

EXHIBIT “A”

CONDITIONS OF APPROVAL

Planning Application No.: Tentative Tract Map No. 38133 “Harvest Glen” (PLN21-0274)

Project Description: Tentative Tract Map No. 38133 (PLN21-0272) proposes to subdivide Planning Area 22 (26.5 acres) into 145 dwelling units at a density of 5.5 dwelling units per acre with the inclusion of a 0.15 acre tot lot and a 1.6 acre water quality basin. The lot sizes will range from 3,700 square feet to 10,836 square feet.

Assessor's Parcel No.: 331-250-028, 029, 030

MSHCP Category: Residential density less than 8 du/acre

DIF Category: Single Family Residential

TUMF Category: Determined by Western Riverside Council of Governments (WRCOG)

Quimby Category: Single Family Residential

Approval Date: April 17, 2024

Expiration Date: April 17, 2027

Within 48 Hours of the Approval of This Project

- 1 **Indemnification.** Within 48 hours of project approval, the Applicant/developer shall indemnify, defend, and hold harmless the City of Menifee and its elected city council, appointed boards, commissions, committees, officials, employees, volunteers, contractors, consultants, and agents from and against any and all claims, liabilities, losses, fines, penalties, and expenses, including without limitation litigation expenses and attorney's fees, arising out of either the City's approval of the Project or actions related to the Property or the acts, omissions, or operations of the applicant/developer and its directors, officers, members, partners, employees, agents, contractors, and subcontractors of each person or entity comprising the applicant/developer with respect to the ownership, planning, design, construction, and maintenance of the Project and the Property for which the Project is being approved.
- 2 **Filing Notice of Determination or Exemption.** Within 48 hours of project approval, the Planning Division will determine the appropriate fees for the Notice of Determination (NOD) filing and request the payment of fees to the City of Menifee in the form of a check or cash. Upon receipt of payment, the Planning Division will file the NOD with the relevant agencies as required under Public Resources Code, California Code of Regulations and California Fish and Game Code.

Section I: Community Development Department

Section II: Engineering/Public Works Department

Section III: Building and Safety Department

Section IV: Riverside County Fire Department

Section V: Other Agency/Departments

Section I:

Community Development
Department

GENERAL CONDITIONS

1. **Exhibits.** The project shall be constructed as approved, and as shown in the attachments to the accompanying staff report. The project shall be in compliance with the Meniffee North Specific Plan, including any approved amendments and the MMRP from the Meniffee North Specific Plan Final EIR and Addendum No. 2. Any subsequent changes shall be processed per Meniffee Municipal Code Section 9.30.120 Modifications to Previously Approved Permits.
2. **Mitigation Monitoring.** The applicant shall comply with, prepare and submit a written report to the Community Development Director demonstrating compliance with those conditions of approval and mitigation measures of this tract map which must be satisfied prior to the issuance of a grading permit for review and approval. The Community Development Director may require inspection or other monitoring to ensure such compliance.
3. **Ninety (90) Days.** The applicant has ninety (90) days from the date of approval of these conditions to protest the imposition of any and all fees, dedications, reservations and/or other exactions imposed on this project as a result of this approval or conditional approval of this project per Government Code Section 66020.
4. **Subsequent Submittals.** Any subsequent submittals required by these Conditions of Approval, including but not limited to grading plan, building plan or mitigation monitoring review and appropriate fees paid as may be in effect at the time of submittal, as required by Resolution No. 22- 1229 (Cost of Services Fee Study), or any successor thereto. Each submittal shall be accompanied with a letter clearly indicating which condition or conditions the submittal is intended to comply with.
5. **Expiration Date.** This approval shall become null and void three (3) years from the date of approval, unless the appropriate permits have been obtained and construction, defined as permit obtainment, commencement of construction of the primary building on site, and successful completion of the first Building and Safety Division inspection or an extension of time application has been submitted to the Planning Division prior to the expiration date. Extensions may be granted per Meniffee Municipal Code.
6. **Modifications or Revisions.** The applicant shall obtain City approval for any modifications or revisions to the approval of this project.
7. **Comply with Ordinances.** This project shall comply with the standards of the City of Meniffee Development Code, City of Meniffee Municipal Code,

City of Menifee Design Guidelines and all other applicable ordinances and State and Federal codes and regulations.

8. **Outside Lighting.** Any outside lighting shall be hooded and directed so as not to shine directly upon adjoining property or public rights-of-way and so as to prevent either the spillage of lumens or reflection into the sky.
9. **Map Act Compliance.** This land division shall comply with the State of California Subdivision Map Act and to all requirements of Title 7 of the City of Menifee Municipal Code, unless modified by the conditions listed herein.
10. **No Offsite Subdivision Signage.** No offsite subdivision signs advertising this land division/development are permitted, other than those allowed under the Menifee Municipal Code. Violation of this condition of approval may result in no further permits of any type being issued for this subdivision until the unpermitted signage is removed.
11. **Development Impact Fees.** The applicant shall pay all applicable development impact fees including but not limited to Development Impact, Multi-Species Habitat Conservation Plan (MSHCP), Quimby, Stephen's Kangaroo Rat (KRAT), School Fees, Transportation Uniform Mitigation Fee (TUMF), Road and Bridge Benefit District (RBBD), and Area Drainage Plan (ADP).
12. **Phases.** Construction of this project may be done progressively in phases provided a phasing plan is submitted with appropriate fees to the Planning Division and approved prior to issuance of any Building Permits.
13. **Property Maintenance.** All parkways, entryway medians, on-site and off-site landscaping, walls, fencing, recreational facilities, basins, and on-site lighting shall be maintained by the owner or private entity or the City of Menifee Community Facilities District (CFD).

All landscaping and similar improvements not properly maintained by a property owners association, individual property owners, or the common area maintenance director must be annexed into a Lighting and Landscape District, or other mechanism as determined by the City of Menifee.

The land divider, or any successor-in-interest to the land divider, shall be responsible for maintenance and upkeep of all slopes, landscaped areas and irrigation systems within the land division until such time as those operations are the responsibility of a property owner's association, or any other successor-in-interest.

The owners of each individual lot shall be responsible for maintaining all landscaping between the curb of the street and the proposed sidewalk and side yard landscaping between the curb of the street and proposed fencing,

unless the landscaping is included within a separate common lot maintained by an HOA or other entity acceptable to the City of Menifee.

14. **Landscape Plans.** All landscaping plans shall be prepared in accordance with the City's Water Efficient Landscape Ordinance. Such plans shall be reviewed and approved by the Community Development Department, and the appropriate maintenance authority.
15. **Outside Agencies.** The applicant shall comply with all comments and conditions of approval from any responsible agencies as shown in the attached letters from associated agencies (Riverside County Environmental Health)
16. **Human Remains.** If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resource Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within the period specified by law (24 hours). Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.
17. **Non-Disclosure of Location Reburials.** It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r)., parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).
18. **Inadvertent Archeological Find.** If during ground disturbance activities, unique cultural resources are discovered that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. Unique cultural resources are defined, for this condition only, as being multiple artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance as determined in consultation with the Native American Tribe(s).

- a) All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the archaeologist, the tribal representative(s) and the Community Development Director to discuss the significance of the find.
- b) At the meeting, the significance of the discoveries shall be discussed and after consultation with the tribal representative(s) and the archaeologist, a decision shall be made, with the concurrence of the Community Development Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources.
- c) Grading of further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional Tribal monitors if needed.
- d) Treatment and avoidance of the newly discovered resources shall be consistent with the Cultural Resources Management Plan and Monitoring Agreements entered into with the appropriate tribes. This may include avoidance of the cultural resources through project design, in-place preservation of cultural resources located in native soils and/or re-burial on the Project property so they are not subject to further disturbance in perpetuity as identified in Non-Disclosure of Reburial Condition.
- e) Pursuant to Calif. Pub. Res. Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be presented to the City Community Development Director for decision. The City Community Development Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, recommendations of the project archeologist and shall take into account the cultural and religious principles and practices of the Tribe. Notwithstanding any other rights available under the law, the decision of the City Community Development Director shall be appealable to the City Planning Commission and/or City Council."

19. **Cultural Resources Disposition.** In the event that Native American cultural resources are discovered during the course of ground disturbing activities (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:
- a. One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Menifee Planning Division:
 - i. Preservation-In-Place of the cultural resources, if feasible. Preservation

in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources.

ii. Reburial of the resources on the Project property. The measures for reburial shall include, at least, the following: Measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed, with an exception that sacred items, burial goods and Native American human remains are excluded. Any reburial process shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV report. The Phase IV Report shall be filed with the City under a confidential cover and not subject to Public Records Request.

iii. If preservation in place or reburial is not feasible then the resources shall be curated in a culturally appropriate manner at a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the Guidelines. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of curation in the form of a letter from the curation facility stating that subject archaeological materials have been received and that all fees have been paid, shall be provided by the landowner to the City. There shall be no destructive or invasive testing on sacred items, items of Native American Cultural Patrimony, burial goods and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Phase IV monitoring report.

20. **Inadvertent Paleontological Find.** In the event that fossils or fossil-bearing deposits are discovered during construction, excavations within fifty (50) feet of the find shall be temporarily halted or diverted. The contractor shall notify a qualified paleontologist to examine the discovery. The paleontologist shall document the discovery as needed in accordance with Society of Vertebrate Paleontology standards, evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the Planning Division to determine procedures that would be followed before construction is allowed to resume at the location of the find. If in consultation with the paleontologist, the Project proponent determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the Project on the qualities that make the resource important. The plan shall be submitted to the Planning Division for review and approval and the Project proponent shall implement the approval plan.

21. **Processing Fees.** Prior to final map recordation, the Planning Division shall determine if any fees for the project are in a negative balance. If so, any outstanding fees shall be paid by the applicant.
22. **Development Impact Fees.** The applicant shall pay all applicable development impact fees including but not limited to Development Impact Fee (DIF), Multi-Species Habitat Conservation Plan (MSHCP), Quimby (Parks and Rec), Stephen's Kangaroo Rat (KRAT), School Fees (Perris Union High School District, Menifee Union School District and Romoland School District), Transportation Uniform Mitigation Fee (TUMF), Road and Bridge Benefit District (RBBD), and Area Drainage Plan (ADP).
23. **Final Map Required.** After the approval of the TENTATIVE MAP and prior to the expiration of said map, the land divider shall cause the real property included within the TENTATIVE MAP, or any part thereof, to be surveyed and a FINAL MAP thereof prepared in accordance with the current Engineering Department - Survey Division requirements, the conditionally approved TENTATIVE MAP, and in accordance with City of Menifee Municipal Code.
24. **ECS.** The land divider shall prepare an Environmental Constraints Sheet (ECS) in accordance with Menifee Municipal Code, which shall be submitted as part of the plan check review of the FINAL MAP. A note shall be placed on the FINAL MAP "Environmental Constraint Sheet affecting this map is on file at the City of Menifee Public Works and Engineering Department, in E.C.S Book ____, Page ____.
25. **ECS Note on Dark Sky Lighting.** The following Environmental Constraints Note shall be placed on the ECS: "This property is subject to lighting restrictions as required by Menifee Municipal Code Chapter 6 (Ordinance No. 2009-024), which are intended to reduce the effects of night lighting on the Mount Palomar Observatory. All proposed outdoor lighting systems shall be in conformance with Menifee Municipal Code Chapter 6."
26. **ECS Note on Final EIR Addendum No. 2.** The following Environmental Constraints Note shall be placed on the ECS:

"This property is subject to the Menifee North Specific Plan Final Environmental Impact Report (SCH# 1989100207), the Mitigation Monitoring and Reporting Program and Addendum No. 2 of the Menifee North Specific Plan Final EIR."
27. **Mitigation Monitoring.** The applicant shall comply with, prepare and submit a written report to the Community Development Director demonstrating compliance with those conditions of approval and mitigation measures of this tract map which must be satisfied prior to the issuance of

a grading permit for review and approval. The Community Development Director may require inspection or other monitoring to ensure such compliance.

28. **ECS Liquefaction.** An environmental constraints sheet (ECS) shall be prepared for this project. The ECS shall indicate the area of the project site that is subject to the potential hazard of liquefaction. In addition, a note shall be placed on the ECS as follows:

"This site, as delineated on this ECS map and as indicated in the Geological Report on file with the City of Menifee, is subject to the potential hazard of liquefaction. Therefore, mitigation of this hazard, in the form of remedial grading and/or structural design improvements, is required prior to placement of settlement sensitive structures on this site."

29. **Annexation into Park District.** The land divider shall submit written proof to the Community Development Department that the subject property has been annexed to Communities Facilities District or other entity acceptable to the Community Development Director.
30. **Park Development Agreement.** The Specific Plan has requirements for the construction of a Community Park (PA10). There are various owners of property within the Specific Plan and multiple approved tracts. Therefore, in order to ensure that the Community Park in PA10 is constructed and funding is available for the park, prior to map recordation, the developer shall enter into a Park development agreement pursuant to the requirements of the Quimby Act. If the park in PA10 has been constructed and is open to the public prior to recordation of the final map, then this condition shall be considered null and void.

PRIOR TO GRADING PERMIT ISSUANCE

31. **Processing Fees.** Prior to issuance of grading permits, the Planning Division shall determine if any fees for the project are in a negative balance. If so, any outstanding fees shall be paid by the applicant.
32. **Development Impact Fees.** The applicant shall pay all applicable development impact fees including but not limited to Development Impact Fee (DIF), Multi-Species Habitat Conservation Plan (MSHCP), Quimby (Parks and Rec), Stephen's Kangaroo Rat (KRAT), School Fees (Perris Union High School District, Menifee Union School District and Romoland School District), Transportation Uniform Mitigation Fee (TUMF), Road and Bridge Benefit District (RBBD), and Area Drainage Plan (ADP).
33. **Mitigation Monitoring.** The applicant shall prepare and submit a written report to the Community Development Director or review and approval demonstrating compliance with the standard conditions of approval and mitigation measures identified in the Initial Study/Mitigated Negative

Declaration (IS/MND) for this project which must be satisfied prior to issuance of grading permits. The Community Development Director may require inspection or other monitoring to ensure such compliance.

