

CONDITIONS OF APPROVAL

(New text underlined and deletions in ~~strikethrough~~)

PROJECT: PA 2021-29/IDR 2021-05/TPM 2021-03 (TPM 38341)
PROJECT NAME: Fairway Business Park III
PROJECT LOCATION: APNs: 377-140-028, 377-140-029, 377-140-030, 377-140-035, & 377-140-044
ORIGINAL APPROVAL DATE: January 11, 2022
EOT APPROVAL DATE: December 12, 2023
EXPIRATION DATE: January 11, 2026

GENERAL

1. Planning Application No. 2021-29 (Tentative Parcel Map No. 38341 and Industrial Design Review No. 2021-05) consists of the subdivision of 8.78 acres into six (6) parcels ranging in size from 0.76 acres to 2.49 acres and the development of six (6) industrial buildings ranging in size from 12,000 sq. ft. to 42,000 sq. ft. (149,500 sq. ft. total) along with 294 parking spaces and related improvements on the same property (Project). The Project is located on the northwesterly side of Chaney Street and southwesterly of Minthorn Street, at the southerly end of Birch Street (APNs: 377-140-028, 377-140-029, 377-140-030, 377-140-035, & 377-140-044).
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 2021-05 and TPM 38341, which action is brought within the time period provided for in California Government Code Sections 65009 and/or 66499.37, and Public Resources Code Section 21167, including the approval, extension or modification of IDR 2021-05 and TPM 38341 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. 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.

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. 38341 will expire ~~two years from the date of approval on January 11, 2026~~ 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. 38341 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. 2021-05 shall lapse and become void on January 11, 2026 ~~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 (B) and (C) of Lake Elsinore Municipal Code (LEMC) Section 17.184.120.~~ Notwithstanding conditions to the contrary, a design review granted pursuant to LEMC Chapter 17.184 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. 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.
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. Grading plan revisions shall be reviewed by the City Engineer.
12. The applicant shall provide all project-related on-site and off-site improvements as required

by these Conditions of Approval.

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. No exterior roof ladders shall be permitted.
17. All exterior downspouts shall be concealed within the buildings.
18. 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.
19. 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.
20. The applicant shall comply with all applicable City Codes and Ordinances.
21. 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.
22. The project shall connect to sewer and meet all requirements of the Elsinore Valley Municipal Water District (EVMWD). The applicant shall submit water and sewer plans to the EVMWD and shall incorporate all district conditions and standards.
23. The property address (in numerals at least six inches high) shall be displayed near the entrance and be easily visible from the front of the subject property and public right-of-way.
24. The applicant shall construct trash enclosure(s) with a decorative roof to match the colors, materials and design of the project architecture.
25. 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.

26. 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.

Prior to Recordation of Final Map(s)

27. All lots shall comply with minimum standards contained in Chapter 17.140 (M-2 General Manufacturing District) of the LEMC.
28. A precise survey with closures for boundaries and all lots shall be provided per the LEMC.
29. All of the improvements shall be designed by the applicant's Civil Engineer to the specifications of the City of Lake Elsinore.
30. The applicant shall meet all requirements of Elsinore Valley Municipal Water District (EVMWD).

Prior to Issuance of Grading Permits/Building Permits

31. 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.
32. Three (3) sets of the Final Landscaping / Irrigation Detail Plans shall be submitted to the Community Development Department with appropriate fees, reviewed by the City's Landscape Architect Consultant and approved by the Community Development Director or designee, prior to issuance of a building permit.
 - 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.
33. All exposed slopes in excess of three feet (3') in height shall have permanent irrigation system and erosion control vegetation installed and approved by the Planning Division.
34. Prior to issuance of Building Permit, the Applicant shall submit a photometric study to the Community Development Department for review and approval. The plan shall ensure that all exterior on-site lighting are shielded and directed on-site so as not to create glare onto neighboring properties and streets or allow illumination above the horizontal plane of the fixture. The study shall show locations of all exterior lighting fixtures and shall verify that a minimum 1-foot candle of illumination is achieved throughout the onsite parking area. Moreover, the study shall demonstrate that a minimum of 5-foot candles are achieved at building entrances.
35. Prior to the issuance of a Building Permit, all exterior wall mounted and freestanding light fixtures shall be submitted for review and approval by the Director of Community Development, or their designee. Light fixtures shall compliment the architectural style of the buildings onsite.
36. Prior to the issuance of a Building Permit, the color, finish and pattern of all decorative paving onsite shall be submitted for review and approval by the Director of Community Development, or their designee.

BUILDING DIVISION

General Conditions

37. 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.
38. Compliance with Code. All design components shall comply with applicable provisions of the ~~2019~~ 2022 edition of the California Building, Plumbing and Mechanical Codes; ~~2019~~ 2022 California Electrical Code; California Administrative Code, ~~2019~~ 2022 California Energy Codes, ~~2019~~ 2022 California Green Building Standards, California Title 24 Disabled Access Regulations, and Lake Elsinore Municipal Code.
39. 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.
40. 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 286
41. 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.
42. Obtain Approvals Prior to Construction. Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.
43. Obtaining Separate Approvals and Permits. Trash enclosures, patio covers, light standards, and any block walls will require separate approvals and permits.
44. 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.
45. 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

46. 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~~ 2022 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 (Typically done by contractor and done by truss manufacturer).

Prior to Issuance of Grading Permit(s)

47. 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.
48. 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)

49. Plans Require Stamp of Registered Professional. Applicant shall provide appropriate stamp of a registered professional with original signature on the plans.

Prior to Beginning of Construction

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

ENGINEERING DIVISION

General Conditions

51. All Public Works requirements shall be complied with as a condition of development as specified in the Lake Elsinore Municipal Code (LEMC) prior to Certificate of Occupancy approval.
52. 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.
53. The applicant shall pay all Capital Improvement and Plan Check fees (LEMC 16.34, Resolution 85-26).
54. The applicant shall cause to be recorded a CC&R's with recordation of final map which provides for irrevocable reciprocal parking, circulation, loading and landscape maintenance easement in favor of all lots, subject to the approval of the City Attorney. The CC& R's shall enforce standards of building maintenance, participation in landscape maintenance, prohibition of outside vehicle or material storage.
55. In accordance with the City's Franchise Agreement for waste disposal & recycling, the applicant 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.
56. 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 is scheduled.
57. Applicant shall obtain all necessary off-site easements for off-site grading from the adjacent property owners prior to issuance of grading permit if applicable.

58. Arrangements for relocation of utility company facilities (power poles, vaults, etc.) out of the roadway or away from an access point shall be the responsibility of the property owner or his agent.
59. The project shall meet all requirements of LEMC Chapter 15.64 regarding flood hazard regulations.
60. In accordance with Project phasing plan, the applicant shall submit a traffic control plan showing all permanent traffic control devices for both onsite and offsite improvements, which plan shall be approved by the Director of Public Works prior to occupancy of the corresponding Project phase. All traffic control devices and signing and striping shall be installed prior to issuance of the Certificate of Occupancy.
61. All improvement plans shall be digitized. Provide on compact disc or DVD GIS Shape files of all final maps and street and storm drain plans, prior to first final occupancy. *ALL DATA MUST BE IN projected Coordinate System: NAD 83 State Plane California Zone VI U.S. Fleet.
62. All utilities except electrical over 34.5 kv shall be placed underground, as approved by the serving utility.
63. Developer to provide access, to property owners and utility agencies, to property to the west of the tract including during construction.

Grading

64. The applicant shall apply for and obtain a grading permit with appropriate security prior to earthmoving activity and building permit issuance.
65. The applicant shall provide updated soils, geology and seismic report including street design recommendations. The applicant shall provide final soils report showing compliance with recommendations.
66. All grading shall be done under the supervision of a geotechnical engineer and he shall certify all slopes steeper than 2 to 1 for stability and proper erosion control. All manufactured slopes greater than 30 ft. in height shall be contoured.
67. Prior to commencement of grading operations, applicant shall provide to the City a map of all proposed haul routes to be used for movement of export material. Such routes shall be subject to the review and approval of the City Engineer.
68. Applicant shall provide to the City a video on DVD baseline record of the condition of all proposed public City haul roads prior to issuance of any permit. 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.
69. Applicant shall provide the City with proof of his having filed a Notice of Intent (NOI) with the Regional Water Quality Control Board for the National Pollutant Discharge Elimination System (NPDES) program with a storm water pollution prevention plan prior to issuance of grading permits.

Improvements

70. Project drainage shall be conveyed to a public facility or accepted by adjacent property owners by a letter of drainage acceptance or conveyed to a drainage easement. All storm drainage traversing site shall be collected and conveyed by a method approved by the City Engineer.
71. On-site surface drainage shall not cross sidewalks.
72. Onsite drainage facilities conveying offsite drainage shall be contained within drainage easements shown on the final map. A note should be added to the final map stating: "Drainage easements shall be kept free of buildings and obstructions".
73. The applicant shall submit Hydrology and Hydraulic Reports for review and approval by City Engineer prior to issuance of Building Permit. Developer shall mitigate any flooding and/or erosion caused by development of site and diversion of drainage.
74. All drainage facilities shall be constructed in accordance with Riverside County Flood Control District Standards.
75. All storm drain inlet facilities shall be appropriately marked "Only Rain in the Storm Drain" using the City authorized marker to prevent illegal dumping in the drain system.
76. The applicant shall provide Phasing Plan including onsite traffic circulation showing truck routes with truck turning templates. The phasing plan shall be approved by the City Engineer prior to issuance of first building permit issuance.
77. Applicant shall install erosion control measures using the best available technology to mitigate any urban pollutants from entering the watershed.
78. Intersection site distance shall meet the design criteria of the CALTRANS Design Manual (particular attention should be taken for intersections on the inside of curves). If site distance can be obstructed, a special limited use easement must be recorded to limit the slope, type of landscaping and wall placement.
79. Street improvement plans and specifications shall be prepared by a California Registered Civil Engineer. Improvements shall be designed and constructed to City of Lake Elsinore Standards.
80. All public works improvements shall be constructed per approved street plans (LEMC 12.04) in accordance with project phasing plan. Plans must be approved and signed by the City Engineer prior to construction. Construction shall be completed prior to Certificate of Occupancy of any building.
81. The applicant shall submit Faithful Performance and Labor and Material Bonds including associated agreements for all public improvements and grading operations prior to approval of the final map.
82. Roadway design grade for local streets should not exceed 9%. The maximum grade of 15% should only be used because of design constraints.

83. Interior streets shall be designed with 9% as the desired grade and intersecting streets shall meet at a maximum grade of 6% for a distance of 50-feet for each leg of the intersection.
84. The applicant shall provide street lighting and show lighting improvements as part of street improvement plans. Streetlight system shall be LS-2B or as approved by the City Engineer. Street lights shall be constructed in accordance with the City Standard street light spacing.
85. The applicant shall pay all fees and meet requirements of encroachment permit issued by the Engineering Division for construction of improvements within the City of Lake Elsinore right-of-way.
86. Applicant shall obtain Riverside County Flood Control and Water Conservation District approval for connection to the channel prior to grading permit.
87. Applicant shall dedicate and improve a cul-de-sac consistent with City Of Lake Elsinore Standards for the termination of Birch Street. The project entrance from Birch Street shall be designed as a City Standard Commercial Driveway. Full Cul-de-sac Birch Street Improvements and associated storm drain shall be completed prior to any Certificate of Occupancy in Parcels 1 thru 6. If permanent connection to Outflow Channel has not been constructed, an appropriately sized, interim, temporary basin shall be acceptable. The permanent connection to the outflow channel shall be constructed within 45 days from receipt of Riverside County Flood Control's approval to do the work.
88. Any building permit application for Parcel 7 of TPM 37337 will activate the following underlying TPM 36551 conditions of approval:

Applicant shall contribute to or design and construct all mitigation measures identified in the approved environmental document including the following traffic improvements as required mitigation measures of the approved environmental document:

- ~~Contribute Fair Share to the installation of traffic signal at Collier Avenue and 3rd Street prior to building permit final of 51% of project buildings.~~
- Install traffic signal at Collier Avenue and Chaney Street prior to issuance of the first building permit final of 51% of project buildings. Applicant shall receive TIF credit for the full amount identified in the TIF Program for the construction of this improvement.
- ~~Contribute Fair Share to the installation of traffic signal at the intersection of west Minthorn Street and Chaney Street prior to building permit final of 76% of project buildings.~~
- Add a northbound left turn lane on Collier Avenue at the intersection with Chaney Street.
- There are TIF credits available for some of these improvements and the project will be eligible for their fair share subject to the City Engineer's approval. A TIF Credit Agreement shall be executed prior to the first building permit.

Final Tract or Parcel Map

89. The developer shall submit for plan check review and approval a final map.
90. Phasing plan, if any, shall be approved by the City Engineer prior to issuance of any

permits.

91. Prior to City Council approval of the Parcel Map, the developer shall, in accordance with Government Code, have constructed all improvements or have improvement plans submitted and approved, agreements executed and securities posted.

Stormwater Management / Pollution Prevention / NPDES

Design:

92. 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
 - General Permit – Industrial
 - Scrap Metal
 - Deminimus Discharges
 - MS4
93. The project shall complete and submit for review and approval to the Engineering Division BOTH a preliminary and final WQMP, incorporating the LID Principles and Stormwater BMPs.
94. Prior to or concurrent with any submittal for land use (i.e. Final Map, Design Review, Grading Permit, etc.), the applicant shall have prepared and submitted to the City Engineering Department for review and approval a Preliminary Water Quality Management Plan (PWQMP). The PWQMP shall be prepared and designed in accordance with the requirements in effect at the time of its submittal. Approval of the PWQMP shall be required prior to scheduling the land use application for action by Planning Commission.
95. The final WQMP shall be approved prior to issuance of any encroachment, grading or building permit.
96. The applicant shall use the Water Quality Management Plan for the Santa Ana Region of Riverside County guidance document and template for WQMP preparation.
97. WQMP – The Water Quality Management Plan (WQMP) specifically identifying Best Management Practices (BMPs) that will be used onsite to control identified pollutants of concern. The applicant shall utilize the MS4 Permittee Drainage Area Management Plan (DAMP), Model WQMP, and LID Guidance Manual for reference, and the MS4 Permittee's WQMP template for submittal. This WQMP shall include 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
 - Site design and drainage plan (BMP Exhibit)
 - Vector issues are addressed in the BMP design, operation and maintenance
 - GIS coordinates for all LID and Treatment Control BMPs
 - 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 significant adverse impacts on downstream erosion and receiving waters, or measures are implemented to mitigate significant adverse impacts to downstream public facilities and water bodies. Design goal to replicate pre-development hydrologic regime.

98. The 2010 SAR MS4 Permit requires implementation of LID Principles and LID Site Design, where feasible, to treat the pollutants of concern identified for the project, in the following manner (from highest to lowest priority) : (Section XII.E.2, XII.E.3, and XII.E.7)
- Evaluation of highest and best use for sites discharging to Lake Elsinore.
 - 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 85th percentile storm event also known as 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 biotreated shall be treated and discharged in accordance with the requirements set forth in Section XII.G.
99. Parking lot landscaping shall be designed to with concave landscape grading and provide for treatment, retention or infiltration of runoff.
100. Project hardscape areas shall be designed and constructed to provide for drainage into adjacent landscape and permeable surfaces in low traffic roads and parking lots.
101. Trash enclosures shall be bermed and covered.
102. Water Quality Facilities that service more than one parcel shall be placed in an easement to provide for maintenance and prevent obstruction.
103. 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 from urban runoff.
104. The project site shall implement trash full capture methods/devices approved by the Regional Water Quality Control Board.
105. 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:

106. A Stormwater Pollution Prevention Plan (SWPPP) is required for this project. A copy of the current SWPPP shall be kept at the project site and be available for review upon request.

Erosion & Sediment Control - **Prior to the issuance of any grading or building permit**, 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, California Building Code, 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.

Post Construction:

107. Recorded Operation and Maintenance (O&M) Plan that (1) describes the long-term operation and maintenance requirements for BMPs identified in the BMP Exhibit; (2) identifies the entity that will be responsible for long-term operation and maintenance of the referenced BMPs; (3) describes the mechanism for funding the long-term operation and maintenance of the referenced BMPs, and (4) provides for annual certification of water quality facilities by a registered civil engineer and/or the City for a fee if the service is available.
108. All storm drain inlet facilities shall be appropriately marked "Only Rain in the Storm Drain" using the City authorized marker to prevent illegal dumping in the drain system.
109. 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 (BMP's) 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 BMP's 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.
 - 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 attached) are available for each of the initial occupants (commercial/industrial) or Owner's Association 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 C of O

- will be considered in lieu of a Special Investigation by the City
 - Provide a recorded copy of one of the following:
 1. CC&R's (they must include the approved WQMP and O&M Plan) for the project's Owners Association.
 2. A water quality implementation agreement with the approved WQMP and O&M Plan attached; or,
 3. The final approved Water Quality Management Plan and Operations and Maintenance Plan.
110. Industrial Facilities - For 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 NPDES Coordinator.
111. 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).

Prior to Occupancy

112. Prior to grading or building permit close-out and/or the issuance of a certificate of use or a certificate of occupancy, applicant shall:
- Demonstrate that all structural BMPs have been constructed, installed and are functioning in conformance with approved plans and specifications and the WQMP;
 - 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 applicant 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.
113. The property owner shall execute and cause to be recorded an Operations and Maintenance Agreement in the form approved by the City to inform future property owners of the requirement to implement the approved final project-specific WQMP.

114. As-built plans for all approved plan sets shall be submitted for review and approval by the City. The applicant/developer/owner is responsible for revising the original mylar plans. Once the original mylars have been revised and approved, the applicant shall provide the City with a CD of the "as built" plans in .tif format. Improvement plan as built shall be provided on CD in a shape file format compatible with the City's GIS.
115. Applicant shall provide FEMA elevation certificates to the 'insurance' standard for all buildings (includes trailers and storage facilities) prior to final approvals. If a LOMR-F has been processed and approved by FEMA, certification may be in the form of a letter signed and sealed by a licensed civil engineer.
116. All final studies and reports shall be submitted in .tif format on a CD/DVD. Studies and reports include, Soils, Seismic, Hydrology, Hydraulics, Grading, SWPPP, WQMP, etc.

CITY OF LAKE ELSINORE FIRE MARSHAL

General Conditions

117. **Riverside County Fire Department Lake Elsinore Office of the Fire Marshal** - It is the responsibility of the recipient of these Fire Department conditions to forward them to all interested parties. The permit number (as it is noted above) is required on all correspondence.

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. The following fire department conditions shall be implemented in accordance with the Lake Elsinore Municipal Code and the adopted codes at the time of project building plan submittal, these conditions are in addition to the adopted code requirements.

118. **Blue Dot Reflectors** - Blue retro-reflective pavement markers shall be mounted on private streets, public streets and driveways to indicate location of fire hydrants. Prior to installation, placement of markers must be approved by the Riverside County Fire Dept.
119. **Minimum Hydrant Fire Flow** - Minimum required fire flow shall be 2,000 GPM for 2 hours duration at 20 PSI residual operating pressure, which must be available before any combustible material is placed on the job site. Average spacing between hydrants 450' and 225' maximum distance from any point on the street or road frontage to hydrant.
120. **Hydrant System** - A combination of on-site and off-site super fire hydrant (s) (6" x 4" x 2-1/2" x 2-1/2") will be located not less than 25 feet or more than 250 feet from any portion of the building as measured along approved vehicular travel ways. The required fire flow shall be available from any adjacent hydrant (s) in the system. Average spacing between hydrants 450' and 225' maximum distance from any point on the street or road frontage to hydrant.
121. **Minimum Access Standards** - The following access requirements are required to be implemented to ensure fire department and emergency vehicular access. All roadways shall conform to the City of Lake Elsinore approved roadway standards but in no case shall the minimum fire department vehicular access be less than the following provisions:

1. Twenty-four feet (24') clear width. Where parking is to be provided, each parking side shall be provided with eight (8') additional feet on each side of the fire department access.
 2. Median openings or crossovers between opposing lanes of a divided highway or street shall be located only at approved intersections at intervals of not less than 500 feet. [Ord. 529 § 3.2(F), 1973].
 3. The required all weather vehicular access shall be able to support no less than 75,000 lbs. over 2 axles.
 4. Roadway gradient shall not exceed 15% on any access road, driveways, and perimeter roads.
 5. Turning Radius shall be 24' inside and 48' outside for all access roads.
122. **Secondary Access** - In the interest of Public Safety, this project shall provide an Alternate or Secondary Access. Said access shall be constructed in accordance to the City of Lake Elsinore Engineering Department standards to accommodate full fire response and community evacuation. All secondary access roads are subject to review by the fire department.
123. **Operating Permit Required** - This project has been review and may require an operating permit in addition to the construction permit that has been conditioned for this project in accordance with 105.6 of The California Fire Code.

