

## **EXHIBIT “1”**

### **CONDITIONS OF APPROVAL**

**Planning Application:** Villagio Villas - General Plan Amendment (GPA) PLN21-0376, Zone Change (CZ) PLN21-0377 and Plot Plan (PP) No. PLN21-0375

**Project Description:** **General Plan Amendment (GPA) PLN21-0376 and Zone Change (CZ) PLN21-0377** is required as the proposed project location was previously owned by Caltrans and had no Zoning or General Plan Land Use designations. The proposed General Plan Land Use density is 20.1-24 du/ac with a Zoning designation of High Density Residential both of which are consistent with nearby land uses.

**Plot Plan (PP) No. PLN21-0375** proposes two new 2-story apartment buildings totaling 22,588 square feet at an existing apartment complex (“Villagio Villas”) located at the terminus of Encanto Drive. Each building proposes 12 units (24 total) bringing the total number of units within the Villagio Villas apartment complex to 120 units (96 existing). 25 percent of the proposed units (six {6} units) will be set aside as low income and will be counted towards the City’s Regional Housing Needs Allocation (RHNA) numbers. The project site is approximately 0.82-acres and total site area is approximately 6.99-acres when including the existing apartment site. The project includes a 600 square foot maintenance building and approximately 21,000 square feet of newly landscaped area.

**Assessor's Parcel No.:** 336-030-016

**MSHCP Category:** Residential greater than 14 dwelling units per acre

**DIF Category:** Multi-Family

**TUMF Category:** Per WRCOG

**SKR Category:** Discretionary permit on greater than ½ (0.5 acres)

**Quimby Category:** Multi-Family

**Approval Date:** August 21, 2024

**Expiration Date:** August 21, 2027

- Section I: Community Development Department  
Conditions of Approval**
- Section II: Engineering/Public Works Department  
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# **Section I:                   Community Development Department Conditions of Approval**

## **General Conditions**

1. **Filing Notice of Determination (NOD).** Within 48 hours of project approval, the applicant/developer shall deliver to the Planning Division a cashier's check or money order made payable to the City of Menifee in the amount of Two Thousand Nine Hundred Sixty-Six Dollars and Seventy-Five Cents (\$2,966.75) which includes the Two Thousand Nine Hundred Sixteen Dollars and Seventy-Five Cents (\$2,916.75) fee, required by Fish and Wildlife Code Section 711.4(d)(3) plus the Fifty Dollars (\$50.00) County administrative fee, to enable the City to file the Notice of Determination for the Mitigated Negative Declaration required under Public Resources Code Section 21152 and California Code of Regulations Section 15075. Per Fish and Wildlife Code Section 711.4(c)(3), a project shall not be operative, vested or final and local government permits for the project shall not be valid until the filing fees required are paid.
2. **Indemnification.** 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. In addition to the above, within 15 days of this approval, the developer/applicant shall enter into an indemnification agreement with the City. The indemnification agreement shall be substantially the same as the form agreement currently on file with the City.
3. **Exhibits.** The project shall be constructed as approved by the Planning Commission on June 26, 2024, and as shown in Attachment No. 1 in the accompanying staff report. Any subsequent changes shall be processed per Menifee Municipal Code Section 9.30.120 Modifications to Previously Approved Permits.
4. **Ninety (90) Days.** The permittee has ninety (90) days from the date of approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, 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.
5. **Revocation.** In the event the use hereby permitted under this permit, a) is found to be in violation of the terms and conditions of this permit, b) is found to have been obtained by fraud or perjured testimony, or c) is found to be detrimental to the public health, safety or general welfare, or is a public nuisance, this permit shall be subject to the revocation procedures.
6. **Business License.** Every person conducting a business within the City of Menifee shall obtain a business license, as required by the Menifee Municipal Code. For more information regarding business licensing, contact the City of Menifee.



7. **Modifications or Revisions.** The permittee shall obtain City approval for any modifications or revisions to the approval of this project.
8. **Expiration Date.** This approval shall be used within three (3) years of the approval date; otherwise, it shall become null and void and of no effect whatsoever. By use is meant the beginning of substantial construction contemplated by this approval within three (3) year period which is thereafter diligently pursued to completion or to the actual occupancy of existing buildings or land under the terms of the authorized use.
9. **Mitigation Monitoring and Reporting Program.** The developer shall comply with the mitigation monitoring and reporting program ("MMRP") which is incorporated by reference as part of these conditions of approval.
10. **Phases.** Construction of this project may be done progressively in phases provided a phasing plan is submitted with appropriate fees to the Community Development Department and approved by the Community Development Director prior to issuance of any Building Permits.
11. **Comply with Ordinance.** The development of these premises shall comply with the standards of the City Municipal Code and all other applicable ordinances and State and Federal codes.

The development of the premises shall conform substantially with that as shown on APPROVED EXHIBITS unless otherwise amended by these conditions of approval.