34. **Fugitive Dust Control.** The permittee shall implement fugitive dust control measures in accordance with Southern California Air Quality Management District (SCAQMD) Rule 403. The permittee shall include in construction contracts the control measures required under Rule 403 at the time of development, including the following:
- a. Use watering to control dust generation during demolition of structures or break-up of pavement. The construction area and vicinity (500-foot radius) must be swept (preferably with water weepers) and watered at least twice daily. Site wetting must occur often enough to maintain a ten (10) percent surface soil moisture content throughout all earth moving activities. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as fifty percent (50%).
 - b. Water active grading/excavation sites and unpaved surfaces at least three (3) times daily;
 - c. All paved roads, parking and staging areas must be watered at least once every two (2) hours of active operations;
 - d. Site access points must be swept/washed within thirty (30) minutes of visible dirt deposition;
 - e. Sweep daily (with water sweepers) all paved parking areas and staging areas;
 - f. Onsite stockpiles of debris, dirt or rusty material must be covered or watered at least twice daily;
 - g. Cover stockpiles with tarps or apply non-toxic chemical soil binders;
 - h. All haul trucks hauling soil, sand and other loose materials must either be covered or maintain two feet of freeboard;
 - i. All inactive disturbed surface areas must be watered on a daily basis when there is evidence of wind drive fugitive dust;
 - j. Install wind breaks at the windward sides of construction areas;
 - k. Operations on any unpaved surfaces must be suspended when winds exceed twenty-five (25) mph;

- l. Suspend excavation and grading activity when winds (instantaneous gusts) exceed fifteen (15) miles per hour over a thirty (30) minute period or more, so as to prevent excessive amounts of dust;
- m. All haul trucks must have a capacity of no less than twelve and three-quarter (12.75) cubic yards;
- n. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust;
- o. Traffic speeds on unpaved roads must be limited to fifteen (15) miles per hour;
- p. Provide daily clean-up of mud and dirt carried onto paved streets from the site;
- q. Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site;
- r. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust;
- s. Operations on any unpaved surfaces must be suspended during first and second stage smog alerts; and,
- t. An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within twenty-four (24) hours of their receipt.

35. **Archeologist Retained.** Prior to issuance of a grading permit the project applicant shall retain a Riverside County qualified archaeologist to monitor all ground disturbing activities in an effort to identify any unknown archaeological resources.

- a. The Project Archaeologist and the Tribal monitor(s) shall manage and oversee monitoring for all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, mass or rough grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The Project Archaeologist and the Tribal monitor(s), shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with any required special interest or tribal monitors.

- b. The developer/permit holder shall submit a fully executed copy of the contract to the Planning Division to ensure compliance with this condition of approval. Upon verification, the Planning Division shall clear this condition.
- c. In addition, the Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a Cultural Resources Management Plan (CRMP) in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting tribe is defined as a tribe that initiated the AB 52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:
 - d. Project grading and development scheduling;
 - i. The Project archeologist and the Consulting Tribes(s) shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel that will conduct earthwork or grading activities that begin work on the Project following the initial Training must take the Cultural Sensitivity Training prior to beginning work and the Project archaeologist and Consulting Tribe(s) shall make themselves available.
 - ii. The protocols and stipulations that the contractor, City, Consulting Tribe(s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.

36. **Native American Monitoring (Pechanga/Soboba).** Tribal monitor(s) shall be required on-site during all ground-disturbing activities, including grading,

stockpiling of materials, engineered fill, rock crushing, etc. The land divider/permit holder shall retain a qualified tribal monitor(s) from the Pechanga Band of Luiseno Indians and Soboba Band of Luiseno Indians. Prior to issuance of a grading permit, the developer shall submit a copy of a signed contract between the above-mentioned Tribe and the land divider/permit holder for the monitoring of the project to the Planning Division and to the Engineering Department. The Tribal Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground-disturbance activities to allow recovery of cultural resources, in coordination with the Project Archaeologist.

37. **Paleontologist Required.** This site is mapped as having a high potential for paleontological resources (fossils) at shallow depth. Therefore, PRIOR TO ISSUANCE OF GRADING PERMITS:

- a. The applicant shall retain a qualified paleontologist approved by the City of Menifee to create and implement a project-specific plan for monitoring site grading/earthmoving activities which exceeds 5 feet in depth in native sedimentary.
- b. The project paleontologist retained shall review the approved Tentative Tract Map and shall conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements as appropriate. These requirements shall be documented by the project paleontologist in a Paleontological Resource Impact Mitigation Program (PRIMP). This PRIMP shall be submitted to the Planning Division for review and approval prior to issuance of a Grading Permit.
- c. Information to be contained in the PRIMP, at a minimum and in addition to other industry standard and Society of Vertebrate Paleontology standards, are as follows:
 - i. The project paleontologist shall participate in a pre-construction project meeting with development staff and construction operations to ensure an understanding of any mitigation measures required during construction, as applicable.
 - ii. Paleontological monitoring of earthmoving activities will be conducted on an as-needed basis by the project paleontologist during all earthmoving activities that may expose sensitive strata. Earthmoving activities in areas of the project area where previously undisturbed strata will be buried but not otherwise disturbed will not be monitored. The project paleontologist or his/her assign will have the authority to reduce monitoring once he/she determines the probability

of encountering fossils has dropped below an acceptable level.

- iii. If the project paleontologist finds fossil remains, earthmoving activities will be diverted temporarily around the fossil site until the remains have been evaluated and recovered. Earthmoving will be allowed to proceed through the site when the project paleontologist determines the fossils have been recovered and/or the site mitigated to the extent necessary.
- iv. If fossil remains are encountered by earthmoving activities when the project paleontologist is not onsite, these activities will be diverted around the fossil site and the project paleontologist called to the site immediately to recover the remains.
- v. If fossil remains are encountered, fossiliferous rock will be recovered from the fossil site and processed to allow for the recovery of smaller fossil remains. Test samples may be recovered from other sampling sites in the rock unit if appropriate.
- vi. Any recovered fossil remains will be prepared to the point of identification and identified to the lowest taxonomic level possible by knowledgeable paleontologists. The remains then will be curated (assigned and labeled with museum* repository fossil specimen numbers and corresponding fossil site numbers, as appropriate; places in specimen trays and, if necessary, vials with completed specimen data cards) and catalogued, an associated specimen data and corresponding geologic and geographic site data will be archived (specimen and site numbers and corresponding data entered into appropriate museum repository catalogs and computerized data bases) at the museum repository by a laboratory technician. The remains will then be accessioned into the museum* repository fossil collection, where they will be permanently stored, maintained, and, along with associated specimen and site data, made available for future study by qualified scientific investigators.
- vii. The City of Menifee must be consulted on the repository/museum to receive the fossil material prior to being curated.
- viii. A qualified paleontologist shall prepare a report of findings made during all site grading activity with an appended itemized list of fossil specimens recovered during grading (if

any). This report shall be submitted to the Planning Division for review and approval prior to building final inspection as described elsewhere in these conditions.

- ix. All reports shall be signed by the project paleontologist and all other professionals responsible for the report's content (e.g. Professional Geologist, Professional Engineer, etc.), as appropriate. Two wet-signed original copies of the report shall be submitted directly to the Planning Division along with a copy of this condition, deposit-based fee and the grading plan for appropriate case processing and tracking.
38. **Pre-Grading Meeting.** The qualified archaeologist shall attend the pre-grading meeting with the contractors to explain and coordinate the requirements of the monitoring program, including a cultural sensitivity training component.
39. **Burrowing Owl Pre-Construction Survey.** The Project Developer shall retain a qualified biologist to conduct a pre-construction survey for Burrowing Owl within 30 days prior to the start of construction. The results of the single one-day survey would be submitted to the City prior to obtaining a grading permit. If Burrowing Owl are not detected during the pre-construction survey, no further mitigation is required. If Burrowing Owl are detected during the pre-construction survey, the Project applicant and a qualified consulting biologist will be required to prepare and submit for approval a Burrowing Owl relocation program.
40. **Nesting Bird Pre-Construction Survey.** Prior to vegetation clearance, the Project applicant shall retain a qualified biologist to conduct a pre-construction nesting bird survey in accordance with the following:
- a. The final walkover survey shall be conducted no more than three (3) days prior to the initiation of clearance/construction work;
 - b. If pre-construction surveys indicate that bird nests are not present or are inactive, or if potential habitat is unoccupied, no further mitigation is required;
 - c. If active nesting birds are found during the surveys, a species-specific no-disturbance buffer zone shall be established by a qualified biologist around active nests until a qualified biologist determines that all young have fledged (i.e., no longer reliant upon the nest).
 - d. It is recommended that close coordination between the developer of the site, the City of Menifee, the project engineer, and the consulting qualified biologist to consider vegetation clearance outside of the

normal bird nesting season (usually February 1 – August 31) to avoid impacts to nesting birds which would potentially violate the federal Migratory Bird Treaty Act. It should be noted that bird nesting season is increasingly less-definitive for some year-round resident species such as hummingbirds and raptors. Further, ground-dwelling birds such as burrowing owls, can be affected nearly any time of the year if present. It is therefore advisable to conduct a preconstruction bird survey no matter the time of year.

- e. Removal of vegetation necessitates installation of appropriate Storm Water Pollution Prevention Plan “SWPPP” measures, particularly if development subsequent to grading is not undertaken immediately, therefore careful timing of the project schedule and implementation measures is necessary to avoid water quality impacts.

PRIOR TO BUILDING PERMIT ISSUANCE

- 41. **Processing Fees.** Prior to issuance of building permits, the Planning Division shall determine if any fees for the project are in a negative balance. If so, any outstanding fees shall be paid by the applicant.
- 42. **Development Impact Fees.** The applicant shall pay all applicable development impact fees including but not limited to Development Impact Fee (DIF), Multi-Species Habitat Conservation Plan (MSHCP), Quimby (Parks and Rec), Stephen’s Kangaroo Rat (KRAT), School Fees (Perris Union High School District, Menifee Union School District and Romoland School District), Transportation Uniform Mitigation Fee (TUMF), Road and Bridge Benefit District (RBBD), and Area Drainage Plan (ADP).
- 43. **Mitigation Monitoring.** The applicant shall prepare and submit a written report to the Community Development Director or review and approval demonstrating compliance with the standard conditions of approval and mitigation measures identified in the Final EIR and Addendum No. 2 for this project which must be satisfied prior to issuance of building permits. The Community Development Director may require inspection or other monitoring to ensure such compliance.
- 44. **Dark Sky Ordinance.** All streetlights and other outdoor lighting shall be shown on electrical plans submitted to the Building and Safety Division and the Planning Division for plan check approval and shall comply with the requirements of Menifee Municipal Code Chapter 6.01, the “Dark Sky Ordinance”, and the General Plan.
- 45. **Roof Mounted Equipment.** Roof-mounted mechanical equipment shall not be permitted within the subdivision, however, solar equipment or any other energy-saving devices shall be permitted with Planning Division approval.

46. **Utilities Underground.** All utilities, except electrical lines rated 33 kV or greater, shall be installed underground. If the applicant provides to the Building and Safety Division and the Planning Division a definitive statement from the utility provider refusing to allow underground installation of the utilities they provide, this condition shall be null and void with respect to that utility.
47. **Minor Plot Plans.** Prior to building permit issuance, the applicant shall submit the following minor plot plan applications to the Planning Division (pursuant to Menifee Municipal Code) for review and approval. The fee for each submittal will be determined by Resolution No. 22-1229 Cost of Services Fee Study and Planning Division Fee Schedule at the time of application submittal. Minor Plot Plan Submittals include:
- a. Final Site of Development (FSD) – Plotting and architecture for each home and recreation building. Plotting and Architecture must be compliant with City of Menifee Design Guidelines and any applicable conditions of approval.
 - b. Model Home Complex (MHC) – Plotting, landscaping and irrigation for the model home complex. Performance Securities will be required prior to approval of this minor plot plan.
 - c. Wall and Fences (W/F) – all walls and fences associated with the project including return walls/fences, retaining walls, entry monuments etc.
 - d. On-Site Landscaping – all HOA maintained landscaping and irrigation. Performance Securities will be required prior to approval of this minor plot plan.
 - e. Front Yard Typical (FYT's) – all homeowner-maintained landscaping in front yards
 - f. Private Slopes – all homeowner-maintained landscaping on downslopes within a property.

Additional submittal requirements can be found in the minor plot plan submittal checklist found on the Community Development Department's website. All minor plot plans must be approved prior to the issuance of any production lot within the tract.

48. **Planning Area 10 Park Plans.** Prior to the issuance of the 400th Building Permit within the Specific Plan (for portions within the boundaries of the City of Menifee), a minor plot plan application shall be submitted to and approved by the Community Services Department and/or Community Development Department showing the conceptual park plans for Planning

Area 10 within the Specific Plan. Conceptual plans shall contain overall site map or tract map showing locations of all parks, trails, channels, basins and/or open spaces; vicinity map; street names; north arrow; adjacent land use; proposed park layout including but not limited to parking lot and concrete layout, all proposed amenities, (including, but not limited to gazebos, tot lots, picnic areas, lighting, decomposed granite trails, etc. as shown in the Specific Plan); turf and planter layout; tree locations; and plant palette. The plans shall be approved by The City or other entity acceptable to the City of Menifee.

49. **Planning Area 10 Working/Construction Park Plans.** Prior to the issuance of the 550th Building Permit within the Specific Plan (for proportions within the boundaries of the City of Menifee), working/construction park plans shall be submitted to and approved by the Community Services Department and/or Engineering and Public Works Department for the park within Planning Area 10 of the Specific Plan. The plans shall be approved by The City or other entity acceptable to the City of Menifee.
50. **Planning Area 10 Park Construction.** Prior to issuance of the 650th building permit within the Specific Plan (for portions within the boundaries of the City of Menifee), the park designated as Planning Area 10 shall be constructed and open to the public.
51. **Performance Securities.** Performance securities, in amounts to be determined by the Director of Community Development to guarantee the installation of plantings, irrigation system, walls and/or fences, in accordance with the approved plan, shall be filed with the Department of Community Development. Securities may require review by City Attorney and other staff. Permit holder is encouraged to allow adequate time to ensure that securities are in place. The performance security may be released one year after structural final, inspection report, and the One-Year Post Establishment report confirms that the planting and irrigation components have been adequately installed and maintained. A cash security shall be required when the estimated cost is \$2,500.00 or less. At applicant's election, a cash security may also be used for amounts exceeding \$2,500.
52. **Landscape Inspections.** Prior to issuance of Building Permits, the permit holder shall open a Landscape Deposit Based Fee case and deposit the prevailing deposit amount to cover the pre-inspection, initial installation inspection, Six (6) Month and One Year Landscape Inspections.
53. The Community Development Director shall have the ability to defer the installation of the landscaping and central amenities as noted below but may require performance securities and additional deposits to cover

administrative costs. Under no circumstance shall landscaping be deferred if 80% of the units have been issued permits.

