

## CONDITIONS OF APPROVAL

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

**PROJECT:** TTM 37382  
**PROJECT NAME:** Wasson Canyon  
**PROJECT LOCATION:** APNs: 347-330-022, 023, 066, 347-360-001, 002, 377-100-006, 009, and 010  
**APPROVAL DATE:** November 14, 2017  
**EOT1 APPROVAL DATE:** January 28, 2020  
**EOT2 APPROVAL DATE:** June 13, 2023  
**EXPIRATION DATE:** May 14, 2024

## GENERAL

1. **Tentative Tract Map No. 37382** is a subdivision of 55.06 acres into 199 single-family residential lots (ranging in size from 4,600 sq. ft. to 17,445 sq. ft.) and 23 lettered lots for a 5.6-acre park, open space, utility easements, and water quality/detention basins. The project site is located southeasterly of Highway 74, westerly of Rosetta Canyon Drive, northeasterly of Cambern Avenue, on the southern side of Third Street within the Ramsgate Specific Plan. (APNs: 347-330-022, 023, 066, 347-360-001, 002, 377-100-006, 009, and 010).
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 Tentative Tract Map No. 37382, 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 Tentative Tract Map No. 37382 or any of the proceedings, acts or determinations taken, done, or made prior to the decision, or to determine the reasonableness, legality or validity of any condition attached thereto. The Applicant's indemnification is intended to include, but not be limited to, damages, fees and/or costs awarded against or incurred by Indemnitees and costs of suit, claim or litigation, including without limitation attorneys' fees, penalties and other costs, liabilities and expenses incurred by Indemnitees in connection with such proceeding. The City will promptly notify the applicant of any such claim, action, or proceeding against the City. If the project is challenged in court, the City and the applicant shall enter into formal defense and indemnity agreement, consistent with this condition.
3. Within 30 days of project approval, the applicant shall sign and complete an "Acknowledgment of Conditions" and shall return the executed original to the Community Development Department for inclusion in the case records.

## PLANNING DIVISION

4. **Tentative Tract Map No. 37382** will expire ~~November 14, 2024~~ May 14, 2024 unless within that period of time a Final Map has been filed with the County Recorder, or an extension of time is granted by the City of Lake Elsinore City Council in accordance with the State of California Subdivision Map Act and applicable requirements of the Lake Elsinore Municipal

Code.

5. **Tentative Tract Map No. 37382** shall comply with the State of California Subdivision Map Act, the Ramsgate Specific Plan No. 89-1, Revision No. 6 (RSP #6), and applicable requirements set forth in the Lake Elsinore Municipal Code (LEMC), unless modified by approved Conditions of Approval.
6. The applicant shall provide all project-related on-site and off-site improvements as required by these Conditions of Approval.
7. 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.
8. The applicant shall pay all applicable City fees, including but not limited to Development Impact Fees (DIF) per Section 16.74 of the LEMC, Transportation Uniform Mitigation Fees (TUMF) per LEMC Section 16.83, (ii) Area Drainage Fees per LEMC Section 16.72, (iii) MSHCP Fees per LEMC Section 16.85, (iv) Stephens Kangaroo Habitat Fee (K-Rat) per Chapter 19.04 of LEMC, (vii) Capital Improvement Impact/Mitigation Fees, and (viii) Plan Check and Permit fees, at the rate in effect at the time of payment . **(Modified per 1/28/2020 CC)**

**Prior to Recordation of Final Tract Map**

9. All lots shall comply with minimum standards set forth in the Ramsgate Specific Plan No. 89-1, Revision No. 6 (RSP #6).
10. A precise survey with closures for boundaries and all lots shall be provided per the LEMC.
11. Street names within the subdivision shall be reviewed and approved by the Community Development Director or designee.
12. All of the project improvements shall be designed by the applicant's Civil Engineer to the specifications of the City of Lake Elsinore.
13. The applicant shall meet all the requirements of the Elsinore Valley Municipal Water District (EVMWD).
14. Prior to recordation of a Final Map, the applicant shall initiate and complete the formation of a Homeowner's Association (HOA) which shall be approved by the City. All Association documents 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. At a minimum, all recreation and park areas (except public parks), all natural slopes and open space, all graded slopes abutting public street rights-of-way which are not part of residential lots, up slopes from public rights-of-way within private lots and all private streets, and all drainage basins shall be maintained by the Homeowner's Association (HOA).

**Prior to Design Review Approval**

15. All future structural development associated with this map requires separate Design Review approval pursuant to the provisions of LEMC Chapter 17.184.
16. The following architectural details shall be provided:
  - All front fence returns shall be decorative masonry walls. Wood fences will not be allowed along the front elevation. Wood, vinyl or steel (wrought iron or aluminum) gates are allowed in order to allow access to rear yards.
  - The applicant shall provide four-sided articulation. Architectural enhancements and treatments shall be provided on all residential elevations (front, rear and side) visible from streets and other public views.
  - All fireplaces shall be natural gas fireplaces only. No wood burning fireplaces shall be allowed.

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

17. Prior to the issuance of a grading permit, the project applicant shall obtain all necessary State and Federal permits, approvals, or other entitlements, including obtaining the necessary authorizations from the regulatory agencies for proposed impacts to jurisdictional waters. Authorizations may include a Section 404 Permit from the U.S. Army Corps of Engineers, a Section 1602 Streambed Alteration Agreement from the California Department of Fish and Wildlife, and a Section 401 Water Quality Certification/Waste Discharge Requirement from the Regional Water Quality Control Board.
18. Prior to issuance of building permit, the applicant shall prepare a Final Wall and Fence Plan addressing the following:
  - Show that a masonry or decorative block wall will be constructed along the entire tract boundary.
  - Show materials, colors, and heights of rear, side and front walls/fences for proposed lots.
  - Show the location of all wood, vinyl or steel (wrought iron or aluminum) gates placed within the front return walls.
  - Show that side walls for corner lots shall be decorative masonry block walls.
  - Show that those materials provided along the front elevations (i.e. brick, stone, etc.) will wrap around the side elevation and be flush with the front return walls.
19. Signs are not part of this project approval. All signage shall be subject to Planning Division or Planning Commission review and approval prior to installation.
20. Provisions of the City's Noise Ordinance (LEMC Chapter 17.176) shall be satisfied during all site preparation and construction activity. The applicant shall place a weatherproof 3' X 3' sign at the entrance to the project site identifying the approved days and hours of

construction activity. Site preparation activity and construction shall not commence before 7:00 AM and shall cease no later than 5:00 PM, Monday through Friday. Only finish work and similar interior construction may be conducted on Saturdays and may commence no earlier than 8:00 am and shall cease no later than 4:00 p.m. Construction activity shall not take place on Sunday, or any Legal Holidays. The sign shall identify the name and phone number of the development manager to address any complaints.

21. Prior to issuance of a building permit, building plans for the Model Home Complex shall comply with all American Disabilities Act (ADA) requirements, including provision of a handicapped-accessible bathroom.
22. Construction phasing shall be implemented in accordance with the approved Phasing Plan which avoids construction traffic from entering occupied neighborhoods within the tract.
23. A cash bond shall be required for the Model Home Complex. This bond is to guarantee removal of the temporary fencing material, parking lot, etc. that have been placed onsite for the Model Home Complex. The bond will be released after removal of the materials and the site is adequately restored, subject to the approval of the Community Development Director or designee.
24. A cash bond shall be required for any garage conversion of the model(s). Bonds will be released after removal of all temporary materials and the site is adequately restored, subject to the approval of the Community Development Director or designee.
25. A cash bond shall be required for any construction trailers used during construction. Bonds will be released after removal of trailers, subject to the approval of the Community Development Director or designee.
26. The applicant shall meet all requirements of the providing electric utility company The applicant shall satisfy easement concerns as noted in the Southern California Edison correspondence dated March 22, 2007.
27. The applicant shall pay school fees to the Lake Elsinore Unified School District prior to issuance of each building permit.
28. Prior to the issuance of a building permit, the applicant shall pay the City's Multiple Species Habitat Conservation Plan (MSHCP) Local Development Mitigation Fee, at the rate in effect at the time of payment.
29. Prior to the issuance of a building permit, the applicant shall pay the Stephens' Kangaroo Rat mitigation fee in accordance with the Stephens' Kangaroo Rat Habitat Conservation Plan.
30. The project shall connect to water and sewer and meet all requirements of the Elsinore Valley Municipal Water District (EVMWD). The applicant shall submit water and sewer plans to the EVMWD and shall incorporate all district conditions and standards.
31. All mechanical and electrical equipment associated with the residences shall be ground mounted. All outdoor ground or wall mounted utility equipment shall be consolidated in a central location and architecturally screened behind fence returns, subject to the approval of the Community Development Director, prior to issuance of building permit.