12. **Property Maintenance.** All parkways, including within the right-of-way, entryway median, landscaping, walls, fencing, recreational facilities, and on-site lighting shall be maintained by the property owner or maintenance association.
13. **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), Stephen's Kangaroo Rat (KRAT), Quimby, School Fees, Transportation Uniform Mitigation Fee (TUMF), Road and Bridge Benefit District (RBBD), and Area Drainage Plan (ADP).
14. **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.
15. **Colors and Materials.** Building colors and materials shall be in substantial conformance with those shown on APPROVED EXHIBITS.
16. **Height.** The project has a maximum height of 31'4" (2-stories). The permittee shall obtain City approval for any modifications or revisions to the proposed height.
17. **Parking.** Parking for the project site was determined through the Parking & Loading Standards in Section 9.215 of the City Municipal Code. The project

proposes 235 total parking stalls which includes a mix of garage parking, carport parking and uncovered surface parking evenly distributed throughout the existing/proposed project site, while each unit will have at least one covered parking space. The project includes a minimum of 12 guest parking spaces, seven (7) ADA compliant parking spaces and five (5) employee parking spaces.

**Bicycle Racks:**

One (1) bicycle space is required per every 25 required parking spaces (min. 2). Bicycle racks or lockers with a minimum of 13 spaces shall be provided as shown on APPROVED EXHIBITS to facilitate bicycle access to the project area. The bicycle racks shall be shown on project landscaping and improvement plans submitted for Community Development Department approval and shall be installed in accordance with those plans.

18. **Signs.** This approval does not include the approval of signage (wall signage or freestanding/monument signage). Prior to the installation of any signage, the applicant shall submit a sign permit application to the city for review and approval. All signs shall be consistent with the City of Menifee Municipal Code.
19. **No Outdoor Advertising.** No outdoor advertising display, sign or billboard (not including on-site advertising or directional signs) shall be constructed or maintained within the property subject to this approval.
20. **Reclaimed Water.** The permittee shall connect to a reclaimed water supply for landscape watering purposes when secondary or reclaimed water is made available to the site as required by the Eastern Municipal Water District.

**ARCHEOLOGY/ PALEONTOLOGY**

21. **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.
22. **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).

**23. 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).

- 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.
- 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.
- 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 allowed to continue outside of the buffer area and will be monitored by additional Tribal monitors if needed.
- 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.
- 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 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.”

**24. 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:

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, burial goods and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Phase IV monitoring report.

**25. Inadvertent Paleontological Find.** Should fossil remains be encountered during site development:

- 1) All site earthmoving shall be ceased in the area of where the fossil remains are encountered. Earthmoving activities may be diverted to other areas of the site.
- 2) The applicant shall retain a qualified paleontologist approved by the County of Riverside.
- 3) The paleontologist shall determine the significance of the encountered fossil remains.
- 4) Paleontological monitoring of earthmoving activities will continue thereafter on an as-needed basis by the 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 supervising paleontologist will have the authority to reduce monitoring once he/she determines the probability of encountering any additional fossils has dropped below an acceptable level.

- 5) If fossil remains are encountered by earthmoving activities when the paleontologist is not onsite, these activities will be diverted around the fossil site and the paleontologist called to the site immediately to recover the remains.
- 6) 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.

\*The City of Menifee must be consulted on the repository/museum to receive the fossil material prior to being curated.

### **LANDSCAPING**

26. **Interim Landscaping.** Graded but undeveloped land shall be maintained in a condition so as to prevent a dust and/or blow sand nuisance and shall be either planted with interim landscaping or provided with other wind and water erosion control measures as approved by the Community Development Department and the South Coast Air Quality Management District (SCAQMD).
27. **Landscape Plans.** All landscaping plans shall be prepared in accordance with the City's Water Efficient Landscape Ordinance (MMC 15.04) and the City of Menifee Landscape Standards (MMC 9.195). Such plans shall be reviewed and approved by the Community Development Department, and the appropriate maintenance authority.
28. **Maintenance of Landscaping.** All private landscaping shall be maintained by a property owners association, individual property owner, or as otherwise established by CC&Rs. All landscaping, and similar improvements not properly maintained by a property owners association or individual property owners must be annexed into a Lighting and Landscape District, or other mechanism as determined by the City of Menifee.

### **PRIOR TO GRADING PERMIT ISSUANCE (OR GROUND DISTURBING ACTIVITIES)**

29. **Rough and Precise Grading Plan Review.** The Community Development Department shall review the rough and/or precise grading plans for consistency with the approved site plan and conceptual grading plan (APPROVED EXHIBITS) and the conditions of approval.

30. **Stockpiling/Staging.** During construction, best efforts shall be made to locate stockpiling and/or vehicle staging areas as far as practicable from all existing “sensitive receptors” and/or existing apartment buildings.

