

EXHIBIT “A”

CONDITIONS OF APPROVAL

Planning Application No.: Tentative Parcel Map No. 38156 (PLN21-0305) and Plot Plan No. 2019-005

Project Description: **Tentative Parcel Map No. 38156 (PLN21-0205)** proposes to combine four parcels (APNs 331-140-010, 331-140-018, 331-140-021, and 331-140-025) into one parcel for a total of 56 gross acres and proposes to combine three parcels (APNs 331-110-035, 331-110-027, and 331-110-041) into one parcel for a total of 21.79 gross acres.

Plot Plan No. 2019-005 proposes the construction of two concrete tilt-up buildings. Building 1 would total approximately 1,254,160 square feet (SF) of warehouse, inclusive of 144,220 SF of mezzanine, and 14,500 SF of office space. Building 2 would total approximately 385,970 SF of warehouse, inclusive of 10,000 SF of office space.

Associated Applications: General Plan Amendment No. PLN21-0100
Change of Zone No. PLN21-0101
Specific Plan Amendment No. 2016-006

Assessor's Parcel No.: 331-110-027, 035, -041 & 331-140-010, -018, -021 & -025

MSHCP Category: Industrial

DIF Category: Industrial/Business Park

TUMF Category: Industrial

Quimby Category: Quimby fees are not required for industrial developments

Approval Date: TBD

Expiration Date: TBD

Within 48 Hours of the Approval of This Project

1. **Filing Notice of Determination.** 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 Three Thousand, Five Hundred, Eighty Nine Dollars and Twenty Five cents (\$3,589.25) which includes the Three Thousand Five Hundred Forty Three Nine Dollars and Twenty Five Cents (\$3,539.25) 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 Environmental Impact Report 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 filling 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.

Section I: Conditions applicable to All Departments

Section II: Community Development Conditions of Approval

Section III: Engineering/Grading/Transportation Conditions of Approval for Tentative Parcel Map

Section IV: Engineering/Public Works Conditions of Approval for Plot Plan

Section V: Building and Safety Department Conditions of Approval

Section VI: Riverside County Fire Department Conditions of Approval

Section VII: Other Agency/Department Conditions of Approval

Section VIII: Standard Conditions of Approval Cited in the Environmental Impact Report

Section I:

Conditions Applicable to all
Departments

General Conditions

3. **Definitions.** The words identified in the following list that appear in all capitals in the attached conditions of Tentative Parcel Map No. 38156 and Plot Plan No. 2019-005 shall be henceforth defined as follows:

Permittee, Applicant, Project Permittee(s), Project Developer(s) shall all mean the Permittee of this project.

APPROVED EXHIBIT A = Site Plan for Plot Plan No. 2019-005, dated November 11, 2021.

APPROVED EXHIBIT B = