

3.0 MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document which includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a reporting or monitoring plan. This requirement ensures that environmental impacts found to be significant will be mitigated. The reporting or monitoring plan must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6).

In compliance with Public Resources Code Section 21081.6, Table 1, *Mitigation Monitoring and Reporting Checklist*, and Table 2, *Standard Conditions and Requirements Checklist*, have been prepared for the DEV2022-023 Coronado Condos Project (the “project”). This Checklist is intended to provide verification that all applicable Conditions of Approval relative to significant environmental impacts are monitored and reported. Monitoring will include: 1) verification that each mitigation measure has been implemented; 2) recordation of the actions taken to implement each mitigation; and 3) retention of records in the City of Menifee DEV2022-023 Coronado Condos Project file.

This Mitigation Monitoring and Reporting Program (MMRP) delineates responsibilities for monitoring the project, but also allows the City flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented. This includes the review of all monitoring reports, enforcement actions, and document disposition, unless otherwise noted in the Mitigation Monitoring and Reporting Checklist and Standard Conditions and Requirements Checklist (Table 1 and Table 2). If an adopted mitigation measure or standard condition is not being properly implemented, the designated monitoring personnel shall require corrective actions to ensure adequate implementation.

Reporting consists of establishing a record that a mitigation measure is being implemented, and generally involves the following steps:

- The City distributes reporting forms to the appropriate entities for verification of compliance.
- Departments/agencies with reporting responsibilities will review the Initial Study/Mitigated Negative Declaration, which provides general background information on the reasons for including specified mitigation measures.
- Problems or exceptions to compliance will be addressed to the City as appropriate.
- Periodic meetings may be held during project implementation to report on compliance of mitigation measures.

- Responsible parties provide the City with verification that monitoring has been conducted and ensure, as applicable, that mitigation measures have been implemented. Monitoring compliance may be documented through existing review and approval programs such as field inspection reports and plan review.
- The City prepares a reporting form periodically during the construction phase and an annual report summarizing all project mitigation monitoring efforts.
- Appropriate mitigation measures will be included in construction documents and/or conditions of permits/approvals.

Minor changes to the MMRP, if required, would be made in accordance with CEQA and would be permitted after further review and approval by the City. Such changes could include reassignment of monitoring and reporting responsibilities, plan redesign to make any appropriate improvements, and/or modification, substitution, or deletion of mitigation measures subject to conditions described in CEQA Guidelines Section 15162. No change will be permitted unless the MMRP continues to satisfy the requirements of Public Resources Code Section 21081.6.

Table 1
Mitigation Monitoring and Reporting Checklist

Mitigation Number	Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Timing	Verification of Compliance		
					Initials	Date	Remarks
BIOLOGICAL RESOURCES							
BIO-1	<p>Pre-Construction Survey for Nesting Birds. Ground-disturbing activities shall be conducted during the non-breeding season for birds (approximately September 1 through January 31) to avoid violations of the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code § § 3503, 3503.5 and 3513.</p> <p>If grading or construction activities, including vegetation removal with the potential to disrupt nesting birds, including burrowing owl and coastal California gnatcatcher, are scheduled to occur during the bird breeding season (February 1 through August 31), a pre-construction nesting bird clearance survey shall be conducted by a qualified Designated Biologist no more than seven (7) days prior to the start of any vegetation removal or ground disturbing activities to ensure that impacts to nesting birds do not occur.</p> <p>The nest survey shall include the project site and any adjacent areas (i.e., construction site entrances and/or staging</p>	Applicant/ Designated Biologist	Community Development Department - Planning Division/ Designated Biologist	Within Seven (7) Days Prior to the Start of Ground-Disturbing Activities/ During Construction			

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	areas) where the project activities have the potential to cause nest failure. The qualified biologist shall survey all suitable nesting habitat within the project site and within a biologically defensible buffer distance surrounding the project site for the presence of nesting birds and should provide documentation of the surveys and findings to City of Menifee for review prior to initiating project activities. If no active bird nests are detected, project-related activities may begin. If an active nest is found, the bird should be identified to species and the approximate distance from the closest work site to the active nest should be estimated and the qualified biologist should establish a “no-disturbance” buffer around the active nest. The distance of the “no-disturbance” buffer may be increased or decreased according to the judgement of the qualified biologist depending on the level of construction activity and sensitivity of the species. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, project-related activities within the “no disturbance” buffer may occur.						
BIO-2	Pre-Construction Surveys for Burrowing Owl. A qualified biologist shall conduct a pre-construction survey for burrowing owl within the project site within 30 days prior to the start of ground-disturbing activities. The	Applicant/ Designated Biologist	Designated Biologist/ Community Development Department -	Within 30 Days Prior to the Start of Ground-Disturbing			

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	<p>surveys shall follow the methods described in the <i>Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Burrowing Owl Survey Instructions</i> (RCTLMA 2006). Once the survey is completed, the designated biologist shall prepare and submit a final report documenting the results of the clearance survey to the City of Meniffee for review and file. If no burrowing owls or occupied burrows are detected, project construction may begin, and no additional avoidance or minimization measures would be required. If at any time there is a lapse of project activities for 30 days or more, another burrowing owl survey shall be conducted.</p> <p>If an occupied burrow is found within the project impact area during the pre-construction clearance survey, the onsite biologist will review and establish a conservative avoidance buffer surrounding the nest based on their best professional judgment and experience and verify compliance with this buffer and will verify the nesting effort has finished. Work can resume when no other active burrowing owl nesting efforts are observed. If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation pursuant to a Burrowing</p>		Planning Division	Activities/ During Construction			

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	Owl Plan that shall be prepared by the Applicant and approved by the City in consultation with the California Department of Fish & Wildlife (CDFW), or the construction contractor shall stop construction activities within the buffer zone established around the active nest and shall not resume construction activities until the nest is no longer active. The Burrowing Owl Plan shall be prepared in accordance with guidelines in the MSHCP. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied and backfilled to ensure that animals do not reenter the holes/dens.						
BIO-3	Determination of Biologically Equivalent or Superior Preservation. In the event the proposed site plan cannot avoid the Hillman Street Storm Drain (HSSD) Channel within the southwest portion of the project site, the project Applicant shall submit a Determination of Biologically Equivalent or Superior Preservation (DBESP) to the California Department of Fish and Wildlife (CDFW) and United States Fish and Wildlife Service (USFWS) for review and approval prior to grading permit issuance. Copies of the DBESP and CDFW/USFWS approval documents shall be provided to the City of Menifee Community Development Department.	Applicant	CDFW/ USFWS/ Community Development Department - Planning Division	Prior to Permit Issuance			

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BIO-4	Regulatory Permitting. Prior to grading permit issuance the project Applicant shall obtain a Section 404 Nationwide permit from the United States Army Corps of Engineers; a Section 401 Water Quality Certification permit, and Section 1602 Streambed Alteration Agreement (SAA) from the California Department of Fish and Wildlife for impacts to jurisdictional waters. Copies of permits and agency clearance shall be provided to the City of Menifee Community Development Department.	Applicant	United States Army Corps of Engineers/ CDFW/ Community Development Department - Planning Division	Prior to Issuance of Grading Permits			
TRANSPORTATION							
TRA-1	Fair Share Contribution. Prior to the issuance of building permits, the project applicant shall pay the project's fair share amount consistent with the <i>Transportation Impact Analysis, Coronado Condos</i> , prepared by Michael Baker International, dated August 14, 2023, in conjunction with all other applicable transportation fees (including but not limited to the City's development impact fees), as follows: <ul style="list-style-type: none"> For impacts to the McCall Boulevard/I-215 Southbound On-Ramp and Off-Ramp, the fair share contribution of 3.8 percent shall apply to the project. For impacts to the McCall Boulevard/I-215 Northbound On- 	Applicant	City of Menifee Traffic Engineer	Prior to Issuance of Building Permits			

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	Ramp and Off-Ramp, the fair share contribution of 2.0 percent shall apply to the project.						
TRA-2	Traffic Management Plan. Prior to issuance of grading permits, the project applicant shall prepare a Traffic Management Plan (TMP) for approval by the City of Menifee Traffic Engineer. The TMP shall include measures to minimize potential safety impacts during the short-term construction process if partial or full lane closures are required. The TMP shall specify that one direction of travel in each direction on adjacent roadways must always be maintained during project construction activities. If full lane closures are required and one direction of travel in each direction cannot be maintained, the TMP shall identify planned detours. The TMP shall include measures such as construction signage, limitations on timing for lane closures to avoid peak hours, temporary striping plans, and use of construction flagperson(s) to direct traffic during heavy equipment use. The TMP shall be incorporated into project specifications for verification prior to final plan approval.	Applicant	City of Menifee Traffic Engineer	Prior to Issuance of Grading Permits			