*The following **two (2)** conditions shall be verbatim on all grading plan submittals.*

31. **AQMD Rule 402.** The project developer shall implement the following measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the project site throughout the project construction phases. The project developer shall include in construction contracts the control measures as may be required under Rule 402, at the time of development, including the following:

- a. Keep all construction equipment in proper tune in accordance with manufacturer’s specifications.
- b. Use late model heavy-duty diesel-powered equipment at the project site to the extent that it is readily available in the South Coast Air Basin (meaning that it does not have to be imported from another air basin and that the procurement of the equipment would not cause a delay in construction activities of more than two weeks).
- c. Use low-emission diesel fuel for all heavy-duty diesel-powered equipment operating and refueling at the project site to the extent that it is readily available and cost effective in the South Coast Air Basin (meaning that it does not have to be imported from another air basin, that the procurement of the equipment would not cause a delay in construction activities of more than two weeks, that the cost of the equipment use is not more than 20 percent greater than the cost of standard equipment (This measure does not apply to diesel-powered trucks traveling to and from the site)).
- d. Utilize alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas), if equipment is readily available and cost effective in the South Coast Air Basin (meaning that it does not have to be imported from another air basin, that the procurement of the equipment would not cause a delay in construction activities of more than two weeks, that the cost of the equipment use is not more than 20 percent greater than the cost of standard equipment).
- e. Limit truck and equipment idling time to five minutes or less.
- f. Rely on the electricity infrastructure surrounding the construction sites rather than electrical generators powered by internal combustion engines to the extent feasible.
- g. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

32. **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 sweepers) and watered at least twice daily. Site wetting must occur often enough to maintain a 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 50%.
- b. Water active grading/excavation sites and unpaved surfaces at least three times daily;
- c. All paved roads, parking and staging areas must be watered at least once every two hours of active operations;
- d. Site access points must be swept/washed within thirty 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 25 mph;
- l. Suspend excavation and grading activity when winds (instantaneous gusts) exceed 15 miles per hour over a 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 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 24 hours of their receipt.

**33. 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.

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.

The developer/permit holder shall submit a fully executed copy of the contract to the Community Development Department to ensure compliance with this condition of approval. Upon verification, the Community Development Department shall clear this condition.

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:

- 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 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;
- c. 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.

**34. Paleontologist Required.** Prior to the issuance of grading permits, the project applicant shall retain a qualified paleontologist approved by the Community Development Department to create and implement a project-specific plan for monitoring site grading/earthmoving activities (project paleontologist). The project paleontologist retained shall review the approved development plan 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 City Community Development Department for review and approval prior to the issuance of a grading permit. 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:

- 1. 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.
- 2. 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.
- 3. 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.

4. If fossil remains are encountered by earthmoving activities when the project paleontologist is not on-site, these activities will be diverted around the fossil site and the project paleontologist called to the site immediately to recover the remains.
5. If fossil remains are found, 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.
6. 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 will then be curated (assigned and labeled with museum repository fossil specimen numbers and corresponding fossil site numbers, as appropriate; placed in specimen trays and, if necessary, vials with completed specimen data cards) and catalogued, and 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. The City must be consulted on the repository/museum to receive the fossil material prior to being curated.
7. 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 City for review and approval prior to final building inspection as described elsewhere in this condition set. 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 office of the City Community Development Department along with a copy of this condition and the grading plan for appropriate case processing and tracking.

**35. 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 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 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.

The Developer shall relinquish ownership of all cultural resources, including all archaeological artifacts that are of Native American origin, found in the project area for proper treatment and disposition to a curational facility that meets or exceeds

Federal Curation Standards outlined in 36 CFR 79. The Applicant/Permittee shall be responsible for all curation costs.

- 36. 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 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.

The Developer shall relinquish ownership of all cultural resources, including all archaeological artifacts that are of Native American origin, found in the project area for proper treatment and disposition to a curational facility that meets or exceeds Federal Curation Standards outlined in 36 CFR 79. The Applicant/Permittee shall be responsible for all curation costs.

- 37. Pre-construction Burrowing Owl Survey.** Pursuant to Objective 6 and Objective 7 of the Species Account for the Burrowing Owl included in the Western Riverside County Multiple Species Habitat Conservation Plan, within thirty (30) days prior to the issuance of a grading permit, a pre-construction presence/absence survey for the burrowing owl shall be conducted by a qualified biologist and the results of this presence/absence survey shall be provided in writing to the City of Menifee Community Development Department. If it is determined that the project site is occupied by the Burrowing Owl, take of "active" nests shall be avoided pursuant to the MSHCP and the Migratory Bird Treaty Act. However, when the Burrowing Owl is present, relocation outside of the nesting season (March 1 through August 31) by a qualified biologist shall be required. The City shall be consulted to determine appropriate type of relocation (active or passive) and translocation sites. Occupation of this species on the project site may result in the need to revise grading plans so that take of "active" nests is avoided or alternatively, a grading permit may be issued once the species has been actively relocated.

If the grading permit is not obtained within thirty (30) days of the survey a new survey shall be required.

No ground disturbance, including disking, blading, grubbing or any similar activity (except for agricultural production on-site which has been a historic and on-going use of the property) shall occur within the site until the burrowing owl study is reviewed and approved.

- 38. Nesting Bird Survey.** If grading is to occur during the nesting season (February 1 – August 31), a nesting bird survey shall be conducted within ten (10) days prior to grading permit issuance. This survey shall be conducted by a qualified biologist holding a Memorandum of Understanding (MOU) with Riverside County. The findings shall be submitted to the City of Menifee Community Development Department for review and approval.

