3).
95. 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.
96. All California Registered Civil Engineer shall prepare the improvement plans required for this project. Improvements shall be designed and constructed to City standards (LEMC 12.04 and 16.34). Improvement plans will be reviewed and approved by the City of Lake Elsinore.
97. Streetlight, signing and striping and traffic signal plans are required for this project. The applicant shall be responsible for any additional paving and/or striping removal caused by the striping plan.
98. Developer shall construct improvements on Lakeshore Drive and Manning Street along the property's frontage.
99. Developer shall install public street lighting along Lakeshore Drive consistent with the City Street Light Standards. It is the responsibility of the Developer to ensure any streetlights associated with the project are energized.
100. Installation of permanent benchmarks / monuments per City standards at the intersection of project entrance and the centerline of Lakeshore Drive and Manning Street, and Ryan Avenue intersection shall be shown on plan.

### **PRIOR TO GRADING PERMIT**

#### **Design**

101. 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 site. The plan shall include separate sheets for erosion control, haul route (if applicable) and traffic control. The grading submittal shall include all supporting documentation and be prepared using City standard title block, standard drawings and design manual.

102. All grading plan contours shall extend to a minimum of 50 feet beyond property lines to indicate existing drainage patterns.
103. The grading plan shall show that no structures, landscaping, or equipment are located near the project entrances that could reduce sight distance.
104. The developer shall obtain all necessary off-site easement and/or permits for off-site grading and the applicant shall accept drainage from the adjacent property owners.
105. The grading plan will reflect the recommendations of a final geologic and geotechnical study, including construction procedures and/or design criteria.
106. The geologic and geotechnical 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 conforming the absence of this hazard prior to grading permit.
107. 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.
108. Where the finished of the property is in excess of six (6) inches or higher or lower than the abutting property or adjacent lots, a retaining wall or other suitable solution acceptable to the City Engineer shall be required, and any fence or wall shall be measured from the top of grade on the higher side of the retaining wall or slope. Retaining walls shall be shown on the grading plans will required a separate building permit.

#### **Permit/Construction**

109. Developer shall execute and submit grading and erosion control agreement, post grading security and pay permit fees as a condition of grading permit issuance. A grading permit does not include the construction of retaining walls or other structures for which a building permit is required.
110. A preconstruction meeting with City Engineering Inspector is required to prior to commencement of any grading activity.
111. Prior to commencement of grading operations, developer is to provide the City a map of all proposed haul routes to be used for movement of export/import material. All such routes shall be subject to 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 cubic yards shall be approved by the City Council (LEMC 15.72.065).
112. Export sites located within the Lake Elsinore city limits must have an active grading permit.
113. 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, the 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 approval of the City Engineer.
114. 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.

115. Review and approval of the project sediment and erosion control plan shall be completed. As warranted, a copy of the current SWPPP shall be kept at the project site and be available for review upon request.
116. Approval of the project Final WQMP for post construction shall be received prior to issuance of a grading permit.
117. Submit applicable environmental clearance document to the Engineering Department. This approval shall identify and clear all proposed grading activity anticipated for this project.
118. Submit a "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, volume, etc.

#### **PRIOR TO BUILDING PERMIT**

119. Provide soils, geology and seismic report, including recommendation for parameters for seismic design of buildings and walls prior to building permit.
120. 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 building permit issuance.
121. All street improvement, traffic signal, and signing and striping plans shall be completed and approved by the City Engineer.

#### **PRIOR TO OCCUPANCY/FINAL APPROVAL**

122. All public improvements shall be completed in accordance with the approved plans or as condition or as condition of this development to the satisfaction of the City Engineer.
123. As-built plans for all approved plan set shall be submitted for review and approval by the City. The developer is responsible for revising the original mylar plans. Developer shall provide the City with an electronic copy of the as-built plan in .tif format.
124. In the event of damage to City roads from hauling or other construction related activities, applicant shall pay full cost of restoring public roads to the baseline condition.
125. Final soil report showing compliance with recommendations, compaction, reports, grade certifications, monument certification (with tie notes delineated on 8 ½ X 11" mylar) shall be submitted in .tif format on USB flash drive or electronically to the Engineering Department before final inspection will be scheduled.
126. Provide electronically AutoCAD and GIS shapefiles 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 US Fleet.



127. Developer shall submit documentation pursuant to City's Security Release handout.
128. Developer shall pay all outstanding processing development fees prior to occupancy/final approval.

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

129. 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.
130. Hazardous Fire Area: this project is in a Very High Fire Hazard Severity Zone of Riverside County as shown on a map on file with the Clerk of the Board of Supervisors. Any building constructed within this project shall comply with the special construction provision contained in Riverside County Ordinance 787 and the California Building Code.
131. 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 1,750 GPM at 20 PSI for a 2 hour duration.
132. Prior to building permit issuance, install the approved water system, approved access roads, and contact the Fire Department for a verification inspection.

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

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

133. Prior to approval of the Final Map, Parcel Map, or building permit (as applicable), the applicant shall annex into the Community Facilities District No. 2015-2 (Maintenance Services) or current Community Facilities District in place at the time of annexation to fund the on-going operation and maintenance of the public right-of-way landscaped areas and neighborhood parks to be maintained by the City and for street lights in the public right-of-way for which the City will pay for electricity and a maintenance fee to Southern California Edison, including parkways, street maintenance, open space and public storm drains constructed within the development and federal NPDES requirements to offset the annual negative fiscal impacts of the project. Alternatively, the applicant may propose alternative financing mechanisms to fund the annual negative fiscal impacts of the project with respect to Maintenance Services. Applicant shall make a non-refundable deposit of \$15,000 or at the current rate in place at the time of annexation toward the cost of annexation, formation or other mitigation process, as applicable.

**MITIGATION MONITORING AND REPORTING PROGRAM**

134. The applicant shall comply with all mitigation measures identified in the Mitigation Monitoring & Reporting Program for the Mitigated Negative Declaration (Environmental Review No. 2020-01; SCH # 2021030580) 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: \_\_\_\_\_