- a) Any landscape or open space lot shall be completed with the occupancy of any adjacent residential lot/unit.

PRIOR TO FINAL INSPECTION

- 54. **Processing Fees.** Prior to issuance of building permits, the Planning Division shall determine if any fees for the project are in a negative balance. If so, any outstanding fees shall be paid by the applicant.
- 55. **Development Impact Fees.** The applicant shall pay all applicable development impact fees including but not limited to Development Impact Fee (DIF), Multi-Species Habitat Conservation Plan (MSHCP), Quimby (Parks and Rec), Stephen's Kangaroo Rat (KRAT), School Fees (Perris Union High School District, Menifee Union School District and Romoland School District), Transportation Uniform Mitigation Fee (TUMF), Road and Bridge Benefit District (RBBD), and Area Drainage Plan (ADP).
- 56. **Mitigation Monitoring.** The applicant shall prepare and submit a written report to the Community Development Director or review and approval demonstrating compliance with the standard conditions of approval and mitigation measures identified in the Final EIR and Addendum No. 2 for this project which must be satisfied prior to final inspection. The Community Development Director may require inspection or other monitoring to ensure such compliance.
- 57. **Paleontological Monitoring Report.** Prior to issuance of a certificate of occupancy, the applicant shall submit to the Planning Division, an electronic copy of the Paleontology Monitoring Report. The report shall be certified by a professional paleontologist listed on Riverside County's Paleontology Consultant List. A deposit for the review of the report will be required.
- 58. **Anti-Graffiti Coating.** An anti-graffiti coating shall be provided on all block walls constructed as part of any phase of the Project, and written verification from the developer shall be provided to the Planning Division.
- 59. **Final Planning Inspection.** The applicant shall obtain final occupancy sign-off from the Planning Division for each building permit issued by scheduling a final Planning inspection prior to the final sign-off from the Building Department. Planning staff shall verify that all pertinent conditions of approval have been met, including compliance with the approved elevations, site plan, parking lot layout, decorative paving, public plazas, etc. The applicant shall have all required paving, parking, walls, site

lighting, landscaping and automatic irrigation installed and in good condition.

60. **Soil Management Plan.** The applicant shall submit a Soil Management Plan (Report) to the Planning Division before the Landscape Installation Inspection. The report can be sent in electronically. Information on the contents of the report can be found in the County of Riverside Guide to California Friendly Landscaping page 16, #7, "What is required in a Soil Management Plan?"
61. **Landscape Inspections.** The applicant shall obtain a final certificate of completion from the Planning Division's Landscape Inspector for each building permit issued by scheduling a final landscape inspection prior to the final occupancy from the Planning Division.

Section II-A:

Engineering/Public Works

Department

Conditions of Approval

The following are the Public Works / Engineering Department Conditions of Approval for this project which shall be satisfied at no cost to the City or any other Government Agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Engineering Department, Land Development Section. The developer / property owner shall use the standards and design criteria stated in the following conditions and shall comply with all applicable City of Menifee standards and ordinances. Should a conflict arise between City of Menifee standards and design criteria, and any other standards and design criteria, those of the City of Menifee shall prevail.

Tentative Tract Map 38133 Menifee North is a 145-lot subdivision for residential purposes. The map is phased into two tracts; therefore all public improvements shall have construction phases that correspond with the map phases prior to any issuance of occupancies. If the developer chooses to phase the subdivision map further, additional phasing of the public improvements will be considered, and the applicable conditions will be updated.

It is understood that the tentative tract map must correctly show acceptable centerline elevations, all existing easements, traveled ways, cross sections, and drainage courses with appropriate drainage flows. Any omission or unacceptability may require the map to be resubmitted for further consideration. If there is a conflict between what is shown on the tentative tract map and these conditions, these conditions will supersede what is shown on the tentative tract map and any attachments to the tentative tract map, including the site plan and other plans or exhibits. All questions regarding the true meaning of these conditions shall be referred to the Public Works / Engineering Department. **Engineering Design exceptions to City design standards and policies must be specifically requested in writing and approved by City Engineer/PW Director. Any design exceptions shown on the tentative map and associated engineering documents that are not specifically requested shall be redesigned to meet city standards.**

61. Storm Drain Line A-3. Note that the following tract's drainage and water quality functionality is dependent upon the completion of Storm Drain Line A-3. No building permit issuance can given until this storm drain line is constructed and operational to what is required by the below approved reports.

62. Drainage Study – The following report was reviewed and approved by the City:

- a. *Drainage Report for PA 22 – TTM38133*, prepared by K&A Engineering Inc., dated February 2022.

The project shall comply with all mitigation recommended by the approved drainage study, and in accordance with City Standards. The design of drainage facilities will need to be revised if it does not adhere to City Standards.

Two copies of a final drainage study (also referred to as Hydrology/Hydraulics Report) shall be submitted to the City for review and approval. The study shall analyze at a minimum the following: project site drainage flow; all future improvements drainage flow; Q10, Q100, pre- and post- condition flow rates; anticipated total drainage flow into existing storm drain; and existing storm drain capacity. A fee for review of the Drainage Study shall be paid to the City, the amount of which shall be determined by City at first submittal of report.

1. Project Specific Water Quality Management Plan (WQMP). The following report was reviewed and approved by the City:

- a. *Preliminary Project Specific Water Quality Management Plan, PA 22 Tentative Tract No. 38133*, prepared by K&A Engineering Inc., dated February 2022.

Prior to issuance of a grading permit, a FINAL project specific WQMP in substantial conformance with the approved PRELIMINARY WQMP, shall be reviewed and approved by the Public Works Engineering Department. Final construction plans shall incorporate all the structural BMPs identified in the approved FINAL WQMP. The final developed project shall implement all structural and non-structural BMPs specified in the approved FINAL WQMP. One copy of the approved FINAL WQMP on a CD-ROM in pdf format shall be submitted to the Public Works Engineering Department. The FINAL WQMP submittal shall include at the minimum the following reports/studies:

- a. Hydrology/hydraulics report
- b. Soils Report that includes soil infiltration capacity
- c. Limited Phase II Environmental Site Assessment Report, as may be required by an approved Phase I ESA Report

Final construction plans shall incorporate all the structural BMPs identified in the approved FINAL WQMP. The final developed project shall implement all structural and non-structural BMPs specified in the approved FINAL WQMP. One copy of the approved FINAL WQMP on a CD-ROM in pdf format shall be submitted to the Public Works Engineering Department.

63. Geotechnical Report – The following documentation was reviewed and approved by the City:

Preliminary Geotechnical Evaluation for the Proposed Residential Development, PA 22, TTM 38133 County of Riverside California, prepared by LGC Geotechnical, Inc, dated July 21, 2021.

Two copies of City-approved geotechnical/soils report, no more than three (3) years from date of application for grading permit, shall be provided to the City Public Works / Engineering Department with initial submittal of a grading plan. If there is no approved report and/or said report is past three (3) years from date of application, a new geotechnical/soils report and/or update letter, respectively, shall be prepared and submitted to City for review and approval. The geotechnical/soils, compaction and inspection reports will be reviewed in conformance with the latest edition of the Riverside County Technical Guidelines for Review of Geotechnical and Geologic Reports. A fee for review of the geotechnical/soils report and/or update letter shall be paid to the City, the amount of which shall be determined by the City at the first submittal of the report.

Geotechnical Report - A geotechnical/soils report was submitted to the City and reviewed by staff. The geotechnical/soil report was reviewed in conformance with the latest edition of the Riverside County Technical Guidelines for Review of Geotechnical and Geologic Reports. Prior to issuance of any grading permit, two copies of the City approved geotechnical/soils report shall be submitted to the Public Works Engineering Department. The developer/property owner shall comply with the recommendations of the report, and City standards and specifications. All grading shall be done in conformance with the recommendations of the report, and under the general direction of a licensed geotechnical engineer. An updated report may be required if deemed necessary by the Public Works Director prior to the issuance of any grading permit.

64. Off-Site Dedications - Prior to the approval of any improvement plans and the commencement of any construction associated with the development, the Developer shall be responsible for obtaining all necessary dedications of rights-of-way for offsite infrastructure improvements, right-of-entry for offsite grading, and easements for ingress, egress, drainage, utilities and other legal requirements for impacts associated with the development of this project, as determined and directed by the City Engineer. If the Developer cannot acquire a property interest in property required for off-site improvements, Government Code § 66462.5 shall apply and the City retains the right to:

- a. The Developer shall enter into an agreement to complete the improvements pursuant to Government Code § 66462 at such time as the City acquires an interest in the land that will permit the improvement to be made.
- b. The Developer shall pay all costs associated with acquiring the offsite real property interests required in connection with the development.
- c. In the instance where the developer and the city has made all reasonable efforts to negotiate the acquiring of said land, the developer may request that the city enter into the process of eminent domain, which shall be done in accordance with all applicable laws and regulations and at the discretion of City Approval.

65. Frontage Road Dedication. The developer / property owner shall dedicate the necessary Watson Road (Secondary Roadway per City Circulation Element), Malone Avenue (General Local Roadway per City Standards), and Briggs Road (Major Roadway per City Circulation Element) right of way fronting the development on the final map or through another acceptable recordable instrument prior to issuance of any building permit.

66. Traffic Study Report – The following addendum to the existing Traffic Impact Analysis for the Menifee North Specific Plan (SP260) was reviewed and approved by the City:

Addendum to the Menifee North Specific Plan – VMT Analysis, prepared by Translutions, inc., dated August 19, 2022.

The Public Works Department – Traffic Engineering Division has reviewed the addendum and has generally concurred with its findings. The developer/property owner shall be responsible for all improvements and mitigations, required or identified in the approved traffic study and according to these Conditions of Approval, such as but not limited to right-of-way frontage improvements, traffic signal construction or modification, and fair share fees. All required improvements and mitigation measures identified in the study shall be included in all improvement plans for review and approval by the Public Works Department. Improvements identified in the Traffic Study are the absolute minimums recommend by the consultant traffic engineer. The City Engineer/PW Director may require traffic or street improvements beyond those identified in said study to address public safety and welfare, or to construct improvements eligible for DIF credits or reimbursement that front the project, as determined by the Public Works Director / City Engineer.

67. Reconstruction or Resurfacing of Roadways – The Public Works Director / City Engineer may consider reconstruction or resurfacing of road paving fronting the development to meet existing conditions, provided the road is found to meet the minimum City standards for pavement conditions at the time of project construction. If it is determined during project construction that the existing road is found to be substandard, then the Public Works Director / City Engineer will require the developer / property owner to provide full reconstruction as provided for in these conditions of approval. The existing pavement shall be cored during project construction to confirm the structural section, and any findings shall be incorporated into project design. The Public Works Director / City Engineer shall have the final approval for all road conditions.
68. Signing and Striping – A signing and striping plan for the required improved roadways is required for this project along the project frontage, onsite, and off-site transitions to existing striping. The applicant shall be responsible for any additional paving and/or striping removal caused by the striping plan. The Signing and Striping Plan shall be approved by the City Engineer in accordance with City ordinances, standards, and specifications, and with the latest edition of the CAMUTCD
69. Landscaping on Frontage - The parkway areas within the public right-of-way or landscape easements fronting the entire property, shall be landscaped and irrigated per City standards and guidelines. -These areas shall be maintained by the city CFD, or otherwise approved private entity.
70. Construction of Street and Wet Utility Improvements – The developer / property owner shall design and construct the following improvements:
- a. In-Tract Improvements - Construct all street, storm, sewer, water, park, and wall improvements to public agency engineering standards. This includes the following street improvements:
 - b. Internal Roadways – The developer / property owner shall construct internal roads to the ultimate roadway classification in line with a

modified General Local Roadway, referencing City Standard 115 with 56' ROW, 36' Curb to Curb Width.

- c. Varela Lane – The developer / property owner shall construct internal section of Varela Lane with an enhanced General Local section, with 60' ROW and 40' Curb to Curb.
- d. Recreation Circle – The developer / property owner shall construct the internal section of Recreation Circle to the ultimate half width of a modified collector roadway, with 66' ROW and 44' Curb to Curb. Project will be responsible for the improvements of the southern half of the roadway, connecting to existing improvements. This roadway also shares access with the adjacent Marion Ashley Park, and thus safe access to said park shall be retained. Final design of this roadway to be approved by the City Engineer / Public Works Director in final engineering.
- e. Project Frontage Improvements – The developer / property owner shall construct frontage roads to its ultimate half-width plus 12 feet per City Standards along its entire project frontage, except as detailed below and as determined by the City Engineer.
 - f. Watson Road – The developer / property owner shall construct Watson Road along the northern frontage of the project to its ultimate half-width plus 12', with appropriate transitions back to existing roadway. Watson Road is classified as a Secondary Roadway (City Standard 111) in the City of Menifee General Plan. The project shall dedicate the ultimate half width ROW (50' from Centerline) however the roadway width shall be modified to be 32' of pavement from Centerline to Curb, to match the existing improvements on the adjacent properties.
 - g. Briggs Road- The developer / property owner shall construct Briggs Road to its Ultimate Half-Width + 12' per City standards within the project limits with appropriate transitions in line with MUTCD Guidelines back to existing roadway improvements. Briggs Road is Classified as a major divided roadway per the city's circulation element (City Standard 110). Given the short frontage of this tract, the project shall pay in lieu of for the required raised median along the frontage of this road.
 - h. Malone Avenue (North of Varela Lane)- The developer / property owner shall construct Malone Avenue to the ultimate half-width plus 12' per city standards in line with a General Local Roadway, referencing City Standard 115 with 60' ROW, 36' Curb to Curb Width.
 - i. Malone Avenue (South of Varela Lane) – Malone Avenue south of Varela Lane is classified as a Collector Roadway in the Menifee North Specific Plan. The developer / property owner shall construct Malone Avenue in this section to the ultimate half width plus 12' per city standards in line with a modified Collector Roadway Standard,

referencing City Standard 113, with 33' ROW from Centerline to R/W, and 22' Pavement from Centerline to Curb.

The required improvements shall include the construction of appropriate pavement transitions from the new improvements to existing improvements beyond the project frontage. The design of the transitions shall be in accordance with the CA Highway Design Manual and MUTCD, finalized during review of final construction drawings, and approved by the Public Works Director / City Engineer.

j. Raised Medians – The developer / property owner shall pay in lieu of fees for a raised median on Briggs Road along the project frontage as approved by the Public Works Director / City Engineer.

k. Intersection Geometrics – The developer / property owner shall construct roadway intersections along the project frontages with geometrics consistent with the general plan roadway sections, as approved by the Public works Director / City Engineer.

Section II-B:

Engineering/Public Works

Department

Standard Policies & Procedures

70. All required public improvements must be constructed and accepted by the City prior to issuance of the first and any subsequent certificate of occupancy within each phase, unless approved by City Engineer/Public Works Director.
71. Engineering Design exceptions to City design standards and policies must be specifically requested in writing and approved by City Engineer/PW Director. Any design exceptions shown on the tentative map and associated engineering documents that are not specifically requested are not approved.
72. The developer is responsible to furnish & install one 2" and one 3" conduit for traffic signal interconnect and broadband purposes, per City of Menifee Standard Detail 1005, along all circulation element roads and intersections.
73. Subdivision Map Act – The developer / property owner shall comply with the State of California Subdivision Map Act and all other laws, ordinances, and regulations pertaining to the subdivision of land.
74. Mylars – All improvement plans and grading plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch Mylar and signed by a licensed civil engineer and/or other registered/licensed professional as authorized by State law.
75. Guarantee for Required Improvements. Prior to applicable grading permit issuance, construction permit issuance, and/or Final Map recordation, financial security or bonds shall be provided to guarantee the construction of all required improvements associated with each phase of construction, per the City's municipal code.
76. The Public Works Director may require the dedication and construction of necessary utilities, streets, or other improvements outside the area of any particular map phase if the improvements are needed for circulation, drainage, parking, and access or for the welfare and safety of the public.

77. **Bond Replacement, Reduction, and Releases** - All requests for bond replacements (such as in changes of property ownerships), reductions (such as in partial completion of improvements), releases (such as in completion of improvements), shall conform to City policies, standards, and applicable City ordinances. It shall be the responsibility of the developer / property owner to notify the City in time when any of these bond changes are necessary. The City shall review all changes in Bond Agreements and the accompanying bonds or security.
78. **Existing and Proposed Easements** - The final grading plan and improvement plans shall correctly show all existing easements, traveled ways, drainage courses, and encumbrances. Any omission or misrepresentation of these documents may require said plan to be resubmitted for further consideration.
79. **Engineered Plans** - All improvement plans, and grading plans shall be drawn on twenty-four (24) inches by thirty-six (36) inch Mylar and signed by a licensed civil engineer or other registered/licensed professional as required.
80. **Plan Check Submittals** – Appropriate plan check submittal forms shall be completed and submittal check list provided that includes required plan copies, necessary studies / reports, references, fees, deposits, etc. Prior to final approval of improvement plans by the Public Works / Engineering Department, the developer / property owner shall submit to the Public Works / Engineering Department CAD layers of all improvements to be maintained by the City (pavement, sidewalk, streetlights, etc.). A scanned image of all final approved grading and improvement plans on a Universal Serial Bus (USB) drive, also known as a “flash” drive or “thumb” drive, shall be submitted to the Public Works / Engineering Department, in one of the following formats: (a) Auto CAD DXF, (b) GIS shapefile (made up of ESRI extensions .shp, .shx and .dbf) or (c) Geodatabase (made up of ESRI extension .gdb). CAD files created with the latest version shall only be accepted if approved by the Public Works Director / City Engineer. GIS and ACAD files 2004 or later are required for all final maps upon approval.
81. **Final Map Submittal Process** – Appropriate final map plan check submittal forms shall be completed and appropriate fees or deposits paid. Prior to approval of the final map by the City Council, the developer / property owner shall provide along with the final map mylars, electronic files of the final map on Compact Disc (CD), in one of the following formats: (a) Auto CAD DXF, (b) GIS shapefile (made up of ESRI extensions .shp, .shx and .dbf) and (c) Geodatabase (made up of ESRI extension .gdb). CAD files created with the latest version shall only be accepted if approved by the Public Works Director / City Engineer.

82. **Plan Approvals** – Improvement plans and grading plans shall be submitted with necessary supporting documentation and technical studies (hydrology, hydraulics, traffic impact analysis, geotechnical studies, etc.) to the Public Works / Engineering Department for review and approval. All submittals shall be signed and date stamped by the Engineer of Record. The plans must receive Public Works / Engineering Department approval prior to issuance of any construction permit, grading permit, or building permits as applicable and as determined by the Public Works Director / City Engineer. All submittals shall include a completed City Fee or Deposit Based Worksheet and the appropriate plan check. For improvements proposed to be owned and maintained by the Riverside County Flood Control and Water Conservation District, improvement plans must receive district approval prior to Building permit issuance or as determined by the District.

All required improvement plans and grading plans must be approved by the Public Works Engineering Department prior to recordation of a final map for which the improvements are required, or prior to issuance of any construction and/or grading permit, whichever comes first and as determined by the PW Director. Supporting City approved studies including, but not limited to, hydrologic and hydraulic studies and traffic studies must be provided prior to approval of plans. All required CFD landscape plans must be approved prior to building permit issuance.

83. **As-Built Plans** – Upon completion of all required improvements, the developer/property owner shall cause the civil engineer of record to as-built all project plans, and submit project base line of work for all layers on a USB drive to the Public Works / Engineering Department, in one of the following formats: (a) Auto CAD DXF, (b) GIS shapefile (made up of ESRI extensions .shp, .shx and .dbf) or (c) Geodatabase (made up of ESRI extension .gdb). The timing for submitting the as-built plans shall be as determined by the Public Works Director / City Engineer.

84. **Construction Times of Operation.** The developer / property owner shall monitor, supervise, and control all construction and construction related activities to prevent them from causing a public nuisance including, but not limited to, strict adherence to the following:

- a. Construction activities shall comply with City of Menifee ordinances relating to construction noise. Any construction within the City limits located 1/4 of a mile from an occupied residence shall be permitted Monday through Saturday, except on nationally recognized holidays, 7:00 a.m. to 7:00 p.m. in accordance with Municipal Code Section 8.01.020. There shall be no

construction permitted on Sunday or nationally recognized holidays unless prior approval is obtained from the City Building Official or City Engineer.

- b. Removal of spoils, debris, or other construction materials deposited on any public street no later than the end of each working day.
- c. The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site. Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant to remedies as set forth in the City Municipal Code. In addition, the Public Works Director / City Engineer or the Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such a time it has been determined that all operations and activities are in conformance with these conditions.
- d. A Pre-Construction meeting is mandatory with the City's Public Works Inspection team prior to permit issuance and the start of any construction activities for this site.

85. **Dry Utility Installations** - Electrical power, telephone, communication, traffic signal, street lighting, and cable television conduits and lines shall be placed underground in accordance with current City Ordinances 460 and 461, and as approved by the Public Works Director / City Engineer. This applies also to existing overhead lines which are 33.6 kilovolts or below along the project frontage and within the project boundaries. In cases where 33.6kV or below lines are collocated with high voltage lines (for example, 115kV), the low voltage lines shall be placed underground even when the high voltage lines are exempt from relocation or undergrounding in accordance with City standards and ordinances. Exemption from undergrounding low voltage lines shall only be by the Public Works Director / City Engineer or as directed by the City Council.

86. All grading activities shall conform to the latest adopted edition of the California Building Code, City Grading Ordinance, Chapter 8.26, applicable City design standards and specifications, City ordinances, policies, rules and regulations governing grading in the City.

87. **Regulations and Ordinance on Grading Within the City** – In addition to compliance with City Chapter 8.26, grading activities shall also conform to the latest edition of the California Building Code, City General Plan, other City Ordinances, City design standards and specifications and all other relevant laws, rules and regulations governing grading in the City of Menifee. Prior to commencing any grading, clearing, grubbing or any topsoil disturbances, the

applicant shall obtain a grading permit from the Public Works / Engineering Department. Grading activities that are exempt from a grading permit as outlined by the City ordinance may still require a grading permit by the Public Works Director / City Engineer when deemed necessary to prevent the potential for adverse impacts upon drainage, sensitive environmental features, or to protect property, health safety, and welfare.

88. **Dust Control** – All necessary measures to control dust shall be implemented by the developer during grading. Fugitive dust shall be controlled in accordance with Rule 403 of the California Air Quality Control Board.
89. **2:1 Maximum Slope** - Graded slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise approved by the Public Works / Engineering Department.
90. **Slope Setbacks** – Observe slope setbacks from buildings and property lines per the California Building Code and City ordinance on grading.
91. **Slope Landscaping and Irrigation** – All slopes greater than or equal to 3 feet in vertical height shall be irrigated and landscaped with grass or ground cover. All manufactured slopes shall be irrigated and landscaped with grass or approved ground cover, and shall have some type of drainage swale at the toe of the slope to collect runoff. Slopes exceeding 15 feet in vertical height shall be irrigated and planted with shrubs and/or trees per City Grading Ordinance Chapter 8.26. Drip irrigation shall be used for all irrigated slopes.
92. **Slope Erosion Control Plan** – Prior to Grading Plan approval, erosion control and/or landscape plans are required for manufactured slopes greater than 3 feet in vertical height. The plans shall be prepared and signed by a licensed landscape architect and bonded per applicable City ordinances.
93. **Slope Stability Report** – Prior to Grading Plan approval, a slope stability report shall be submitted to the Public Works / Engineering Department for all proposed cut and fill slopes steeper than 2:1 (horizontal:vertical) or over 20 feet in vertical height, unless addressed in a previously city approved report.
94. **Erosion Control Plans** – Prior to Grading Plan approval, all grading plans shall require erosion control plans prior to approval. Temporary erosion control measures shall be implemented immediately following rough grading to prevent deposition of debris onto downstream properties or drainage facilities. Plans showing erosion control measures may be included as part of the grading plans or submitted as a separate set of plans for city review and approval. Graded but undeveloped land shall provide, in addition to erosion control planting, any drainage facilities deemed necessary to control or prevent erosion. Erosion and

sediment control BMPs are required year-round in compliance with all applicable City of Menifee Standards and Ordinances and the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit from the California State Water Resources Control Board (SWRCB). Additional Erosion protection may be required during the rainy season.

95. **Water Quality Management Plan (WQMP)** - All grading plans shall require an approved copy of the Water Quality Management Plan sheet per the approved WQMP, executed report. The developer / property owner shall comply with the requirements of the WQMP report, the NPDES municipal permit in force, and City standards and specifications.
96. **Design Grade Criteria** – Onsite parking areas shall be designed in accordance with the current version of City of Menifee Standards and Specifications. Non-compliance may require a redesign of the project. Significant redesigns may require a revised Plot Plan.

Design Grade Criteria:

- a. On-Site Parking – Where onsite parking is designed, such as in common areas, parking stalls and driveways shall not have grade breaks exceeding 4%. A 50' minimum vertical curve shall be provided where grade breaks exceed 4%. Five percent grade is the maximum slope for any parking area. Where ADA requirement applies, ADA requirement shall prevail.
 - b. Down Drains - Concrete down drains that outlet onto parking lot areas are not allowed. Drainage that has been collected in concrete ditches or swales should be collected into receiving underground drainage system, or should outlet with acceptable velocity reducers into BMP devices.
 - c. Pavement - Permeable pavement requires the layers of filter material to be installed relatively flat. As such, the permeable pavement areas should have a maximum surface gradient of 2%, or approved by the PW Director/City Engineer.
97. **Drainage Grade** - Minimum drainage design grade shall be 1% except on Portland cement concrete surfaces where 0.35% shall be the minimum. The engineer of record must submit a variance request for design grades less than 1% with a justification for a lesser grade.
98. **Finish Grade** – Shall be sloped to provide proper drainage away from all exterior foundation walls in accordance with City of Menifee Standard Plan 300.

99. **Use of Maximum and Minimum Grade Criteria** – Actual field construction grades shall not exceed the minimum and maximum grades for ADA and approved project grading design, to allow for construction tolerances. Any improvement that is out of the minimum and maximum values will not be accepted by the City Inspector and will need to be removed and replaced at developer's or owner's expense.
100. **Licensed Geotechnical Engineer** - A California licensed Geotechnical Engineer shall perform final determination of the foundation characteristics of soils within on-site development areas, and per the approved geotechnical report reviewed and approved by the City.
101. **Retaining Walls** – Sections, which propose retaining walls, will require separate permits. They shall be obtained prior to issuance of any other building permits – unless otherwise approved by the Building Official and/or the Public Works Director / City Engineer. The walls shall be designed by a licensed civil engineer and conform to City Standards. The plans shall include plan and profiles sheets.
102. **Trash Racks:** Trash Racks shall be installed at all inlet structures that collect runoff from open areas with potential for large, floatable debris.
103. **Drainage Runoff Emergency Escape.** An emergency escape path shall be provided for the stormwater runoff at all inlets for the proposed underground facilities in the event that the inlets become blocked in any way. To prevent flood damage to the proposed structures, all proposed structures in the vicinity of the inlets and along the emergency escape path shall be protected from flooding by either properly elevating the finished floor in relation to the inlets and flow path or by making sure the structures are set back from the inlets to provide adequate flow through area in the event the emergency escape of the stormwater runoff is necessary.
104. **Riverside County Flood Control and Water Conservation District (RCFCWCD) Encroachment Permit Required.** An Encroachment Permit is required for any work within District right of way or any connection to District facilities. The Encroachment Permit application shall be processed and approved concurrently with the improvement plans.
105. **RCFCWCD Submittal of Plans.** A copy of the project specific WQMP, improvement plans, grading plans, BMP improvement plans and any other necessary documentation along with supporting hydrologic and hydraulic calculations (drainage report) shall be submitted to the District as reference material for the review and approval of the final drainage report and storm drain

plans that propose construction of storm drain facilities that will be owned and maintained by the District.

106. **Grading Permit for Clearing and Grubbing** – City ordinance on grading requires a grading permit prior to clearing, grubbing, or any topsoil disturbances related to construction grading activities.
107. **Compliance with NPDES General Construction Permit** – The developer/property owner shall comply with the National Pollutant Discharge Elimination System (NPDES) General Construction Permit (GCP) from the State Water Resource Control Board (SWRCB). This is in addition to the Municipal permit governing design, WQMPs, and permanent BMPs.