39. **Fees.** Prior to the issuance of grading permits, the Community Development Department shall determine the status of any deposit-based fee accounts related to the project. If the fees are in a negative status, the permit holder shall pay the outstanding balance.

**Prior to Issuance of Building Permit**

40. **Walls.** The alignments, heights, and elevations of all perimeter walls shall be in substantial conformance with the elevations shown on the APPROVED EXHIBITS.
41. **HVAC.** The developer shall utilize HVAC units with the lowest sound power level shall be selected. The HVAC units shall be installed as far as possible from residential land uses. The HVAC equipment shall be enclosed or shielded from off-site properties.
42. **Screening of Accessory Structures.** Screening of trash receptacles within trellised enclosures and encasing mechanical equipment within small structures compatible in color and materials to the adjacent landscaping or the primary structures shall be required and methods of screening shall be included on building plans and/or landscaping plans. Transformers shall be painted to match the building and shall be substantially screened from the right-of-way and drive aisles.
43. **Security Systems.** Prior to the issuance of Building Permits, the applicant shall prepare a security plan for the site. The security plan for this project shall include a comprehensive security camera system that clearly depicts the entire parking field. This security camera system shall be based in one of the buildings containing the management office for this development, or other place acceptable to the Menifee Police Department, that is accessible to law enforcement at all times of the day and night. This security camera system shall have a recording capacity to minimally save footage for the period of one month or as approved by the Police Department. The above camera surveillance system shall include LPR (License Plate Recognition) cameras installed at the entrances/exits to this project or as approved by the Police Department. LPR cameras are cameras specifically designed to read and record vehicle license plates as they enter and exit this complex. It should be noted that high-quality day/night vision LPR cameras are relatively inexpensive. The plan shall be approved prior to issuance of Building Permits.

The Menifee Police Department and/or Community Development Department shall verify that the security system has been installed prior to final occupancy.

**LANDSCAPING**

44. **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.

- 45. Landscape and Irrigation Plans.** The permittee shall submit Final Landscaping and Irrigation Plans to the Community Development Department for review and approval prior to installation. Said plan shall be submitted to the Division in the form of a plot plan application pursuant to Menifee Municipal Code along with the current fee.

The plan shall be in compliance with the APPROVED EXHIBIT. The plan shall address all areas and conditions of the project requiring landscaping and irrigation to be installed. The location, number, genus, species, and container size of plants shall be shown. Emphasis shall be placed on using plant species that are drought tolerant and which have low water usage.

Landscaping and Irrigation Plot Plans shall be prepared consistent with Menifee Municipal Code (as adopted and any amendments thereto), the Riverside County Guide to California Landscaping and Eastern Municipal Water District requirements.

Landscaping plans for areas that are totally within the road right-of-way shall be submitted to the Engineering Department only. Slope Landscaping plans for slopes exceeding 3 feet in height shall be submitted to the Engineering Department.

The irrigation plan shall be in compliance with Menifee Municipal Code Chapter 15.04, and include a rain shut-off device which is capable of shutting down the entire system. In addition, the plan will incorporate the use of in-line check valves, or sprinkler heads containing check valves to prohibit low head drainage.

The Community Development Director shall have the authority to defer the requirement that the landscape and irrigation plans be approved prior to building permit issuance. Any deferral of the approval of the plans will be based on the status of the plans and severity of outstanding corrections. However, the requirement to submit plan prior to building permit issuance shall not be deferred.

- 46. 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 installation, installation, Six Month, and One Year Landscape Inspections.
- 47. Bicycle Racks.** The landscaping plans shall show the location and style of the bicycle racks.
- 48. Tree Placement.** Tree placement should avoid conflicts with parking lot lighting. When conflict occurs, it shall be up to the Community Development Department Director to determine the solution.
- 49. Double Detectors.** Double detector check valve assemblies (backflow preventers) for landscape irrigation and domestic water shall not be located at visually prominent locations (such as the end of drive aisles or at site entries) and shall be well-screened with shrubs, berming, or low screen walls.

## **FEES**

50. **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), 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 (RBBBD), and Area Drainage Plan (ADP).