32. All front yards and side yards on corner lots shall be properly landscaped with automatic (manual or electric) irrigation systems to provide 100 percent planting coverage using a combination of drip and conventional irrigation methods. Construction Landscape & Irrigation drawings shall be prepared, reviewed by the City's Landscape Architect Consultant and approved by the Community Development Director or designee. A Cost Estimate for materials and labor shall also be submitted for review and approval. A Landscape Plan Check fee will be charged prior to final landscape approval based on the Consultant's fee, inspection, permits and administration fees.
- The applicant shall replace any street trees harmed during construction, in conformance with the City's Street Tree List, at a maximum of 30 feet apart and at least 24-inch box in size.
  - Perimeter walls shall be protected by shrubs and other plantings that discourage graffiti.
  - The applicant shall ensure a clear line of sight at ingress/egress points by providing plantings within 15 feet of ingress/egress points whose height does not exceed two (2) feet and whose canopy does not fall below six feet.
  - The landscape plan shall provide for California native drought-tolerant ground cover, shrubs, and trees. Special attention shall be given to use of Xeriscape or drought resistant plantings with combination drip irrigation system to prevent excessive watering.
  - No front-yard grass turf landscaping will be installed.
  - All landscape improvements shall be bonded with a ten percent (10%) Faithful Performance Bond of the approved estimated labor and materials cost for all planting. The bond shall remain in effect for one year from Certificate of Occupancy.
  - All landscaping and irrigation shall be installed within an affected portion of any phase at the time a certificate of occupancy is requested for any building.
  - All Model Homes shall be Xeriscaped and signage provided identifying Xeriscape landscaping. Xeriscape is a method of landscape design that minimizes water use by:
    - 1) Implementing hydrozones;
    - 2) Eliminating high and medium water-use plant material as identified by Water Use Classifications of Landscape Species (WUCOLS) (such as turf) and incorporates low to very low water-efficient ("drought-tolerant" / climate-appropriate) plants;
    - 3) Requires an efficient irrigation system that includes:
      - a. ET-Based ("Smart irrigation") controller(s) with weather-sensing, automatic shut-off and seasonal adjustment capabilities;
      - b. Efficient irrigation water application through use of:
        - i. Low-volume point-source irrigation (such as drip irrigation and bubblers) for all shrub planter areas (maximum of 3:1 slope) with a minimum irrigation efficiency of 0.90 ; and/or

- ii. Rotor-type nozzles for areas greater than ten (10) feet wide, for slopes 3:1 and greater, AND with a minimum irrigation efficiency of 0.71.
- 4) Improvement of soil structure for better water retention; and
- 5) Application of mulch to hinder evaporation.
- The Final landscape plan shall be consistent with any approved site and/or plot plan.
- The Final landscape plan shall include planting and irrigation details.
- All exposed slopes in excess of three feet in height within the subject tract and within private lots shall have a permanent irrigation system and erosion control vegetation installed, as approved by the Planning Division, prior to issuance of certificate of occupancy.
- All landscaping and irrigation shall comply with the water-efficient landscaping requirements set forth in LEMC Chapter 19.08 (Water Efficient Landscape Requirements), as adopted and any amendments thereto.

## **ENGINEERING DIVISION**

### **General**

- 33. All slopes and landscaping within public right-of-way shall be maintained by the property owner or property owner's association or another maintenance entity approved by the City Council.
- 34. All open space and slopes except for public parks and schools and flood control district facilities, outside the public right-of-way shall be owned and maintained by property owner or property owner's association.
- 35. All storm drain system pipes with diameter greater than 36" shall be plan checked and maintained by Riverside County Flood Control District.
- 36. The developer shall provide a copy of an encroachment permit or any approval documents from the Riverside County Flood Control District and/or Caltrans for encroaching, grading, or discharging into County flood control facilities or Caltrans right of way.
- 37. This project shall comply with the recommendations of the traffic study prepared by Urban Crossroads dated January 23, 2007.
- 38. In accordance with the City's Franchise Agreement for waste disposal & recycling, the developer shall be required to contract with CR&R Inc. for removal and disposal of all waste material, debris, vegetation and other rubbish generated during cleaning, demolition, clear and grubbing or all other phases of construction.
- 39. Developer shall mitigate to prevent any flooding and/or erosion downstream caused by development of the site and or diversion of drainage.

40. Any grading that affects “waters of the United States”, wetlands or jurisdictional streambeds, shall require approval and necessary permits from respective Federal and/or State agencies.
41. All required soils, geology, hydrology and hydraulic, and seismic reports shall be prepared by a Registered Civil Engineer.