Prior to approval of the grading plans or issuance of any grading permit, the developer/property owner shall obtain a GCP from the SWRCB. Proof of filing a Notice of Intent (NOI) and monitoring plan, shall be submitted to the City; and the WDID number issued by the SWRCB shall be reflected on all grading plans prior to approval of the plans. For additional information on how to obtain a GCP, contact the SWRCB.

108. **SWPPP** - Prior to approval of the grading plans, the developer/property owner shall prepare a Storm Water Pollution Prevention Plan (SWPPP) for the development. The developer/property owner shall be responsible for uploading the SWPPP into the State's SMARTS database system and shall ensure that the SWPPP is updated to constantly reflect the actual construction status of the site. A copy of the SWPPP shall be made available at the construction site at all times until construction is completed. The SWRCB considers a construction project complete once a Notice of Termination has been issued by SWRCB. The City will require submittal of NOTs for requests to fully release associated grading bonds.
109. **SWPPP for Inactive Sites** – The developer/property owner shall be responsible for ensuring that any graded area that is left inactive for a long period of time has appropriate SWPPP BMPs in place and in good working conditions at all times until construction is completed and the Regional Board has issued a Notice of Termination (NOT) for the development.
110. **Import/Export** – In instances where a grading plan involves import or export, prior to obtaining a grading permit, the developer/property owner shall have obtained approval for the import/export location from the Public Works / Engineering Department. If an Environmental Assessment did not previously approve either location, a Grading Environmental Assessment shall be submitted to the Planning Director for review and comment and to the Public Works Director / City Engineer for approval. Additionally, if the movement of

import/export occurs using City roads, review, and approval of the haul routes by the Public Works / Engineering Department will be required. Import or export materials shall conform to the requirements of Chapter 8.26.

111. **Offsite Grading Easements** - Prior to recordation of a final map phase, or the issuance of a grading permit within a phased map whichever occurs first, the developer/property owner shall obtain all required easements and/or permissions to perform offsite grading, from affected land owners. Notarized and recorded agreement or documents authorizing the offsite grading shall be submitted to the Public Works Engineering Department.
112. **Offsite Property and Right of Way** – The developer / property owner shall be responsible for acquiring any offsite real property interests that may be required in connection with the development project. Prior to recordation of a final map, or the issuance of a grading permit, whichever occurs first, the developer shall obtain all required ROW, easements and / or permissions to perform offsite grading, from all affected landowners.

Increased Runoff Criteria. The development of this site would increase peak flow rates on downstream properties. Mitigation shall be required to offset such impacts. An increased runoff basin should be shown on the exhibit and calculations supporting the size of the basin shall be submitted to the District and the City for review. The entire area of proposed development will be routed through a detention facility(s) to mitigate increased runoff. All basins must have positive drainage; dead storage basins shall not be acceptable. A complete drainage study including, but not limited to, hydrologic and hydraulic calculations for the proposed detention basin shall be submitted to the City for review and approval. For design purposes, the proposed detention basin shall be sized using the 6-hour/100-year frequency storm event. Detention basin(s) and outlet(s) sizing will ensure that this storm event does not produce higher peak discharge in the "after" condition than in the "before" condition. For the 100-year event, an AMC II shall be used together with a constant loss rate.

Low Loss rates will be determined using the following:

- a. Undeveloped Condition --> LOW LOSS = 90%
- b. Developed Condition --> LOW LOSS = $.9 - (.8 \times \% \text{IMPERVIOUS})$
- c. Basin Site --> LOW LOSS = 10%

Where possible and feasible the onsite flows should be mitigated before combining with offsite flows to minimize the size of the detention facility required. If it is necessary to combine offsite and onsite flows into a detention facility two separate conditions should be evaluated for each duration/return period/before-after development combination studied; the first for the total tributary area (offsite plus onsite), and the second for the area to be developed alone (onsite). It must be clearly demonstrated that there is no increase in peak flow rates under either condition (total tributary area or onsite alone), for each of the return period/duration combinations required to be evaluated. A single plot showing the pre-developed,

post-developed and routed hydrographs for each storm considered, shall be included with the submittal of the hydrology study.

No outlet pipe(s) will be less than 18" in diameter. Where necessary an orifice plate may be used to restrict outflow rates. Appropriate trash racks shall be provided for all outlets less than 48" in diameter.

The basin(s) and outlet structure(s) must be capable of passing the 100-year storm without damage to the facility. Side slopes should be designed in accordance with the RCFC&WCD basin guidelines.

A viable maintenance mechanism, acceptable to the City should be provided for any flood control facilities to be owned and maintained by the City. Any facilities proposed to be owned by the District, should be provided with a viable maintenance mechanism acceptable to the City and the District. For the City this would be the citywide CFD. Facilities to remain private shall be maintained by other private entities approved by the City or by homeowners associations.

- Nearly all flows from the development will discharge into the RCFC&WCD MDP Line A-3 Storm Drain which will be extended, by the District, to Malone Avenue, from the west in Varela Lane. This MDP storm drain will also extend northerly in Malone Avenue to Watson Road and then easterly to its terminus in Watson Road. It is believed that this MPD storm drain is designed to convey the developed flows from most of TTM 38133 development. Upon written confirmation from RCFC&WCD that this is accurate and the District confirms acceptance of the increased developed flows, no peak flow mitigation for this area shall be required for discharge into this MDP storm drain and shall supersede the above condition requirements. Peak flow mitigation for the increase in flows caused by conveyance of the southernmost portion of the development, consisting of appropriately 5 acres, into Line A-3 will be required. This mitigation, along with water quality mitigation for the entire development, shall be provided within the onsite basin. In the instance of MDP Line A-3 not being designed to convey the developed flows from this developmet, the project shall be responsible for peak flow mitigation for this area, as detailed in the condition above.

113. Site Drainage - Positive drainage of the site shall be provided, and water shall not be allowed to pond behind or flow over cut and fill slopes. Where water is collected and discharged in a common area, protection of the native soils shall be provided by planting erosion resistant vegetation, as the native soils are susceptible to erosion by running water. All cut and fill slopes shall have a maximum 2:1 (H:V) grade, 2 horizontal to 1 vertical.
114. Alteration of Drainage Patterns – Prior to grading permit issuance or approval of improvement plans, the final engineering plans submitted by the applicant shall address the following: The project drainage system shall be designed to accept and properly convey all on- and off-site drainage flowing on or through the site. The project

drainage system design shall protect downstream properties from any damage caused by alteration of drainage patterns such as concentration or diversion of flow. Concentrated drainage on commercial lots shall be diverted through parkway drains under sidewalks.

115. 100 Year Storm- The 100-year storm flow shall be contained within the street top of curb.
116. 100 Year Drainage Facilities - All drainage facilities shall be designed to accommodate 100-year storm flows as approved by the City of Menifee Public Works / Engineering Department.
117. 100 Year Design Criteria - In final engineering and prior to grading permit issuance, subsurface storage systems shall be designed with emergency overflow inlets to mitigate flows in excess of the 100-year storm event in a controlled manner to the satisfaction of the Public Works / Engineering Department.
118. 100 Year Sump Outlet - Drainage facilities outletting sump conditions shall be designed to convey the tributary 100-year storm flows. Additional emergency escape shall also be provided.
119. Coordinate Drainage Design: Development of this property shall be coordinated with the development of adjacent properties to ensure that watercourses remain unobstructed, and stormwaters are not diverted from one watershed to another. This may require the construction of temporary drainage facilities or offsite construction and grading. A drainage easement shall be obtained from the affected property owners for the release of concentrated or diverted storm flows. A copy of the recorded drainage easement shall be submitted to the PW Engineering Department for review.
120. Comingling of Flows. Site restrictions may require the comingling of onsite and offsite flows. A treatment device approved by the City of Menifee Public Works Director shall be utilized to pretreat the flows before entering HOA facilities. The WQMP will need to show these catch basin inserts. This comingling of flows and the easement shall also be clarified in the CC&Rs for the project. If site restrains and existing conditions require said comingling, it will be the obligation of the HOA to accept this water and maintain the system, as well as performing maintenance on the associated filter inserts. The developer shall provide a storm drain and flowage easement, or other applicable document approved by the city of Menifee, providing the right of the city to drain onto the private property.
121. Interceptor Drain Criteria/Guidelines: The criteria for maintenance access of terrace/interceptor is as follows: flows between 1-5 cfs shall have a 5-foot wide access road, flows between 6-10 cfs shall be a minimum 6-foot rectangular channel. Terrace/interceptor drains are unacceptable for flows greater than 10 cfs. Flows greater than 10 cfs shall be brought to the street. These guidelines may be modified by the City Engineer/PW Director.
The proposed drainage ditch within Lots 148, 150, and 152, shall be designed as shown on the TTM, or as otherwise approved by the City Engineer/PW Director.
122. BMP – Energy Dissipators: Energy Dissipators, such as rip-rap, shall be installed at the outlet of a storm drain system that discharges runoff flows into a natural channel or an

unmaintained facility. The dissipators shall be designed to minimize the amount of erosion downstream of the storm drain outlet.

123. Trash Racks – Trash Racks shall be installed at all inlet structures that collect runoff from open areas with potential for large, floatable debris.
124. Perpetuate Drainage Patterns. The property's street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage areas, outlet points and outlet conditions. Otherwise, a drainage easement shall be obtained from the affected property owners for the release of concentrated or diverted storm flows. A copy of the recorded drainage easement shall be submitted to the City for review and approval.
125. Perpetual Drainage Patterns (Easements) - Grading shall be designed in a manner that perpetuates the existing natural drainage patterns and conditions with respect to tributary drainage areas and outlet points. Where these conditions are not preserved, necessary drainage easements shall be obtained from all affected property owners for the release onto their properties of concentrated or diverted storm flows. A copy of the recorded drainage easement shall be submitted to the PW Engineering Department for review.
126. **Protection of Downstream Properties** - The developer/property owner shall protect downstream properties from damages that can be caused by alteration of natural drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities including enlarging existing facilities and securing necessary drainage easements.
127. **Storm Drain Lines 36" and larger** - All proposed storm drain lines greater than 36" in diameter may be considered for ownership and maintenance by the Flood Control District. The applicant shall enter into a cooperative agreement with the Flood Control District regarding the terms of the design, construction and operation of facilities proposed for ownership by the Flood Control District.
128. **No Building Permit without Legal Lot** – Prior to issuance of any building permit, the developer / property owner shall ensure that the underlying parcels for such buildings are complying with City Ordinances, Codes, and the Subdivision Map Act.
129. **No Building Permit Prior to Subdivision Map Recordation** – Prior to issuance of any building permit, the developer / property owner shall record the Subdivision Map. Model Homes are exempt from this requirement.
130. **No Building Permit without Grading Permit** - Prior to issuance of any building permit for any new structure or appurtenance, the developer/property owner shall obtain a grading permit and/or approval to construct from the Public Works Engineering Department.

131. **Final Rough Grading Conditions** – Prior to issuance of each building permit, the developer/property owner shall cause the Civil Engineer of Record and Soils Engineer of Record for the approved grading plans, to submit signed and wet stamped rough grade certification and compaction test reports with 90% or better compaction. The certifications shall use City approved forms and shall be submitted to the Public Works Engineering Department for verification and acceptance.
132. **Conformance to Elevations/Geotechnical Compaction** - Rough grade elevations for all building pads and structure pads submitted for grading plan check approval shall be in substantial conformance with the elevations shown on approved grading plans. Compaction test certification shall be in compliance with the approved project geotechnical/soils report.
133. **Final Grade Certification** – The developer/property owner shall cause the Civil Engineer of Record for approved grading plans, to submit signed and wet stamped final grade certification on City-approved form, for each building requesting a certificate of occupancy. The certification shall be submitted to the Public Works Engineering Department for verification and acceptance.
134. **Conform to Elevations** - Final grade elevations of all building or structure finish floors submitted for grading plan check approval shall be in substantial conformance with the elevations shown on the approved precise grading plans. Compaction test certification shall be in compliance with the approved project geotechnical/soils report.
135. **Plant & Irrigate Slopes** – All manufactured slopes shall be irrigated and landscaped with grass or approved ground cover and shall have some type of drainage swale at the toe of the slope to collect runoff. Slopes greater than or equal to 3' in vertical height shall have erosion control measures provided. Slopes that exceed 15' in vertical height are to be planted with additional shrubs and trees as approved by the Public Works / Engineering Department. Drip irrigation shall be provided for all irrigated slopes.
136. **Common Area Maintenance** – Any common areas identified on the tentative map shall be owned and maintained through a permanent master maintenance organization shall be established for the project, to assume maintenance responsibility for all common areas. The organization may be public (City CFD, or another agency) or private (e.g., property owners' association). Merger with an area-wide or regional organization shall satisfy this condition provided that such organization is legally and financially capable of assuming the responsibilities for maintenance. When necessary, property dedication or

easement dedications shall be granted to the maintenance organization through map dedication, or separate recordable instrument, and shall be in a form acceptable to the city.

137. **Maintenance Exhibit** – Prior to final map recordation, the developer / property owner shall prepare an exhibit that shows all open space lots within the project development tract and the maintenance entity for each lot. The exhibit shall be reviewed and approved by the Community Development Department and the Public Works / Engineering Department.
138. **Conditions, Covenants and Restrictions (Private Common Areas)** – In the event that the Community Facilities District will not maintain all common areas, the establishment of a property owner association (POA or HOA), or other private entity approved by the City shall be the mechanism to maintain such common areas.
139. **CC&R Content, Submittal Process and Timing** – Prior to final map recordation, The developer/property owner shall submit to the Public Works / Engineering Department for review and approval CC&R documents consisting of the following:
 - a. One hard copy and an electronic version of the CC&R's. A completed application form to review the CC&Rs, available at the Public Works / Engineering front counter. There is a fee associated with the application and required backup documents to review. The declaration of CC&R's shall:
 - i. provide for the establishment of a property owner's association,
 - ii. provide for the ownership of the common area by the property owner's association,
 - iii. contain provisions approved by the Public Works / Engineering Department, Community Development Department, and the City Attorney,
 - iv. Contain provisions with regards to the implementation of post development Water Quality Best Management Practices identified in the project's approved WQMP.
 - v. Contain provisions notifying initial occupants, or tenants of the project of their receipt of educational materials on good housekeeping practices which contribute to the protection of storm water quality. These educational materials shall be distributed by the property owners' association and/or the developer.

- vi. Contain provisions for allowing the City a Right of Entry to maintain BMPs that are otherwise not maintained by responsible property owners. If a separate Right of Entry Agreement has been executed, this provision is not necessary to be in the CC&Rs.
 - b. As part of the CC&R document submittal, exhibit(s) identifying the areas or improvements that will be maintained by the POA, the CFD or other entities shall be provided. The exhibit shall be reviewed and approved by the City.
 - c. Once approved, the developer / property owner shall provide a hard copy of the CC&R's wet-signed and notarized to the Public Works / Engineering Department. The Public Works / Engineering Department shall record the original declaration of CC&R's prior to final map recordation.
 - d. A deposit to pay for the review of the CC&Rs pursuant to the City's current fee schedule at the time the above-referenced documents are submitted to the Public Works / Engineering Department.
140. **Street Design Standards** – Street improvements shall conform to all applicable City Design Standards and Specifications, the City General Plan, Ordinances, and all other relevant laws, rules and regulations governing street construction in the City, unless otherwise approved by the City Engineer/PW Director.
141. **Concrete Work** – All concrete work including curbs, gutters, sidewalks, driveways, cross gutters, catch basins, manholes, vaults, etc. shall be constructed to meet a 28-day minimum concrete strength of 3,250 psi.
142. **Intersection Geometrics** – All final intersection geometrics may be modified in final engineering as approved by the Public Works Director / City Engineer.
143. **Intersection / 50-Foot Tangent** – All centerline intersections shall be at ninety (90) degrees, plus or minus five (5) degrees, with a minimum fifty (50) foot tangent, measured from flow line / curb face or as approved by the Public Works Director / City Engineer.
144. **Soils and Pavement Report** - Street pavement structural designs shall comply with the recommendations in the City approved project soils and pavement investigation report, and must meet minimum City standards and specifications, as approved by the Public Works Director / City Engineer. R-Values shall be provided in said report and the Engineer of Record shall provide pavement calculations to the City.

145. **Driveways** - Final driveway geometrics may be modified in final engineering as approved by the Public Works Director / City Engineer. Driveways shall meet current standard radii on all existing and proposed commercial drive approaches used as access to the proposed development. The developer shall adhere to all City standards and regulations for access and ADA guidelines.
146. **Acceptance of Public Roadway Dedication and Improvements** – Easements and right-of way for public roadways shall be granted to the City through acceptable recordable instrument. Onsite easements and right-of way for public roadways shall be granted to the City of Menifee through the final map, or other acceptable recordable instrument. Any off-site rights-of-way required for access road(s) shall be accepted to vest title in the name of the public if not already accepted. Any shared access roads necessary for the adequate circulation of the proposed project, shall be dedicated for reciprocal access by acceptable recordable instrument prior to any permit issuance.
147. **ADA Compliance** – ADA path of travel shall be designed at the most convenient accesses and the shortest distance to the buildings in accordance with ADA design standards and to the satisfaction of the Public Works Director / City Engineer and the City Building Official.
148. **Paving or Paving Repairs** – The applicant shall be responsible for obtaining the paving inspections required by Ordinance 461 and City of Menifee standards and ordinances. Paving and/or paving repairs for utility street cuts shall be per City of Menifee Standards and Specifications and as approved by the Public Works Director / City Engineer.
149. **Street Light Plan** – Street lights requiring relocations, or any required new streetlights shall be designed in accordance with current City Standards for LS-3 type streetlights. Street light construction plans shall be prepared as separate plans or combined with the public street improvement plans as approved by the Public Works Director / City Engineer.
150. **Public Streetlights Service Points** – All proposed public streetlights shall be provided with necessary appurtenances and service points for power, separate from privately owned streetlights. The developer/property owner shall coordinate with the PW Department and with Southern California Edison the assignment of addresses to streetlight service points. Service points for proposed public streetlights shall become public and shall be located within public right of way or within duly dedicated public easements.
151. **CFD Maintenance** - The property owner shall file for annexation or inclusion into the Citywide Community Facilities Maintenance District, CFD for street sweeping services, street pavement maintenance, landscaping, street lighting, etc.

152. **Offsite Grading** – Prior to applicable grading permit issuance, A notarized and recorded agreement, or City-approved documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.
153. **Sight Distance Analysis** – Sight distance analysis shall be conducted at all project roadway entrances for conformance with City sight distance standards. The analysis shall be reviewed and approved by the Public Works Director / City Engineer, and shall be incorporated in the final the grading plans, street improvement plans, and landscape improvement plans.
154. **Street Name Sign** - The developer/property owner shall install street name sign(s) in accordance with applicable City Standards, or as directed by the PW Engineering Department.
155. **Driveway Geometrics**- Final driveway geometrics may be modified in Final Engineering as approved by the Public Works Director. Driveways shall meet current standard radii on all existing and proposed commercial drive approaches used as access to the proposed development. The developer shall adhere to all City standards and regulations for access and ADA guidelines.
156. **Construction Traffic Control Plan** - Prior to start of any project related construction, the developer/property owner shall submit to the Public Works Engineering Department for review and approval, a Construction Traffic Control Plan in compliance with all applicable City ordinances, standards and specifications, and the latest edition of the CAMUTCD. This traffic control plan shall address impacts from construction vehicular traffic, noise, and dust and shall propose measures to mitigate these effects. The traffic control plan shall include a Traffic Safety Plan for safe use of public roads right-of-way during construction.
157. **Traffic Signal Control Devices** – All new traffic signals and traffic signal modifications required for construction by this development project shall include traffic signal communication infrastructure, network equipment, and Advanced Traffic Management System (ATMS) license software. Said traffic signal control devices shall be submitted with the traffic signal design plans and shall be approved by the Public Works Director / City Engineer, prior to testing of a new traffic signal. Traffic signal poles shall be placed at the ultimate locations when appropriate.
158. **Cost participation through Payment of TUMF and DIF for Improvements**- The developer/property owner's TUMF and DIF payment obligations shall be considered as cost participation for Project's required offsite improvements only when the offsite improvements for which credits are claimed, are eligible TUMF

and/or DIF facilities at time of TUMF and DIF payments. Determination for TUMF credits shall be at the discretion of the Western Riverside Council of Governments (WRCOG), the governing authority, which shall include entering a three party TUMF Credit Agreement with the developer, WRCOG and the City of Menifee.

159. **Improvement Bonds** – Prior to improvement plan approval and issuance of any construction permit for all required onsite and offsite public improvements, the developer/project owner shall enter into a bond agreement and post acceptable bonds or security, to guarantee the completion of all required improvements. The bonds shall be in accordance with all applicable City ordinances, resolutions, and municipal codes.
160. **Encroachment Permits** – The developer/property owner shall obtain all required encroachment permits and clearances prior to start of any work within City, State, or local agency right-of-way.
161. **Stormwater Management** - All City of Menifee requirements for NPDES and Water Quality Management Plans (WQMP) shall be met per City of Menifee Municipal Code Chapter 15.01 for Stormwater/Urban Runoff Management Program unless otherwise approved by the Public Works Director/City Engineer. This project is required to submit a project specific WQMP prepared in accordance with the latest WQMP guidelines approved by the Regional Water Quality Control Board.
162. **Trash Enclosures Standards and Specifications** – Storm runoff resulting in direct contact with trash enclosure, or wastewater runoff from trash enclosure are prohibited from running off a site onto the City MS4 without proper treatment. Trash enclosures in new developments and redevelopment projects shall meet new storm water quality standards including:
 - a. Provision of a solid impermeable roof with a minimum clearance height to allow the bin lid to completely open.
 - b. Constructed of reinforced masonry without wooden gates. Walls shall be at least 6 feet high.
 - c. Provision of concrete slab floor, graded to collect any spill within the enclosure.
 - d. All trash bins in the trash enclosure shall be leak proof with lids that are continuously kept closed.
 - e. The enclosure area shall be protected from receiving direct rainfall or run-on from collateral surfaces.
 - f. The trash enclosure shall be lockable and locked when not in use with a 2-inch or larger brass resettable combination lock. Only employees

and staff authorized by the enclosure property owner shall be given access.

Any standing liquids within the trash enclosures without floor drain must be cleaned up and disposed of properly using a mop and a bucket or a wet/dry vacuum machine. All non-hazardous liquids without solid trash may be put in the sanitary sewer as an option, in accordance with Eastern Municipal Water District (EMWD) criteria.

An alternate floor drain from the interior of the enclosure that discharges to the sanitary sewer may be constructed only after obtaining approval from EMWD. This option requires the following:

- a. The trash enclosure shall be lockable and locked when not in use with a 2-inch or larger brass resettable combination lock. Only employees and staff authorized by the enclosure property owner shall be given access. This requirement may not be applicable to commercial complexes with multiple tenants.
- b. A waterless trap primer shall be provided to prevent escape of gasses from the sewer line and save water.
- c. Hot and cold running water shall be provided with a connection nearby with an approved backflow preventer. The spigot shall be protected and located at the rear of the enclosure to prevent damage from bins.

163. **SWRCB, TRASH AMENDMENTS.** The State Water Resources Control Board (State Board) adopted amendments to the Water Quality Control Plan for Ocean Waters of California and the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries – collectively referred to as the “Trash Amendments.” Applicable requirements per these amendments shall be adhered to with implementation measures, prior to building permit issuance. Projects determined to be within Priority Land Uses as defined in the Trash Amendments, shall provide trash full capture devices in all new and existing catch basins to which this development will be tributary to or receiving from all Priority Land Use areas that will contribute storm water runoff to the City of Menifee’s MS4. All trash full capture devices shall be listed on the State Board’s current list of certified full capture devices posted on their website (https://www.waterboards.ca.gov/water_issues/programs/stormwater/trash_implementation.shtml), or otherwise approved by State or Regional Water Quality Control Board staff. Storm water runoff from privately owned Priority Land Use areas shall be treated by full capture devices located within privately owned storm drain structures or otherwise located on the privately owned property, whenever possible. Runoff from Priority Land Use areas created or modified by the project, and which are proposed to be City owned, shall be treated by full

capture devices located within city-owned storm drains or otherwise located within the public right of way.

The State Water Resources Control Board, Resolution adopted an amendment to the Water Quality Control Plan for ocean waters of California to control trash, and Part 1 Trash Provisions of the Water Quality Control Plan for inland surface waters, enclosed bays, and estuaries of California. Applicable requirements per these amendments shall be adhered to with implementation measures, prior to building permit issuance. Projects determined as within Priority Land Uses as defined in the amendment, shall provide full trash capture devices in all new catch basins and existing catch basins to which this development will be tributary to. Devices shall meet the requirement of the new Trash Amendment.

164. Prior to issuance of a grading permit, a FINAL project specific WQMP in substantial conformance with the approved PRELIMINARY WQMP, shall be reviewed and approved by the Public Works Engineering Department. Final construction plans shall incorporate all the structural BMPs identified in the approved FINAL WQMP. The final developed project shall implement all structural and non-structural BMPs specified in the approved FINAL WQMP. One copy of the approved FINAL WQMP on a CD-ROM in pdf format shall be submitted to the Public Works Engineering Department. The FINAL WQMP submittal shall include at the minimum the following reports/studies:

- d. Hydrology/hydraulics report
- e. Soils Report that includes soil infiltration capacity
- f. Limited Phase II Environmental Site Assessment Report, as may be required by an approved Phase I ESA Report

Final construction plans shall incorporate all the structural BMPs identified in the approved FINAL WQMP. The final developed project shall implement all structural and non-structural BMPs specified in the approved FINAL WQMP. One copy of the approved FINAL WQMP on a CD-ROM in pdf format shall be submitted to the Public Works Engineering Department.

165. **Revising The Final WQMP** - In the event the Final WQMP requires design revisions that will substantially deviate from the approved Prelim WQMP, a revised or new WQMP shall be submitted for review and approval by the Public Works / Engineering Department. The cost of reviewing the revised/new WQMP shall be charged on a time and material basis. The fixed fee to review a Final WQMP shall not apply, and a deposit shall be collected from the applicant to pay for reviewing the substantially revised WQMP.

166. **WQMP Maintenance Agreement** - All water quality features or BMPs shall be located within the property limits, and the maintenance shall be the full responsibility of the developer / project owner. Prior to, or concurrent with the approval of the FINAL WQMP, the developer / property owner shall record Covenants, Conditions and Restrictions (CC&R's) that addresses the implementation and maintenance of proposed WQMP BMPs, or enter into an acceptable maintenance agreement with the City to inform future property owners of the requirement to perpetually implement the approved FINAL WQMP.

167. **Implement Project Specific WQMP** - All structural BMPs described in the project-specific WQMP shall be constructed or installed and operational in conformance with approved plans and specifications. It shall be demonstrated that the applicant is prepared to implement all BMPs described in the approved project specific WQMP and that copies of the approved project-specific WQMP are available for the future owners/occupants. The City will not release occupancy permits for any portion of the project or subdivision map phase until all proposed BMPs described in the approved project specific WQMPs, to which the portion of the project is tributary to, are completed and operational.

The City will not release occupancy permits for any portion of the project, or any proposed map phase prior to the completion of the construction of all required structural BMPs, and implementation of non-structural BMPs.

168. **Inspection of BMP Installation** – Prior to issuance of Certificate of Occupancy, all structural BMPs included in the approved FINAL WQMP shall be inspected for completion of installation in accordance with approved plans and specifications, and the FINAL WQMP. The Public Works Stormwater Inspection team shall verify that all proposed structural BMPs are in working conditions, and that a hard copy and / or digital copy of the approved FINAL WQMP are available at the site for use and reference by future owners/occupants. The inspection shall ensure that the FINAL WQMP at the site includes the **BMP Operation and Maintenance Plan**, and shall include the site in a City maintained database for future periodic inspection.

169. **WQMP/BMP Education** - Prior to issuance of Certificate of Occupancy, the developer / project owner shall provide the City proof of notification to future occupants of all BMP's and educational and training requirements for said BMP's as directed in the approved WQMP. Proof of notification shall be provided to the Public Works / Engineering Department in forms determined acceptable by the Public Works Director / City Engineer. Public Education Program materials may be obtained from the Riverside County Flood Control and Water Conservation District's NPDES Section through their website at

www.rcwatershed.org. The developer must provide to the Public Works / Engineering Department a notarized affidavit, or other notification forms acceptable to the Public Works Director / City Engineer, stating that the distribution of educational materials to future homebuyers has been completed prior to issuance of occupancy permits.

A copy of the notarized affidavit must be placed in the final WQMP report. The Public Works / Engineering Department MUST also receive the original notarized affidavit with the plan check submittal to clear the appropriate condition. Placing a copy of the affidavit without submitting the original will not guarantee clearance of the condition.