## **Prior to Final Inspection**

51. **Affordable Income Requirement.** Prior to the final inspection, the property owner shall file a deed restriction with the County of Riverside, declaring that 25% or six (6) units within the proposed project be reserved for someone that meets the requirements of low income or very low income as defined by the Riverside County Housing Authority.
52. **Air Filtration Units.** Prior to issuance of occupancy permit, the applicant shall be required to install high efficiency MERV filters in the intake of residential ventilation systems. Heating, air conditioning and ventilation (HVAC) systems shall be installed with a fan unit power designed to force air through the MERV filter. To ensure long-term maintenance and replacement of the MERV filters in the individual units, the following shall occur:
- a. Developer, sale, and/or rental representative shall provide notification to all affected tenants/residents of the potential health risk for affected units.
  - b. For rental units, the owner/property manager shall maintain and replace MERV filters in accordance with the manufacturer's recommendations. The property owner shall inform renters of increased risk of exposure to diesel particulates when windows are open.
  - c. For any resident-owned units, the HOA shall incorporate requirements for long-term maintenance in the CC&R's and inform homeowners of their responsibility to maintain the MERV filter in accordance with the manufacturer's recommendations. The HOA shall inform homeowners of increased risk of exposure to diesel particulates when windows are open.
53. **Security System Inspection.** The City of Menifee Police Department and/or Planning Division of the Community Development Department shall verify that the security system has been installed prior to final occupancy.
54. **Paleontological Monitoring Report.** Prior to issuance of a certificate of occupancy, the permittee shall submit to the Community Development Department, two (2) copies of the Paleontology Monitoring Report. The report shall be certified by a professional paleontologist listed Riverside County's Paleontology Consultant List. A deposit for the review of the report will be required.
55. **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 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 Pechanga Cultural Resources Department.

- 56. Mechanical Equipment Enclosure.** Prior to final occupancy, Community Development staff will verify that all roof-mounted and/or ground-mounted mechanical equipment has been screened in compliance with the approved plans. The applicant may be required to screen additional mechanical equipment required by outside agencies (transformers, double detectors, etc.) to the satisfactory of the Community Development Director.
- 57. Trash Enclosures.** Trash enclosures which are adequate to enclose the required number of bins (per Waste Management) shall be located as shown on the Approved Exhibits and shall be constructed prior to the issuance of occupancy permits. The enclosure(s) shall be a minimum of six (6) feet in height and shall be architecturally enhanced and made with masonry block (including masonry cap) with landscaping screening, roof covering and a solid gate which screens the bins from external view in compliance with Approved Exhibits. Additional enclosed area for collection of recyclable materials shall be located within, near or adjacent to each trash and rubbish disposal area. The recycling collection area shall be a minimum of fifty percent (50%) of the area provided for the trash/rubbish enclosure(s) or as approved by the City of Menifee Engineering Public Works Department. All recycling bins shall be labeled with the universal recycling symbol and with signage indicating to the users the type of material to be deposited in each bin.
- 58. Utilities Underground.** All utilities, except electrical lines rated 33 kV or greater, shall be installed underground. If the permittee provides to the Department of Building and Safety and the Community Development Department 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.
- 59. Final Planning Inspection.** The permittee shall obtain final occupancy sign-off from the Community Development Department 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 permittee shall have all required paving, parking, walls, site lighting, landscaping and automatic irrigation installed and in good condition.

### **LANDSCAPING**

60. **Soil Management Plan.** The permittee shall submit a Soil Management Plan (Report) to the Community Development Department 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/Irrigation Install Inspection.** The permittee landscape architect responsible for preparing the Landscaping and Irrigation Plans shall arrange for a Pre-Landscape installation inspection and a Landscape Completion Installation Inspection with the Community Development Department. The pre-landscape inspection shall be arranged at least fifteen (15) working days prior to installation of landscaping. The landscape completion inspection shall be arranged at least fifteen (15) working days prior to final inspection of the structure or issuance of occupancy permit, whichever occurs first. A One Year Post-Establishment Inspection will also be required. The Community Development Department will require a deposit in order to conduct the landscape inspections.
62. **Landscape Installation.** All required landscape planting and irrigation, including but not limited to onsite, shall have been installed in accordance with approved Landscaping, Irrigation, and Shading Plans, Menifee Municipal Code (as adopted and any amendments thereto), Eastern Municipal Water District requirements and the Riverside County Guide to California Landscaping. All landscape and irrigation components shall be in a condition acceptable to the Community Development Department. The plants shall be healthy and free of weeds, disease or pests. The irrigation system shall be properly constructed and determined to be in good working order.
63. **Final Landscape Approval.** The final landscape approval following installation shall be subject to the review and approval of the City's Landscape Architectural Consultant and the Community Development Director. The Community Development Director may require additional trees, shrubs and/or groundcover as necessary, if site inspections reveal landscape deficiencies that were not apparent during the plan review process.

#### **FEES**

64. **Fees.** Prior to issuance of occupancy/final inspections, the Community Development Department shall determine if any deposit-based fee accounts related to the project are in a negative balance. If so, any outstanding fees shall be paid by the permittee.



# **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.

It is understood that the approved site plan 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 project to be resubmitted for further consideration. If there is a conflict between what is shown on the site plan and these conditions, these conditions will supersede what is shown on the site plan and any attachments to the entitlement, including 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 site plan and associated engineering documents that are not specifically requested shall be redesigned to meet city standards.**

1. **Drainage Study** – The following report was deemed sufficient for entitlement with comments to be addressed in final engineering:
  - a. *Preliminary Drainage Study for VILLAGIO APARTMENTS* for FRONTIER INVESTMENTS: APN # 336-030-016, prepared by RICK ENGINEERING COMPANY WATER RESOURCES DIVISION, dated October 28, 2021, revised October 27, 2023.

The project shall comply with all mitigation recommended by the 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.