### **FEES**

42. The developer shall pay all Engineering Division assessed, Development Impact Fees, Plan Check and Permit fees (LEMC 16.34) prior to the issuance of a building permit consistent with Condition No. 8. Applicable Engineering Division assessed Development Impact Fees include: Railroad Canyon Road Benefit District, Stephens Kangaroo Habitat Fee (K-Rat), Traffic Infrastructure Fee (TIF), Transportation Uniform Mitigation Fee (TUMF), and Area Drainage Fee. **(Modified per 1/28/2020 CC)**
43. Mitigation Fees will be assessed at the prevalent rate at time of payment in full.

### **STORMWATER MANAGEMENT / POLLUTANT PREVENTION / NPDES**

#### **Design**

44. 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 but are not limited to:
  - General Permit – Construction
  - De minimus Discharges
  - MS4
45. A Water Quality Management Plan (WQMP) (preliminary and final) shall be prepared using the Santa Ana Region 8 approved template and guidance and submitted for review and approval to the City. The Preliminary WQMP shall be approved by the City prior to Planning Commission; the Final WQMP shall be approved by the City prior to rough or precise grading plan approval and issuance of ANY permit for construction.
46. 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.
47. The Final WQMP shall document the following:
  - Detailed site and project description.
  - Potential stormwater pollutants.
  - Post-development drainage characteristics.
  - Low Impact Development (LID) BMP selection and analysis.
  - Structural and Non-Structural source control BMPs.
  - Treatment Control BMPs
  - Site design and drainage plan (BMP Exhibit).
  - Documentation of how vector issues are addressed in the BMP design, operation and maintenance.



- GIS Decimal Minute Longitude and Latitude coordinates for all LID and Treatment Control BMP locations.
  - HCOC – demonstrate that discharge flow rates, velocities, duration and volume for the post construction condition from a 2 year and 10 year, 24 hour rainfall event will not cause adverse impacts on downstream erosion and receiving waters, or measures are implemented to mitigate significant adverse impacts downstream public facilities and water bodies. Evaluation documentation shall include pre-and post-development hydrograph volumes, time of concentration and peak discharge velocities, construction of sediment budgets, and a sediment transport analysis.
  - Operations and Maintenance Plan and Agreement as well as documentation of formation of funding district for long term maintenance cost.
48. The 2010 SAR MS4 Permit requires implementation of LID Principles and LID Site Design, where feasible, to treat the pollutants of concern identified for the project, in the following manner (from highest to lowest priority): (Section XII.E.2, XII.E3, and XII.E.7).
- Preventatives measures (these are mostly non-structural measures, e.g., minimizing impervious areas, conserving natural areas, minimizing directly connected impervious areas, etc.)
  - The Project shall in the order presented, infiltrate, harvest and use, evapotranspire and/or bio-treat the Design Capture Volume (DCV).
  - The Project shall consider a properly engineered and maintained bio-treatment system only if infiltration, harvesting and use and evapotranspiration cannot be feasibly implemented at the project site.
  - Any portion of the DCV that is not infiltrated, harvested and used, evapo-transpired, and/or bio-treated shall be treated and discharged in accordance with the requirements set forth in Section XII.G.
49. Parking lot landscaping areas shall be designed to provide for treatment, retention or infiltration of runoff.
50. Project hardscape areas shall be designed and constructed to provide for drainage into adjacent landscape.
51. If CEQA identifies resources requiring Clean Water Act Section 401 Permitting, the applicant shall obtain certification through the Santa Ana Regional Water Quality Control Board and provide a copy to the Engineering Division.
52. All storm drain inlet facilities shall be appropriately marked “Only Rain in the Storm Drain” using the City authorized marker.
53. The project shall use either volume-based and/or flow-based criteria for sizing BMPs in accordance with NPDES Permit Provision XII.D.4.
54. Multi-family and/or high density residential developments shall implement full trash capture methods/devises approved by the Regional Water Quality Control Boards.

### **Construction**

55. A Storm Water Pollution Prevention Plan (SWPPP) (as required by the NPDES General Construction Permit) and compliance with the Green Building Code for sediment and erosion control are required for this project.