170. **EMWD Minimum Standards** – All public water, sewer and recycled water improvements shall be designed per the City adopted Riverside County Ordinances 460, 461 and 787; Eastern Municipal Water Districts (EMWD) standards and specifications, including required auxiliaries and appurtenances. The final design, including pipe sizes and alignments, shall be subject to the approval of EMWD and the City of Menifee.
171. **Utility Improvement Plans** – Public Water, Sewer and Recycled Water improvements shall be drawn on City title block for review and approval by the Public Works / Engineering Department and EMWD.
172. **Onsite and Offsite Sewer, Water and Recycled Water Improvements** – All public onsite and offsite sewer, water and recycled water improvements shall be guaranteed for construction prior to approval of improvement plans and final map approval.
173. **Sewer Lines** – Any new public sewer line alignments or realignments shall be designed such that the manholes are aligned with the center of lanes or on the lane line and in accordance with Riverside County Ordinances 460/461 and Eastern Municipal Water District standards.
174. **Water Mains and Hydrants** - All water mains and fire hydrants providing required fire flows shall be constructed in accordance with the Riverside County Ordinance Numbers 460 and 787, and subject to the approval of the Eastern Municipal Water District and the Riverside County Fire Department.
175. **Annexation to the Citywide Community Facilities District (CFD)** - Prior to the map recordation, the developer/property owner shall complete the annexation of the proposed development, into the boundaries of the City of Menifee citywide Community Facilities Maintenance District (Services) CFD. The citywide CFD shall be responsible for:

The maintenance of public improvements or facilities that benefit this development, including but not limited to, public landscaping, streetlights, traffic signals, streets, pavement maintenance, drainage facilities, street sweeping, water quality basins, graffiti abatement, and other public improvements or facilities as approved by the Public Works Director.

The developer/property owner shall be responsible for all cost associated with the annexation of the proposed development in the citywide CFD.

176. **CFD Annexation Agreement** - In the event timing for this development's schedule prevents the developer/property owner from complying with condition of approval for CFD annexation, the developer shall enter into a CFD annexation agreement to allow the annexation to complete prior to issuance of building permit. The developer shall be responsible for all costs associated with the preparation of the CFD annexation agreement. The agreement shall be approved by the City Council prior to issuance of a building permit.
177. **Assessment Segregation** - Should this project lie within any assessment/benefit district, the applicant shall, prior to any building permit issuance to make application for and pay for their reapportionment of the assessments or pay the unit fees in the benefit district unless said fees are deferred to building permit.
178. **Landscape Improvement Plans for CFD Maintenance** – Landscape improvements within public ROW and/or areas dedicated to the City for the citywide CFD to maintain shall be prepared on a separate City CFD plans for review and approval by the PW Engineering Department. The plans may be prepared as one plan for the entire development as determined by the PW Director. When necessary, as determined by the PW Director, a separate WQMP construction plan on City title block maybe required for review and approval by the PW Engineering Department prior to issuance of a grading permit.
179. **Parkway Landscaping Design Standards** - The parkway areas behind the street curb within the public's right-of-way, shall be landscaped and irrigated per City standards and guidelines.
180. **CFD Landscape Guidelines and Improvement Plans** – All landscape improvements for maintenance by the CFD shall be designed and installed in accordance with City CFD Landscape Guidelines, and shall be drawn on a separate improvement plan on City title block. The landscape improvement plans shall be reviewed and approved by the PW Engineering Department prior to issuance of a construction permit.
181. **Maintenance of CFD Accepted Facilities** – All landscaping and appurtenant facilities to be maintained by the citywide CFD shall be built to City standards.

The developer shall be responsible for ensuring that landscaping areas to be maintained by the CFD have its own controller and meter system, separate from any private controller/meter system.

182. **AB 341.** AB 341 focuses on increased commercial waste recycling as a method to reduce greenhouse gas (GHG) emissions. The regulation requires businesses and organizations that generate four or more cubic yards of waste per week and multifamily units of 5 or more, to recycle. A business shall take at least one of the following actions to reuse, recycle, compost, or otherwise divert commercial solid waste from disposal:

- a. Source separate recyclable and/or compostable material from solid waste and donate or self-haul the material to recycling facilities.
- b. Subscribe to a recycling service with their waste hauler.
- c. Provide recycling service to their tenants (if commercial or multi-family complex).
- d. Demonstrate compliance with the requirements of California Code of Regulations Title 14.

For more information please visit:

www.rivcowm.org/opencms/recycling/recycling_and_compost_business.html#mandatory

183. **AB 1826.** AB 1826 (effective April 1, 2016) requires businesses that generate eight (8) cubic yards or more of organic waste per week to arrange for organic waste recycling services. The threshold amount of organic waste generated requiring compliance by businesses is reduced in subsequent years. Businesses subject to AB 1826 shall take at least one of the following actions in order to divert organic waste from disposal:

Source separate organic material from all other recyclables and donate or self-haul to a permitted organic waste processing facility.

Enter into a contract or work agreement with gardening or landscaping service provider or refuse hauler to ensure the waste generated from those services meet the requirements of AB 1826.

Consider xeriscaping and using drought tolerant/low maintenance vegetation in all landscaped areas of the project.

As of January 1, 2019, the above requirements are now applicable to businesses that generate four (4) or more cubic yards of solid waste per week and one (1) or more cubic yards of organic waste per week. Additionally, as of January 1, 2019, a third trash bin is now required for organics recycling, which will require

a larger trash enclosure to accommodate three (3) trash bins. This development is subject to this requirement.

184. **Recyclables Collection and Loading Area Plot Plan.** Prior to the issuance of a building permit for each building, the applicant shall submit three (3) copies of a Recyclables Collection and Loading Area plot plan to the City of Menifee Engineering/Public Works Department for review and approval. The plot plan shall show the location of and access to the collection area for recyclable materials, along with its dimensions and construction detail, including elevation/façade, construction materials and signage. The plot plan shall clearly indicate how the trash and recycling enclosures shall be accessed by the hauler.

The applicant shall provide documentation to the Community Development Department to verify that Engineering and Public Works has approved the plan prior to issuance of a building permit.

185. **Waste Recycling Plan.** Prior to the issuance of a building permit for each building, a Waste Recycling Plan (WRP shall be submitted to the City of Menifee Engineering/Public Works Department for approval. Completion of Form B “Waste Reporting Form” of the Construction and Demolition Waste Diversion Program may be sufficient proof of WRP compliance, as determined by the Public Works Director / City Engineer. At minimum, the WRP must identify the materials (i.e., concrete, asphalt, wood, etc.) that will be generated by construction and development, the projected amounts, the measures/methods that will be taken to recycle, reuse, and/or reduce the amounts of materials, the facilities and/or haulers that will be utilized, and the targeted recycling or reduction rate. During project construction, the project site shall have, at a minimum, two (2) bins; one for waste disposal and the other for recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used to further source separation of C&D recyclable materials. Accurate record keeping (receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. Arrangements can be made through the franchise hauler.

186. **Waste Management Clearance.** Prior to issuance of an occupancy permit for each building, evidence (i.e., receipts or other type of verification) shall be submitted to demonstrate project compliance with the approved WRP to the Engineering and Public Works Department in order to clear the project for occupancy permits. Receipts must clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled. Completion of Form C, “Waste Reporting Form” of the Construction and Demolition Waste Diversion Program along with the receipts may be sufficient proof of WRP compliance, as determined by the PW Director / City Engineer.

187. **Fees and Deposits** – Prior to approval of final maps, grading plans, improvement plans, issuance of building permits, and/or issuance of certificate of occupancy, the developer/property owner shall pay all fees, deposits as applicable. These shall include the regional Transportation Uniform Mitigation Fee (TUMF), any applicable Traffic Signal Mitigation Fees, Development Impact Fees (DIF), and any applicable Road and Bridge Benefit District (RBBD) Fee. Said fees and deposits shall be collected at the rate in effect at the time of collection as specified in current City resolutions and ordinances.
188. **TUMF FEES** - Prior to the issuance of an occupancy permit, the developer/property owner shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of (building permit or certificate of occupancy) issuance, pursuant to adopted City Ordinance governing the TUMF program.

Section III: **Building and Safety Department** **Conditions of Approval**

GENERAL CONDITIONS

189. **Final Building & Safety Conditions.** Final Building & Safety Conditions will be addressed when building construction plans are submitted to Building & 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.
190. **Compliance with Code.** All Design components shall comply with applicable provisions of the 2022 edition of the California Building, Plumbing and Mechanical Codes; 2022 California Electrical Code; California Administrative Code, 2022 California Energy Codes, 2022 California Green Building Standards, California Title 24 Disabled Access Regulations, and City of Menifee Municipal Code. If a code cycle changes prior to submission of any plans or documents, the plans submitted shall be updated to the current State of California, Title 24, Code of Regulations, City of Menifee Ordinance, or any other state, federal, or city requirements.
191. **County of Riverside Mount Palomar Ordinance.** Applicant shall submit, at the time of plan review, a complete exterior site lighting plan with a “photometric study” showing compliance with County of Riverside Mount Palomar Ordinance Number 655 for the regulation of light pollution. All streetlights and other outdoor lighting shall be shown on electrical plans submitted to the Building & Safety Department. Any outside lighting shall be hooded and aimed not to shine directly upon adjoining property or public rights-of-way. All exterior LED light fixtures shall be 3,000 kelvin and below.
192. **Street Name Addressing.** Applicant must obtain street name addressing for all proposed buildings by requesting street name addressing and submitting a site plan for commercial, residential/tract, or multi-family residential projects.
193. **Obtain Approvals Prior to Construction.** Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.
194. **Obtaining Separate Approvals and Permits.** The recreation center, pools, and other associated structures and amenities for the recreation center shall be permitted separately. Temporary construction/sales trailers, temporary power poles/generators, trash enclosures, patio covers, light standards, building and monument signage, and any block walls will require separate approvals and permits. All parks that are a part of the development shall be permitted separately.
195. **Private Sanitary Sewer and Domestic Water Plan Approvals.** (If Applicable) On-site private sanitary sewer and domestic water plans will

require separate approvals and permits from Building and Safety. One (1) set of digital or six (6) sets of plans shall be submitted.

196. **Demolition.** (If applicable) Demolition permits require separate approvals and permits. AQMD notification and approval may be required.

197. **Hours of Construction.** Signage shall be prominently posted at the entrance of the project indicating the hours of construction, as allowed by the City of Menifee Municipal Ordinance 8.01.010, for any site within one-quarter mile of an occupied residence. The permitted hours of construction are Monday through Saturday 6:30am to 7:00pm. No work is permitted on Sundays and nationally recognized holidays unless approval is obtained from the City Building Official or City Engineer.

Provide a tract production application and sequence worksheet with the following information:

1. Identify the applicant, developer/builder, tract, phase, and lot number(s) on the City's application form.
2. On a sequence worksheet, identify the addresses, accessors parcel numbers, lot numbers, plan types, elevations, habitable square foot area, garage square foot area, patio/deck square footage and chosen options.
3. Clearly identify all options creating additional square feet, or changes to total square foot area
4. Identification of residential lots based on percentages required by the Community Development Department.

Submit one (1) set of digital plans including but not limited to: fully dimensioned Structural, Architectural, Plumbing, Mechanical and Electrical Plans, floor, and site plans and, geotechnical reports. All digital plans shall be a minimum equivalent of 24" x 36" size media.

Site Plans

1. Vicinity Map.
2. Assessor's Parcel Number, Tract and Lot number; and Site Address.
3. Building data: Proposed building Sq. Ft., use/occupancy, Building Code data: The California Model Codes currently in effect are the 2022 California Code of Regulations, Title 24 – Building, Electrical, Mechanical, Plumbing, Green Building Code, Fire, and California Energy Code.

Floor Plans

1. North Arrow.
2. Street frontage, lot lines and lot dimensions.

3. Building location and setbacks to property lines and/or easements.

Floor Plans

1. Each model or building type.
2. Universal Design components for single- family residential dwellings.

Elevations

All model or building types. Provide North, South, East, and West side views of the building exterior, showing the structure's exterior features and elements e.g., exterior wall finish, wall veneers, fireplace chimney, roof pitch, roof vents, doors, windows, etc.

Plumbing/Mechanical

1. Points of connection for water/sewer meter locations.
2. Material type and sizes for waste/vent, water, and gas supply systems.
3. HVAC equipment location; gas stub locations and BTU input for gas appliances.
4. County of Riverside Environmental Health Department Approved septic system design.

Electrical Plan

1. Electrical main service size, location, and grounding method.
2. Electrical power and lighting plans, lighting fixture schedule.
3. Title 24 Energy Code electrical requirements including high efficacy fixture types, motion sensors, dimmer switching or photo controls.
4. In single-family residential buildings that include one or two dwellings, each dwelling unit shall be provided with dedicated raceways, designated branch circuits and isolation devices for energy storage systems as specified in California Energy Code Section 150.0(s). Additionally, the panelboards shall be provided with the minimum busbar rating as specified in California Energy Code Section 150.0(s).

Alternatively, an energy storage systems (ESS) shall be installed with minimal backup capacity and ESS supplied branch circuits as specified in California Energy Code Section 150.0(s).

Structural Plan/Foundation/Framing/Roof Plan and Details

1. Structural design by a State of California registered engineer or licensed architect if the proposed structure does not comply with conventional light wood framing.

2. Foundation elements to include, footing & slab reinforcement; footing and slab details, including base.

preparation, sand layer(s), moisture barrier; anchor bolt size and spacing, hold down devices, etc.

3. Structural frame plan(s) and key referenced details for walls, floor levels and roof.

4. One (set) set of stamped/signed (digital signature accepted) Structural Calculations.

One (1) digital set of stamped/signed (digital signature accepted) Roof Truss Calculations (if applicable). The architect or engineer of record shall first review and stamp the truss layout sheet, indicating the design to be in general conformance with the building design, prior to submittal to the Building and Safety Department for review and approval.

Supplemental Information

1. One (1) digital copy of current Geotechnical soils reports, dated within 1 year of plan submittal or, an older report with an update letter addressing current soils data from the same engineering firm.

2. Package D prescriptive method Energy Forms, or computerized ENV (Envelope), MECH (Mechanical) and Mandatory Measures energy calculation forms for new conditioned space; and all the required compliance forms are to be copied to the full-size plan sheets.