2. **Preliminary Project Specific Water Quality Management Plan (Preliminary WQMP).** The following report was deemed sufficient for entitlement with comments to be addressed in final engineering:

- a. *Preliminary Project Specific Water Quality Management Plan, WQ-0277*, prepared by Rick Engineering Company. For Frontier Investments, dated October 28, 2021, Revised October 27, 2023.

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.

3. **Modification to CALTRANS Inlet** - If needed due to increase in flow or modifications to existing facilities, the developer / property owner shall permit through CALTRANS any modifications to drainage facilities. If a CALTRANS permit is required, it shall be obtained prior to issuance of any building permit.
4. **Geotechnical Report** – The following documentation was reviewed and approved by the City:

*Soil and Foundation Evaluation Report For Apartment Building Addition, Project No. A-8465-21*, prepared by Soil Pacific, Inc., dated April 18, 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.

5. **Parcel Merger** - The developer / property owner shall merge the land undergoing the zone change with the existing adjacent Villagio Villa Apartment complex parcel. The parcel merger shall be processed through an acceptable recordable instrument prior to the issuance of a building permit.
6. **Vacation of Existing Easements** - The developer / property owner shall vacate the unnecessary existing 52' drainage and flowage easement conflicting with the building footprint. The vacation shall be processed through an acceptable recordable instrument prior to issuance of any building permit. Any vacations / Quitclaims will be reviewed with a future submitted final grading plan. Developer shall verify who holds the existing interest in easements that will be vacated. If easements are held by another party, other than the City, the developer is required to obtain their approval. Some requirements to vacate this easement will be:
  - a. The easement & any drainage facilities are confirmed no longer in use & will never be needed for future drainage purposes.
  - b. Verifying the original intended purpose for the facilities & why they were warranted to begin with.
7. **Traffic VMT Analysis Study**— The following report was reviewed and approved by the City:

*Villagio Apartment Homes Project Trip Generation & Vehicle Miles Traveled (VMT) Screening Study, City of Menifee*, prepared by RK Engineering Group, Inc., dated October 04, 2022.

The Public Works Department – Traffic Engineering Division has reviewed the VMT Analysis and has generally concurred with its findings.

8. **Construction of Street and Wet Utility Improvements** – The developer / property owner shall design and construct the following improvements:
  - a. On-site Improvements - Construct all street, storm, sewer, water, and wall improvements to public agency engineering standards. Although the streets will be private, all infrastructure improvements shall adhere to public agency standards, unless otherwise approved by City Engineer/PW Director.

# Section II-B:

## Engineering/Public Works

### Department

## Standard Policies & Procedures

1. All required public improvements must be constructed and accepted by the City prior to issuance of the first and any subsequent certificate of occupancy, unless approved by City Engineer/Public Works Director.
2. 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 site plan and associated engineering documents that are not specifically requested are not approved.
3. 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.
4. **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.
5. **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.
6. **Guarantee for Required Improvements.** Prior to grading permit issuance, and/or construction permit issuance, 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.
7. 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.
8. **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.

9. **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.
10. **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.
11. **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 surveying documents upon approval.
12. **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.
13. **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 building permit issuance 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.

**14. 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, and prior to Acceptance of improvements and Performance security/bond release.

**15. 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.

**16. 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.

17. 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.
18. **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.
19. **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.
20. **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.
21. **Slope Setbacks** – Observe slope setbacks from buildings and property lines per the California Building Code and City ordinance on grading.
22. **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.
23. **Slope Erosion Control Plan** - 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.

24. **Slope Stability Report** – 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.
25. **Erosion Control Plans** – 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.
26. **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.
27. **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.
28. **Drainage Grade** - Minimum drainage design grade shall be 1.5% except on Portland cement concrete surfaces where 0.50% shall be the minimum for concentrated flow conveyance (ribbon gutters and . The engineer of record must



submit a variance request for design grades less than 1% with a justification for a lesser grade.

29. **Finish Grade** – Shall be sloped to provide proper drainage away from all exterior foundation walls in accordance with City of Menifee Standard Plan 300.
30. **Use of Maximum and Minimum ADA 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.
31. **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.
32. **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.
33. **Trash Racks.** Trash Racks shall be installed at all inlet structures that collect runoff from open areas with potential for large, floatable debris.
34. **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.
35. **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.
36. **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.
37. **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.

38. **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.
39. **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.
40. **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.
41. **Offsite Grading Easements** - Prior to building permit issuance, or the issuance of a grading permit whichever comes 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.
42. **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 issuance of a grading permit, the developer shall obtain all required ROW, easements and / or permissions to perform offsite grading, from all affected landowners.
43. **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:

- i. Undeveloped Condition --> LOW LOSS = 90%
- ii. Developed Condition --> LOW LOSS = .9 - (.8x%IMPERVIOUS)
- iii. 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. Mitigation basins should be designed for joint use and be incorporated into open space or park areas. Side slopes should be no steeper than 4: 1 and depths should be minimized where public access is uncontrolled.