56. 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.
57. Erosion & Sediment Control – ALL PROJECTS - Prior to the issuance of any grading or building permit for construction or demolition, the applicant shall submit for review and approval by the City Engineer, an Erosion and Sediment Control Plan as a separate sheet of the grading plan submittal to demonstrate compliance with the City's NPDES Program and state water quality regulations for grading and construction activities. The Erosion and Sediment Control Plan shall identify how all construction materials, wastes, grading or demolition debris, and stockpiles of soil, aggregates, soil amendments, etc. shall be properly covered, stored and secured to prevent transport into local drainages or waters by wind, rain, tracking, or dispersion. The plan shall also describe how the project will ensure that all BMPs will be maintained during construction of any future right of ways. A copy of the plan shall be incorporated into the SWPPP as applicable, kept updated as needed to address changing circumstances of the project site, be kept at the project site and available for review upon request.
58. Minimum BMP's as identified by the City shall be implemented by all projects.

#### **Post-Construction**

59. Prior to the issuance of a certificate of use and/or occupancy, the applicant shall demonstrate compliance with applicable NPDES permits for construction, MS4, etc. to include:
  - Demonstrate that the project has complied with all non-structural BMPs described in the project's WQMP.
  - Provide signed, notarized certification from the engineer of work that the structural BMP's identified in the project's WQMP are installed in conformance with approved plans and specifications and operational.
  - The Operation and Maintenance (O&M) Plan and Agreement and/or CC&R's shall (1) describe the long-term operation and maintenance requirements for BMPs identified in the BMP Exhibit; (2) identify the entity that will be responsible for long-term operation and maintenance of the referenced BMPs; (3) describe the mechanism for funding the long-term operation and maintenance of the referenced BMPs; and (4) provide for annual certification of water quality facilities by a registered civil engineer. The City format shall be used.
  - Submit a copy of the fully executed, recorded City approved Operations and Maintenance (O&M) Plan and Agreement for all structural BMPs or a copy of the recorded City approved CC&R.
  - Provide documentation of annexation into a CFD for funding of facilities to be maintained by the City.
  - Demonstrate that copies of the project's approved WQMP (with recorded O&M Plan or CC&R's attached) are available for the HOA.
  - 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 CofO will be considered in lieu of a Special Investigation by the City.

- Provide the City with a digital .pdf copy of the Final WQMP.

### **FINAL TRACT OR PARCEL MAP**

60. The developer shall submit for plan check review and approval a final map.
61. Phasing plan, if any, shall be approved by the City Engineer prior to issuance of any permits.
62. Prior to City Council approval of the final Tract 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.
63. The Final Tract Map or Parcel Map shall include the phasing boundaries consistent with the parcels of the Tentative Tract or Parcel Map. The phasing boundaries or parcels shall be processed as separate tract maps.

### **UTILITIES**

64. 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.
65. All overhead utilities shall be undergrounded in accordance with Chapter 12.16 of the Lake Elsinore Municipal Code (LEMC)
66. 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.
67. The developer shall apply for, obtain and submit to the City Engineering Division a letter from Southern California Edison (SCE) indicating that the construction activity will not interfere with existing SCE facilities (aka SCE NIL).
68. The developer shall submit a copy of the "Will Serve" letter to the City Engineering Division from the applicable water agency stating that water and sewer arrangements have been made for this project and specify the technical data for the water service at the location, such as water pressure and volume etc.

### **IMPROVEMENTS**

#### **Design**

69. The development of each Planning Area or Phase shall be subject for specific review and conditions of approval.
70. Sight distance into and out of the project location shall comply with CALTRANS Standards.
71. The developer shall install permanent bench marks per City of Lake Elsinore Standards and at locations to be determined by City Engineer.

72. The developer shall install blue dot markers in the roadway at a right angle to Fire Hydrant locations per Lake Elsinore Standards.
73. The developer shall coordinate with Riverside Transit Authority for location and installation of bus transit facilities.
74. 10-year storm runoff shall be contained within the curb and the 100 year storm runoff shall be contained within the street right-of-way. When either of these criteria are exceeded, drainage facilities shall be provided.
75. All drainage facilities in this project shall be constructed to Riverside County Flood Control District Standards.
76. A drainage study shall be provided. The study shall identify the following: identify storm water runoff from and upstream of the site; show existing and proposed off-site and onsite drainage facilities; and include a capacity analysis verifying the adequacy of the facilities. The drainage system shall be designed to ensure that runoff from a 10-yr storm of 6 hours or 24 hours duration under developed condition is equal or less than the runoff under existing conditions of the same storm frequency. Both 6 hour and 24hour storm duration shall be analyzed to determine the detention basin capacities necessary to accomplish the desired results.
77. 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, accepted by adjacent property owners by a letter of drainage acceptance, or conveyed to a drainage easement.
78. Roof drains shall not be allowed to outlet directly through coring in the street curb. Roofs should drain to a landscaped area.
79. The site shall be planned and developed to keep surface water from entering buildings (California Green Building Standards Code 4.106.3).
80. 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.
81. Construct streets D, E, F, G, H, I, and K per City Standard 108 (60'/40').
82. Construct streets J and N per Riverside County Standard 106A Modified (50'/36').
83. Construct ac pavement to City Standard Local Street Section 108, 1/2 width +12', on Third Street, from Conard Avenue to Cambern Avenue.
84. Construct half-width + 19' improvements on the east side of Cambern Avenue, from Third Street, along the project frontage, to the project boundary per City Secondary Highway Standard 104 (90'/70').
85. Provide street lighting and show lighting improvements as part of street improvement plans. Coordinate with Engineering Department for selection of the LS-2 or LS-3 and design

standards and requirements.

86. The developer shall implement mitigation measures identified in the Traffic Analysis dated January 23, 2007, as specified in this Study to the satisfaction of the City Engineer.
87. Street improvement plans shall be prepared by a Registered Civil Engineer and the plans shall include curb and gutter, sidewalk, ac pavement, street lighting, median, trail, and drainage improvements.
88. The developer shall provide signing and striping plans for the required improvements of this project. The plans shall also incorporate traffic calming measures on local streets.
89. This project shall provide trail and roadway connections to adjacent developments unless otherwise deemed unfeasible as concurred by the city. The trail cross section shall be per County standards unless otherwise approved by the City Engineer.
90. If existing improvements are to be modified, the existing improvement plans on file shall be modified accordingly and approved by the City Engineer **prior to issuance of building permit.**

#### **Permitting/Construction**

91. An Encroachment Permit shall be obtained prior to any work on City and/or State right-of-way. The developer shall submit the permit application, required fees and executed agreements, security and other required documentation prior to issuance.
92. All compaction reports, grade certifications, monument certifications (with tie notes delineated on 8 ½" x 11" Mylar) shall be submitted to the Engineering Division before final inspection of public works improvements will be scheduled and approved.
93. The developer shall be responsible for acquiring right-of-ways in which the developer or the City has no legal title or interest. If the developer is unsuccessful in acquiring such right-of-ways, the City could assist the developer in the Eminent Domain process at developer's cost.
94. All streets shall be constructed per Lake Elsinore City Standards and/or applicable specific plan. Any deviation from City standards shall be approved by the City Engineer.

#### **Acceptance of Improvements**

95. Pay all fair-share contribution for the cost of offsite improvements as identified in this project's Traffic Study, dated January 23, 2007. The fair-share cost shall be based on a cost estimate of the offsite improvements provided by the developer and approved by the City Engineer.
96. A portion of the required improvements for this development may be covered under the Traffic Impact Fee (TIF) or Area Drainage Fee program. Request for reimbursement or credits shall be approved by the City Engineer and based on allowable costs in the fee program and availability of funds.
97. The developer shall submit a written request for acceptance to the City Engineer.

98. As-built plans shall be completed and signed by the City Engineer.

## **GRADING**

### **Design**

99. Provide written approval of construction activity from the U.S. Department of Fish and Game and U.S. Army Corp of Engineers.
100. A grading plan signed and stamped by a California Registered Civil Engineer shall be submitted for City review and approval for all addition and/or movement of soil (grading) on the site. The plan shall include separate sheets for erosion control, haul route and traffic control. The grading submittal shall include all supporting documentation and be prepared using City standard title block, standard drawings and design manual (available at [www.lake-elsinore.org](http://www.lake-elsinore.org)).
101. All grading plan contours shall extend to minimum of 50 feet beyond property lines to indicate existing drainage pattern.
102. The grading plan shall show that no structures, landscaping, or equipment are located near the project entrances that could reduce sight distance.
103. If the grading plan identifies alterations in the existing drainage patterns as they exit the site, a Hydrology and Hydraulic Report for review and approval by City Engineer shall be required prior to issuance of grading permits. All grading that modifies the existing flow patterns and/or topography shall be approved by the City Engineer.
104. A seismic study shall be performed on the site to identify any hidden earthquake faults, liquefaction and/or subsidence zones present on-site. A certified letter from a registered geologist or geotechnical engineer shall be submitted confirming the absence of this hazard.
105. Applicant shall obtain all necessary off-site easements for off-site grading from the adjacent property owners prior to final map approval.
106. The applicant shall accept drainage from the adjacent property owners.

### **Permit/Construction:**

107. Developer shall execute and submit grading and erosion control agreement, post grading security and pay permit fees as a condition of grading permit issuance.
108. A preconstruction meeting with the City Public Works Inspector (Engineering Division) is required prior to commencement of ANY grading activity.
109. Developer shall provide the city with a copy of the Notice of Intent (NOI) and Waste Discharge Identification (WDID) letter issued by the Regional Water Quality Control Board for the National Pollutant Discharge Elimination System (NPDES) program
110. Prior to commencement of grading operations, developer is to provide to the City with a map of all proposed haul routes to be used for movement of export material. All such routes shall

be subject to the review and approval of the City Engineer. Haul route shall be submitted prior to issuance of a grading permit. Hauling in excess of 5,000 cy shall be approved by City Council. (LEMC 15.72.065)

111. Export sites located within the Lake Elsinore City limits must have an active grading permit.
112. Applicant to provide to the City a video record of the condition of all proposed public City haul roads. In the event of damage to such roads, applicant shall pay full cost of restoring public roads to the baseline condition. A bond may be required to ensure payment of damages to the public right-of-way, subject to the approval of the City Engineer.
113. 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.
114. A copy of the current SWPPP shall be kept at the project site and be available for review upon request.
115. Approval of the project Water Quality Management Plan (WQMP) for post construction shall be received prior to issuance of a grading permit.
116. Submit an approved environmental clearance document to the Engineering Division. This approval shall identify and clear all proposed grading activity anticipated for this project.
117. Developer shall pay all grading permit applicable processing, permit, security and development fees including those fees identified in an applicable development agreement, Stephens Kangaroo Rat Habitat.

#### **PRIOR TO ISSUANCE OF BUILDING PERMIT**

118. Provide final soils, geology and seismic report, including recommendations for parameters for seismic design of buildings, and walls prior to building permit.
119. The Parcel or Final Tract Map shall be recorded.
120. All street improvement plans and signing and striping plans shall be completed and approved by the City Engineer per the Traffic Impact Analysis dated January 23, 2007.
121. The developer shall pay all Capital Improvement TIF and Master Drainage Fees and Plan Check fees (LEMC 16.34).

#### **PRIOR TO OCCUPANCY**

122. All signing and striping and traffic control devices for the required improvements of this development shall be installed.
123. All public improvements shall be completed in accordance with the approved plans or as condition of this development to the satisfaction of the City Engineer.
124. Pay all fair-share contribution for the cost of offsite improvements as identified in this project's Traffic Study, dated January 23, 2007. The fair-share cost shall be based on a cost

- estimate of the offsite improvements provided by the developer and approved by the City Engineer.
125. All water and sewer improvements shall be completed in accordance with Water District requirements.
  126. As-built plans for all approved plan sets shall be submitted for review and approval by the City. The developer/developer/owner is responsible for revising the original mylar plans.
  127. In the event of damage to City roads from hauling or other construction related activity, applicant shall pay full cost of restoring public roads to the baseline condition.
  128. All final studies and reports, grade certifications, monument certifications (with tie notes delineated on 8 ½ x 11" mylar) shall be submitted in .tif format on a CD/DVD. Studies and reports include, Soils, Seismic, Hydrology, Hydraulics, Grading, SWPPP, WQMP, etc.
  129. All plan sets and recorded maps shall be digitized and provided on CD/DVD as follows:
    - Final Map(s) - GIS Shape files\*, AutoCad file and .tif of recorded map.
    - Improvement Plans – GIS Shape files\*, and .tif of approved as built mylar.
    - Grading Plans - .tif of approved as built mylar.
      - \*GIS Shape files must be in projected Coordinate System: NAD 83 State Plane California Zone VI U.S. Fleet.
  130. Final soil report showing compliance with recommendations, compaction reports, grade certifications, monument certifications (with tie notes delineated on 8 ½ x 11" mylar) shall be submitted in .tif format on CD to the Engineering Division before final inspection will be scheduled.
  131. Documentation of responsibility for slope maintenance along right-of-ways and open spaces to be maintained by the HOA or other entity shall be provided in a recordable format and recorded prior to occupancy/final.
  132. Prior to grading or building permit close-out and/or the issuance of a certificate of use or a certificate of occupancy, developer shall:
    - 
    - Demonstrate that all structural BMPs have been constructed, installed and are functioning in conformance with approved plans and specifications and the WQMP;
    - 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.
  133. The property owner (aka Legally Responsible Party) shall execute and cause to be recorded a "Covenant and Agreement" in the form provided by the City to inform future property owners of the requirement to implement the approved final project-specific WQMP.
  134. Developer shall pay all applicable citywide development impact fees in effect at the time of issuance of building permits, including fees due pursuant to LEMC Section 16.72 (Drainage), Section 16.74 (TIF, DIF, Fire), Section 16.83 (TUMF), and Section 16.85 (MSHCP), and Stephens Kangaroo Rat Habitat. **(Modified per 10/17/2017 PC)**