Table 2
Standard Conditions and Requirements

Condition Number	Standard Conditions and Requirements	Implementation Responsibility	Monitoring Responsibility	Timing	Verification of Compliance		
					Initials	Date	Remarks
CULTURAL RESOURCES							
SC-CUL-1	<p>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.</p> <p>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.</p> <p>The developer/permit holder shall submit a fully executed copy of the contract to the Community Development Department to</p>	Qualified Archaeologist/ Tribal Monitor	Community Development Department - Planning Division	Prior to the Issuance of a Grading Permit/ During Ground Disturbing Activities			

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	<p>ensure compliance with this condition of approval. Upon verification, the Community Development Department shall clear this condition.</p> <p>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 AB 52 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 AB 52 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 AB 52. Details in the Plan shall include:</p> <ul style="list-style-type: none"> a. Project grading and development scheduling; b. 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 						

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	<p>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 to provide the training on an as-needed basis; and</p> <p>c. The protocols and stipulations that the contractor, City, Consulting Tribe(s) and project archaeologist will follow in the event of inadvertent cultural resources</p>						

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	discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources' evaluation.						
SC-CUL-2	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).	Contractor	Community Development Department - Planning Division	During Ground Disturbing Activities			
SC-CUL-3	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	Contractor/ Qualified Archaeologist/ Tribal Monitor	Community Development Department - Planning Division	During Ground Disturbing Activities			

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	<p>significance due to its sacred or cultural importance as determined in consultation with the Native American Tribe(s).</p> <p>i. 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.</p> <p>ii. 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.</p> <p>iii. 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</p>						

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	<p>allowed to continue outside of the buffer area and will be monitored by additional Tribal monitors if needed.</p> <p>iv. 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.</p> <p>v. 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</p>						

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	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.						
SC-CUL-4	Cultural Resources Disposition. In the event that Native American cultural resources are discovered during the course of grading (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 Community Development Department:	Qualified Archaeologist/ Tribal Monitor	Community Development Department - Planning Division	During Ground Disturbing Activities			

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	<p>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.</p> <p>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</p>						

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	<p>under a confidential cover and not subject to Public Records Request.</p> <p>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, burial goods and Native American human</p>						

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	remains. Results concerning finds of any inadvertent discoveries shall be included in the Phase IV monitoring report.						
SC-CUL-5	Native American Monitoring (Pechanga). 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 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 Community Development Department 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.	Pechanga Tribal Monitor	Community Development Department - Planning Division and Engineering Department	During Ground Disturbing Activities			
SC-CUL-6	Native American Monitoring (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 Soboba Band of Luiseno Indians. Prior to issuance of a	Soboba Tribal Monitor	Community Development Department - Planning Division and Engineering Department	During Ground Disturbing Activities			

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	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 Community Development Department and to the Engineering Department. The Native American 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.						
SC-CUL-7	Archeology Report - Phase III and IV. Prior to final inspection, the developer/permit holder shall prompt the project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be	Qualified Archaeologist	Community Development Department - Planning Division	Prior to Final Inspection			

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	adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).						
SC-CUL-8	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.	Contractor	Community Development Department - Planning Division	During Ground Disturbing Activities			
	GEOLOGY AND SOILS						

Condition Number	Standard Conditions and Requirements	Implementation Responsibility	Monitoring Responsibility	Timing	Verification of Compliance		
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SC-GEO-1	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 Community Development Department 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 Community Development Department for review and approval, and the project proponent shall implement the approval plan.	Contractor/ Qualified Paleontologist	Community Development Department - Planning Division	During Ground- Disturbing Activities			
	NOISE						

Condition Number	Standard Conditions and Requirements	Implementation Responsibility	Monitoring Responsibility	Timing	Verification of Compliance		
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SC-NOI-1	<p>The project shall comply with Meniffee Municipal Code, Section 9.210.060 (Noise Control Regulations), Section 9.210.060 – General Exemptions, exemptions relevant to the project include:</p> <ul style="list-style-type: none"> Property maintenance including lawnmowers, leaf blowers, etc., provided such maintenance occurs between the hours of 7 a.m. and 8:00 p.m. Motor vehicles, other than off-highway vehicles. Heating and air conditioning equipment in proper repair. 	Applicant	Code Enforcement	During Operation			
SC-NOI-2	<p>The project shall comply with Meniffee Municipal Code, Section 9.210.060 (Noise Control Regulations), Section 9.210.060 – Construction-Related Exemptions, construction noise is exempt from applicable noise standards provided that:</p> <ul style="list-style-type: none"> The construction project is located at least one-quarter mile from an inhabited dwelling; or Construction does not occur between the hours of 7:00 p.m. and 6:30 a.m. 	Contractor	Community Development Department - Planning Division	During Construction			