3. Include full plan size copies of the city department's Conditions of Approval to the plans.

4. One (1) digital copy of the approved signed precise grading plan.

5. Fees are based on the current City of Menifee Adopted Fee Schedule.

6. The contractor must sign the permit application and provide evidence of current CA State contractor's license. All contractor's/sub-contractors must show proof of State and City licenses and shall comply with Sec. 3800 of the Labor Code regarding Workers Compensation.

7. Applicant shall obtain all required clearances and/or approvals from the appropriate water district(s) and Riverside County Fire prior to issuance of any building permits.

Prior to Issuance of Building Permits

198. Prior to the model home complex, sales office, and production permits, all maps shall be recorded with the City of Menifee.

199. All associated Building Fees to be paid.

200. Each Department is **required** to sign the City of Menifee request for residential permit issuance form available on the City of Menifee website. The Building and Safety Department shall be the last to sign the form.

Inspections

- All inspection requests shall be requested through the City of Menifee Accella Citizen Access (ACA) portal only.
- All work that has been requested to be inspected shall be ready for inspection prior to 8:00am.
- The approved plans and documents shall be on-site at the time of inspection.
- Access to the job site shall be provided on the day of inspection by 8:00am.
- Any construction changes from the approved plans shall be revised on the plans and submitted to the Building and Safety Department for review and approval prior to the inspection.
- Any special inspection or deputy reports required by code, or the approved plans shall be provided at the time of inspection for the specific portion of work required the special inspection or deputy report.

Prior to Final Inspection

Each department that has conditions shall have completed and approved their final inspection prior to requesting the final inspection by the Building and Safety Department.

Each Department is **required** to sign the City of Menifee request for residential occupancy form available on the City of Menifee website. The Building and Safety Department shall be the last to sign the form.

Section IV:
Riverside County Fire Department
Conditions of Approval

GENERAL CONDITIONS

201. **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 Department.
202. **Hydrant Spacing.** Schedule a fire protection approved standard fire hydrants, (6" x 4" x 2 1/2") locate one at each street intersection and space no more than 330 feet apart in any direction.
203. **Potential Fire Flow –** The water system shall be capable of providing a fire flow of 1,000 GPM for 2 hours at a minimum of 20 PSI operating pressure from each fire hydrant.

PRIOR TO MAP RECORDATION

204. **Water Plans.** The applicant or developer shall furnish one copy of the water system plans to the Fire Department for review. Plans shall be signed by a registered civil engineer, containing a Fire Department approval signature block, and shall conform to hydrant type, location, spacing and minimum fire flow. Once plans are signed by the local water company, the originals shall be presented to the Fire Department for signature.
205. **ECS WTR Prior to Combustibles.** The following note to be added to the ECS map: The required water system, including fire hydrants, shall be installed and accepted by the appropriate water agency prior to any combustible building material placed on an individual lot.
206. **Secondary Access.** In the interest of public safety, the project shall provide an alternate or secondary access(s). Said alternate or secondary access shall have concurrence and approval of both the Engineering Department and the Riverside County Fire Department.
207. **Fire Access Roadway.** The Fire Department emergency vehicular access road shall be (all weather) capable of sustaining an imposed load of 80,000lbs GVW, based on the street standards approved by the City of Menifee Public Works and the Office of the Fire Marshal/

PRIOR TO BUILDING PERMIT

208. **Tract Water Verification.** The required water system, including all fire hydrant(s), shall be installed and accepted by the appropriate water agency and the Riverside County Fire Department prior to any combustible building material placed on an individual lot. Contact the Riverside County Fire Department to inspect the required fire flow, street signs, all weather surface, and all access and/or secondary. Approved water plans must be at the job site.
209. **Hydrant System.** Prior to the release of your installation, site prep and/or building permits from Building and Safety. Written certification from the appropriate water district that the required fire hydrant(s) are either existing or that financial arrangements have been made to provide them. Also a map or APN page showing the location of the fire hydrant and access to the property.

210. **Fire Department Access.** Fire apparatus access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility
211. **Secondary Access.** In the interest of Public Safety, the project shall provide An Alternate or Secondary Access(s). Said Alternate or Secondary Access(s) shall have concurrence and approval of both the Engineering Department and the Riverside County Fire Department. Alternate and/or Secondary Access(s) shall be completed and inspected per the approved plans.

PRIOR TO FINAL INSPECTIONS

212. **Verification Inspection.** Prior to moving into the residence, contact the Riverside County Fire Department to schedule an inspection for the items that were shown at the building permit issuance i.e. access, addressing, water system, and/or fuel modification.
213. **Residential Fire Sprinklers.** All new Single-Family Dwellings and Buildings or structures exceeding 3600 sq. ft are required to have approved CFC and NFPA 13 compliant fire sprinkler systems installed.
214. **Address.** Display Street numbers in a prominent location on the address side of building(s) and/or rear access if applicable. All addressing must be legible, of a contrasting color, and adequately illuminated to be visible from street at all hours.

Section V:

Other Agency/Departments



County of Riverside
DEPARTMENT OF ENVIRONMENTAL HEALTH

P.O. BOX 7909 • RIVERSIDE, CA 92513-7909
JEFF JOHNSON, DIRECTOR

August 21, 2023

City of Menifee
Planning Department
Attn: Brandon Cleary
29844 Haun Road
Menifee, CA 92586

**SUBJECT: CITY OF MENIFEE – PLANNING APPLICATION: DEV2021-005 –
Menifee North Specific Plan Amendment #4 and Tract Map Nos. 38132 and 38133 (APN:
329-100-003, 329-100-010, 327-320-014, 327-320-015, 327-320-001, 327-320-017 and 327-
320-018)**

Dear Mr. Cleary:

The project listed in the subject heading of this letter proposes an amendment to the Menifee North Specific Plan (SP260) to modify the uses, configuration, acreages, unit counts, densities, and Land Use Designations of Planning Areas 9, 22 and 23A. Additionally, this application proposes two tract maps:

1. TR 38132 (Planning Area 9)
 - a. Proposes a 173-lot subdivision on 31.2 gross acres.
 - b. 5 open space lots.
 - c. 1 water quality basin.
 - d. The proposed density is 5.9 dwelling units per acre.
 - e. This tract will be phased into TR 38132-F and TR 38132-1.
2. TR 38133 (Planning Area 22)
 - a. Proposes a 149-lot subdivision on 28.8 gross acres.
 - b. 6 open space lots.
 - c. 1 water quality basin.
 - d. The proposed density is 5.6 dwelling units per acre.
 - e. This tract will be phased into TR 38133-F and TR 38133-1.

The project sites are as follows:

1. Tract 38132 (PA 9 of the Meniffee North SP) is located at the north east corner of Palomar Road and Cider Street.
2. Tract 38133 (PA 22) is located at the south west corner of Watson Road and Malone Avenue, bordering the east and south boundaries of the Marion Ashley Community Center and Harvest Valley Elementary School.

POTABLE WATER AND SANITARY SEWER SERVICE

A “General Condition” shall be placed on the project indicating that the subject property is required to connect to potable water service and sanitary sewer service from Eastern Municipal Water District (EMWD). It is the responsibility of the applicant to ensure that all requirements to obtain potable water and sanitary sewer service are met with EMWD, in addition to all other applicable agencies.

Prior to building permit issuance, provide documentation that establishes water and service for the project from EMWD (ex: First Release Letter).

Prior to building permit final, applicant must provide documentation that verifies actual service from EMWD (ex: Final Release Letter).

REMOVAL/DESTRUCTION OF ANY EXISTING OWTS AND WELLS

Any existing wells and/or existing onsite wastewater treatment systems (OWTS) shall be properly removed and/or destroyed under permit with DEH.

HAZARDOUS MATERIALS MANAGEMENT BRANCH

Prior to building permit final, this facility shall be required to contact and have a review conducted by the Hazardous Materials Management Branch (HMMB). A business emergency plan for the storage of any hazardous materials, greater than 55 gallons, 200 cubic feet or 500 pounds, or any acutely hazardous materials or extremely hazardous substances will be required. If further review of the site indicates additional environmental health issues, HMMB reserves the right to regulate the business in accordance with applicable County Ordinances. Please contact HMMB at (951) 358-5055 to obtain information regarding any additional requirements.

LOCAL ENFORCEMENT AGENCY

Ensure use of appropriate size and number of refuse/recycle bins is established for this project in accordance with SB1383 and that an approved solid waste purveyor is utilized for waste disposal. For additional information please contact our Local Enforcement Agency (LEA) at (951) 955-8980.

ENVIRONMENTAL CLEANUP PROGRAM (ECP)

As part of the services offered to contract cities, the Department of Environmental Health Environmental Cleanup Programs (ECP) conducts environmental reviews on planning projects to ensure that existing site conditions will not negatively affect human health or the environment. The objective of the environmental reviews is to determine if there are potential sources of environmental and/or human exposures associated with the project, identify the significance of potential adverse effects from the contaminants, and evaluate the adequacy of mitigation measures for minimizing exposures and potential adverse effects from existing contamination and/or hazardous substance handling. For this project, the City of Menifee is taking on the responsibility to review these aspects of the project.

If previously unidentified contamination or the presence of a naturally occurring hazardous material is discovered at the site, assessment, investigation, and/or cleanup may be required.

Should you have any further questions or require further assistance, please contact me by email at emarcotte@rivco.org or by phone at (951) 955-8980.

Sincerely,

Jenay Marcotte, Supervising Environmental Health Specialist
Environmental Protection and Oversight Division
Environmental Cleanup Program



RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

August 11, 2022

Brandon Cleary, Principal Planner
City of Menifee Community Development Department
29844 Haun Road
Menifee CA 92586

CHAIR

Steve Manos
Lake Elsinore

VICE CHAIR

Russell Betts
Desert Hot Springs

COMMISSIONERS

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John Lyon
Riverside

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Palm Springs

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Moreno Valley

Michael Geller
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Director
Paul Rull

Simon A. Housman
Barbara Santos
Jackie Vega

County Administrative Center
4080 Lemon St., 14th Floor.
Riverside, CA 92501
(951) 955-5132

www.rcaluc.org

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW

File No.: ZAP1531MA22
Related File Nos.: DEV2021-005 (Specific Plan Amendment), TTM38132 and TTM38133 (Tentative Tract Maps)
Compatibility Zone: Zones D and E
APNs: 327-320-014; 327-320-015; 327320-001; 327-320-017; 327-320-018; 329-100-003; 329-100-010.

Dear Mr. Cleary:

On August 11, 2022, the Riverside County Airport Land Use Commission (ALUC) found City of Menifee Case Nos. DEV2021-005 (Specific Plan Amendment), TTM38132 and TTM38133 (Tentative Tract Maps), a proposal to amend the Menifee North Specific Plan (SP260) to modify the uses, configuration, acreages, unit counts, densities, and land use designations of Planning Areas 9, 22, and 23A, generally located easterly of Palomar Road, southerly of Watson Road, westerly of Briggs Road, and northerly of Highway 74. The applicant also proposes two separate tentative tract maps: TTM38132 (Planning Area 9) a proposal to divide 31.2 gross acres into 173 single family residential lots, 5 open space lots, and 1 water quality basin; and TTM38133 (Planning Area 22) a proposal to divide 28.8 gross acres into 149 single family residential lots, 6 open space lots, and 1 water quality basin, **CONSISTENT** with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, subject to the following conditions:

CONDITIONS:

1. Any new outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
2. The following uses/activities are not included in the proposed project and shall be prohibited at this site:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features,

aquaculture, production of cereal grains, sunflower, and row crops, composting operations, wastewater management facilities, artificial marshes, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)

- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Hazards to flight
- 3. The attached notice shall be provided to all prospective purchasers of the property and tenants of the building, and shall be recorded as a deed notice.
 - 4. Any proposed detention basins or facilities shall be designed and maintained to provide for a maximum 48-hour detention period following the design storm, and remain totally dry between rainfalls. Vegetation in and around the detention basins that would provide food or cover for birds would be incompatible with airport operations and shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. Landscaping in and around the detention basin(s) shall not include trees or shrubs that produce seeds, fruits, or berries.

Landscaping in the detention basin, if not rip-rap, should be in accordance with the guidance provided in ALUC "LANDSCAPING NEAR AIRPORTS" brochure, and the "AIRPORTS, WILDLIFE AND STORMWATER MANAGEMENT" brochure available at RCALUC.ORG which list acceptable plants from Riverside County Landscaping Guide or other alternative landscaping as may be recommended by a qualified wildlife hazard biologist.

A notice sign, in a form similar to that attached hereto, shall be permanently affixed to the stormwater basin with the following language: "There is an airport nearby. This stormwater basin is designed to hold stormwater for only 48 hours and not attract birds. Proper maintenance is necessary to avoid bird strikes". The sign will also include the name, telephone number or other contact information of the person or entity responsible to monitor the stormwater basin.

- 5. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.
- 6. The maximum height of the buildings, including all roof-mounted equipment, if any, shall be limited to 32 feet, and the maximum top point elevation shall not exceed 1,581 feet AMSL unless a "Determination of No Hazard to Air Navigation" letter authorizing a higher top point elevation has been issued by the Federal Aviation Administration Obstruction Evaluation Service.

Supporting documentation was provided to the Airport Land Use Commission and is available online at www.rcaluc.org, click Agendas 08-11-2022 Agenda, Bookmark Agenda Item No. 3.5.

If you have any questions, please contact me at (951) 955-6893.

Sincerely,
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION



Paul Rull, ALUC Director

Attachments: Notice of Airport in Vicinity

cc: Richland Ventures, Inc. (applicant/representative)
WSI Land Holdings, LLC (property owner)
Gary Gosliga, March Inland Port Airport Authority
Major. David Shaw, Base Civil Engineer, March Air Reserve Base
ALUC Case File

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NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) (13)(A)

NOTICE

**THERE IS AN AIRPORT NEARBY.
THIS STORM WATER BASIN IS DESIGNED TO HOLD
STORM WATER FOR ONLY 48 HOURS AND
NOT TO ATTRACT BIRDS**

**PROPER MAINTENANCE IS NECESSARY TO AVOID
BIRD STRIKES**



IF THIS BASIN IS OVERGROWN, PLEASE CONTACT:

Name: _____

Phone: _____

The undersigned warrants that he/she is an authorized representative of the project referenced above, that I am specifically authorized to consent to all of the foregoing conditions, and that I so consent as of the date set out below.

Signed

Date

Name (please print)

Title (please print)