Prior to Building Permit Issuance

124. **Plan Check Fee** - Building plan check fees shall be made payable to the "City of Lake Elsinore", and shall be submitted to the Fire Department at the time of plan submittal.
125. **Water System Plans** - Applicant and/or developer shall submit 2 sets of water system plans to the Fire Department for review. The plans must be signed by a registered Civil Engineer and/or water purveyor prior to Fire Department review and approval. Mylars will be signed by the Fire Department after review and approval. Two (2) copies of the signed and approved water plans shall be returned to the Fire Department before release of a building permit.
126. **Prior to Building Construction Verification** - This project shall be inspected and approved by the Fire Marshal or designee prior to bringing combustible materials on site. During said inspection all permanent road signs shall be in place, all hydrants shall on operating and approved for use by the water purveyor, and all permanent road surfaces shall be completed including primary and secondary access circulation.

Prior to Building Final Inspection

127. **Fire Sprinkler System 13** - Install a complete fire sprinkler system designed in accordance with California Building Code, California Fire Code and adopted standards. Sprinkler systems with pipe sizes larger than 4 inches in diameter will require the Engineer or Architect of Record certification with details and calculations with "wet signature" that the building structural system is designed to support the seismic and gravity loads for the support of the additional weight of the sprinkler system. The PIV and FDC shall be located to the front of the building in an approved location, unobstructed and within 50 feet of an approved road or driveway, within 200 feet of a hydrant. A C-16 licensed contractor must

submit plans, along with the current fee, to the Fire Department for review and approval prior to installation.

128. **Sprinkler System Monitoring** - Install an alarm monitoring system for fire sprinkler system(s) with 20 or more heads. Valve monitoring, water-flow alarm and trouble signals shall be automatically transmitted to an approved central station, remote station or proprietary monitoring station in accordance with California Building Code, California Fire Code and adopted standards. An approved audible sprinkler flow alarm shall be provided on the exterior in an approved location. The location of the Fire Alarm Control Unit shall be located in an environmentally controlled location in accordance with 10.14 (NFPA 72, 2013). A C-10 licensed contractor must submit plans designed in accordance with adopted standards, along with the current fee, to the Fire Department for review and approval prior to installation.
129. **Designated Fire Lanes** - The applicant shall prepare and submit to the Fire Department for approval, a site plan designating required fire lanes with appropriate lane painting and/or signs.
130. **Display Boards** - Display Boards will be as follows: Each complex shall have an illuminated diagrammatic representation of the actual layout which shows name of complex, all streets, building designators, unit members, and fire hydrant locations within dimension and located next to roadway access.
131. **Knox Rapid Entry Box** - A rapid entry Knox Box shall be installed on the outside of the building. Key(s) shall have durable and legible tags affixed for identification of the correlating tenant space. Special forms are available from this office for ordering the Knox Box. If the building/facility is protected with a fire alarm or burglar alarm system, it is recommended that the lock box be "tamper" monitoring.
132. **Fire Extinguishers** – Minimum Install portable fire extinguishers complying with Section 906 of the 2013 California Fire Code with a minimum rating of 2A-10BC and signage. Fire Extinguishers located in public areas shall be in recessed cabinets mounted 48" (inches) to center above floor level with maximum 4" projection from the wall. Contact Fire Dept. for proper placement of equipment prior to installation.

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 a Final Map or issuance of a grading permit (whichever comes first), the applicant shall submit an application to the Department of Administrative Services Parcel Map, Residential Design Review, Conditional Use Permit or building permit (as applicable), the applicant shall to initiate the annexation process into the Community Facilities District No. 2015-2 (Maintenance Services) 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, open space and public storm drains constructed within the development and federal NPDES requirements to offset the annual negative fiscal impacts of the project. The annexation process shall be completed prior to issuance of the first certificate of occupancy

for 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 seven thousand five hundred dollar (\$7,500) non-refundable deposit to cover the cost of the 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 Mitigated Negative Declaration No. 2007-05 (SCH NO. 2007071157).
-

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 ~~January 11, 2022~~ December 14, 2023. 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