Mitigation basins should be designed for joint use and may be incorporated into open space or park areas. Side slopes should be not steeper than 4:1 and depths should be minimized where public access is uncontrolled.

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 commercial property owners association or homeowners associations.

44. **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.
45. **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.
46. **100 Year Storm-** The 100-year storm flow shall be contained within the street top of curb.
47. **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.
48. **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.
49. **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.
50. **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.
51. **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.

52. **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.
53. **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.
54. **Trash Racks** – Trash Racks shall be installed at all inlet structures that collect runoff from open areas with potential for large, floatable debris.
55. **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.
56. **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.
57. **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.
58. **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.
59. **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.

60. **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.
61. **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.
62. **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.
63. **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.
64. **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.
65. **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.
66. **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 grading plans. Compaction test certification shall be in compliance with the approved project geotechnical/soils report.
67. **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.

68. **Common Area Maintenance** – Any common areas identified on the site plan 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 dedication, or separate recordable instrument, and shall be in a form acceptable to the city.
69. **Maintenance Exhibit** – Prior to CFD Annexation, 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.
70. **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) shall be the mechanism to maintain such common areas.
71. **CC&R Content, Submittal Process and Timing** – 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..... the issuance of Certificate of Occupancy or building permit issuance.
- 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.

**72. 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.

**73. 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.

**74. Intersection Geometrics** – All final intersection geometrics may be modified in final engineering as approved by the Public Works Director / City Engineer.

**75. 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 for local roads and one hundred (100) foot tangent, measured from flow line / curb face or as approved by the Public Works Director / City Engineer.

**76. Street Improvements** – Street improvements shall conform to all applicable City Design Standards and Specifications, the City General Plan, and all other relevant laws, rules and regulations governing street construction in the City.

**77. 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.

**78. 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.



79. **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.
80. **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.
81. **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.
82. **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.
83. **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.
84. **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.
85. **Offsite Grading** – A notarized and recorded agreement, or City-approved documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.
86. **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.

87. **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.
88. **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.
89. **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.
90. **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.
91. **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.
92. **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.
93. **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.
94. **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.

**95. 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.

**96. 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](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.

**97. Final WQMP.** 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.

**98. 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.

99. **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.
100. **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 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.
101. **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.
102. **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](http://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.

103. **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.
104. **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.
105. **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.
106. **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.
107. **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.
108. **Annexation to the Citywide Community Facilities District (CFD) (2017-1)** - Prior to the issuance of a Building Permit, 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.
109. **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 after the issuance of a building permit but prior to issuance of a Certificate of Occupancy. 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.

110. **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.
111. **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.
112. **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.
113. **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.
114. **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.
115. **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](http://www.rivcowm.org/opencms/recycling/recycling_and_compost_business.html#mandatory)

116. **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.

117. **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.

118. **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.

119. **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.
120. **Fees and Deposits –** Prior to approval of final 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.
121. **Road Bridge Benefit District –**The applicant shall pay the RBBD fees based on the designated land use and areas, prior to the issuance of a building permit. Should the project proponent choose to defer the time of payment, a written request shall be submitted to the City, deferring said payment from the time of issuance of a building permit to issuance of a certificate of occupancy. Fees which are deferred shall be based upon the fee schedule in effect at the time of issuance of the permit of each parcel.
122. **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.
123. **Fees and Deposits –** Prior to approval of final 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.

## **Section III:**

# **Building and Safety Department** **Conditions of Approval**

1. **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.
2. **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, 2019 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.
3. **ADA Access.** Applicant shall provide details of all applicable disabled access provisions and building setbacks on plans to include:
  - a. Disabled access from the public way to the main entrance of the building.
  - b. Van accessible parking located as close as possible to the main entrance of the building(s).
  - c. Accessible path of travel from parking to the furthest point of improvement.
  - d. Accessible path of travel from public right of way to all public areas on site, such as enclosures, clubhouses, and picnic areas.
4. **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 655P 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.
5. **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.
6. **Obtain Approvals Prior to Construction.** Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.
7. **Obtaining Separate Approvals and Permits.** Trash Enclosures, patio covers, light standards, and any block walls will require separate approvals and permits. Solid covers are required over new and existing trash enclosures.
8. **Private Sanitary Sewer and Domestic Water Plan Approvals.** On-site private sanitary sewer and domestic water plans will require separate approvals and permits from Building and Safety. One (1) set of digital plans shall be submitted.

9. **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.
10. **Demolition. (If applicable)** Demolition permits require separate approvals and permits. AQMD notification and approval may be required.
11. **House Electrical Meter.** Provide a house electrical meter to provide power for the operation of exterior lighting, irrigation pedestals and fire alarm systems for each building on the site. Developments with single user buildings shall clearly show on the plans how the operation of exterior lighting and fire alarm systems when a house meter is not specifically proposed.

**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.

**At Plan Review Submittal**

1. **Submitting Plans and Calculations.** Submit one (1) digital complete set of fully dimensioned Structural, Architectural, Plumbing, Mechanical and Electrical Plans, along with one (1) digital set of geotechnical reports and one (1) digital set of precise grade plans. Hard copy plans will not be accepted. All plans shall be submitted at a digital equivalent minimum 24" x 36"

**General Requirements**

1. All sheets of the plans and the first sheet of the calculations are required to be signed by the licensed architect or engineer responsible for the plan preparation. (Business & Professions Code 5802), (Business & Professions Code 5536.1, 5802, & 6735)

**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.
4. Each model or building type
5. 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.

### **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 departments 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**

1. All associated Building Fees to be paid.
2. Each Department is **required** to Approve, with a signature.

### **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.

**Section IV:**

**Fire Department**

**Conditions of Approval**

## General Conditions

1. **SURFACE LOAD AND CAPABILITIES** - Fire apparatus access roads shall be designed to support the impose loads of fire apparatus [80,000-pound live load (gross vehicular weight) distributed over two axles] and shall be surfaced so as to provide all-weather driving capabilities [rear wheel drive apparatus] for the length and grade(s) of the fire apparatus access road. The fire apparatus access road shall be reviewed and approved by the Office of the Fire Marshal and in place during the time of construction. (CFC 501.3)
2. **FIRE APPARATUS ACCESS** - roads shall have an unobstructed width of not less than twenty-four (24) feet as approved by the Office of the Fire Marshal and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1)
3. **SPRINKLER SYSTEM** - In all new Buildings or structures which are 3600 sq. ft or greater, an approved automatic sprinkler system shall be provided regardless of occupancy classification.
4. **WATER FLOW** - Minimum fire flow for the construction of all commercial buildings is required per CFC Appendix B and Table B105.1. Prior to building permit issuance, the applicant/developer shall provide documentation to show there exists a water system capable of delivering the fire flow based on the information given. Subsequent design changes may increase or decrease the required fire flow.
5. **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.
6. **ADDRESS** - Display Street numbers in a prominent location on the address side of building(s) and/or rear access if applicable. Numbers and letters shall be a minimum of 12" in height for building(s) up to 25' in height. In complexes with alpha designations, letter size must match numbers. All addressing must be legible, of a contrasting color, and adequately illuminated to be visible from the street at all hours.
7. **BLUE DOT REFLECTORS**- Blue retro-reflective pavement markers shall be mounted on private streets, public streets, and driveways to indicate the location of fire hydrants. Prior to installation, placement of markers must be approved by the Riverside County Fire Department.
8. **KNOX** - A rapid entry Knox Box shall be installed on the outside of the building. If a Knox box has already been installed provide keys to the tenant space for inclusion in the main building Knox Box. Key(s) shall have durable and legible tags affixed for identification of the correlating tenant space. Special forms are available from this office for ordering the Knox Box. If the building/facility is protected with a fire alarm or burglar alarm system, it is recommended that the lock box be "tamper" monitoring.



9. ACCESS ROADS - 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 a fire access road as path of travel.
10. FIRE HYDRANTS - The Fire Prevention Department is required to set minimum fire hydrant distances per CFC Appendix C. Standard fire hydrants (6" x 4" 2 ½" outlets) shall be located on Fire Department access roads and adjacent public streets. Hydrants shall be spaced at 500 feet apart at each intersection, and shall be located no more than 250 feet from any point on the street or Fire Department access road(s) frontage to a hydrant for single family dwellings and 350 feet apart at each intersection, and shall be located no more than 210 feet from any point on the street or Fire Department access road(s) frontage to a hydrant for multi-family projects. The required fire flow shall be available from any adjacent hydrant(s) in the system. The upgrade of existing fire hydrants may be required.
11. 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 Transportation/Engineer Department and the Riverside County Fire Department.
12. SPRINKLER SYSTEM- 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.

## **Section V:**

# **Riverside County Environmental Health Conditions of Approval**

## **General Conditions**

1. **Potable Water and Sanitary Sewer.** A “General Condition” shall be placed on the project indicating that the subject property is proposing to receive potable water service and sanitary sewer service from Eastern Municipal Water District (EMWD). It is the responsibility of this facility to ensure that all requirements to obtain potable water and sanitary sewer service are met with EMWD, as well as all other applicable agencies.
  - a. Prior to building permit issuance, provide documentation that establishes water and service for the project from EMWD (first release letter)
  - b. Prior to final, provide documentation that verifies actual service from EMWD (Final release letter)
2. **Removal/Abandonment of Any Existing OWTS And Wells.** Prior to building permit issuance, any existing wells and/or existing on-site wastewater treatment systems (OWTS) shall be properly removed and/or destroyed under permit with DEH.
3. **Local Enforcement Agency.** Ensure the appropriate size and number of refuse/recycle bins are provided at this site, in accordance with SB1383 and that an approved Solid Waste Hauler purveyor is utilized. For additional info please contact Local Enforcement Agency (LEA) at 951.955.8980.
4. **Environmental Cleanup Programs (ECP).** If contamination or the presence of a naturally occurring hazardous material is discovered at the site, assessment, investigation, and/or cleanup may be required. Contact Riverside County Environmental Health - Environmental Cleanup Programs at (951) 955-8980, for further information.

**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)