## **COMMUNITY SERVICES DEPARTMENT**

135. The developer shall pay Quimby and park Development Impact Fees (DIF), at the rate in effect at the time of payment.
136. The developer is required to participate in the Public Facility fee program.
137. All interior landscape, recreation areas, facilities and/or open space shall be maintained by the HOA. No park credits shall be given.
138. The HOA shall maintain all park and common landscape areas.

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

### **General Conditions**

139. **Lake Elsinore Fire Protection Planning Office Responsibility** - It is the responsibility of the recipient of Fire Department conditions to forward them to all interested parties. The permit number is required on all correspondence. Questions should be directed to the Riverside County Fire Department, Lake Elsinore Fire Protection Planning Division 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.
140. **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.
141. **Minimum Hydrant Fire Flow** - Minimum required fire flow shall be 1,500 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 500' and 250' maximum distance from any point on the street or road frontage to hydrant. Standard Fire hydrants shall be installed (6"x4"x2-1/2").
142. **Standard Fire Hydrants** - Standard fire hydrants (6" x 4" x 2-2 1/2"), shall be located not less than 25 feet or more than 250 feet from any portion of the building as measures along approved vehicular travel ways. The required fire flow shall be available from any adjacent hydrant(s) in the system.
143. **Fuel Modification Plan** - Fuel modification plans shall be provided to the Lake Elsinore Fire Protection Planning office. Plans shall include fuels modeling and comprehensive details with regard to the vegetation management plan. The fuels modification zone shall be not less than 100' from all structures and may be required to be increased.
144. **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 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 65,000 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 45' outside for all access roads.
145. **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.
146. **Automatic / Manual Gates** - Gate entrances shall be at least two feet wider than the width of the traffic lane(s) serving that gate and no less than 20 feet wide. Any gate providing access from a road to a driveway shall be located at least 35 feet from the roadway and shall open to allow vehicle to stop without obstructing traffic on the road. Where a one-way road with a single traffic lane provides access to a gate entrance, a 40 foot turning radius shall be used. Gate access shall be equipped with a rapid entry system. Plans shall be submitted to the Fire Department for approval prior to installation. Automatic/manual gate pins shall be rated with shear pin force, not to exceed 30 foot pounds. Automatic gates shall be equipped with emergency backup power. Gates activated by the rapid entry system shall remain open until closed by the rapid entry system. Contact the Fire Planning Office for current plan check fees.

#### **Prior to Building Permit Issuance**

147. **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.
148. **Water System Plans** - Applicant and/or developer shall separately submit 2 sets of water system plans to the Fire Department for review. 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.
149. **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 such 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**

150. **Residential Fire Sprinkler Systems for Single family and two-family 13D** - Install a complete fire sprinkler system designed in accordance with California Residential Code,

California Fire Code and adopted standards. A C-16 licensed contractor must submit plans, along with the current fee, to the Fire Department for review and approval prior to installation.

### **DEPARTMENT OF ADMINISTRATIVE SERVICES**

#### **Annex into CFD 2015-1 (Safety) Law Enforcement, Fire and Paramedic Services CFD**

151. Prior to approval of the Final Map, Parcel Map, Residential Design Review, or Conditional Use Permit (as applicable), the applicant shall annex into Community Facilities District No. 2015-1 (Safety) the Law Enforcement, Fire and Paramedic Services Mello-Roos Community Facilities District to offset the annual negative fiscal impacts of the project on public safety operations and maintenance issues in the City. Alternatively, the applicant may propose alternative financing mechanisms to fund the annual negative fiscal impacts of the project with respect to Public Safety 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. ***(Modified per 1/28/2020 CC)***

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

152. Prior to approval of the Final Map, Parcel Map, Residential Design Review, Conditional Use Permit or building permit (as applicable), the applicant shall annex 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. 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. ***(Modified per 1/28/2020 CC)***

### **MITIGATION MONITORING AND REPORTING PROGRAM**

153. The applicant shall comply with the Mitigation Monitoring & Reporting Program (MMRP) for Mitigated Negative Declaration No. 2007-01 for Ramsgate Specific Plan No. 89-1, Revision No. 6, which was adopted for this 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: \_\_\_\_\_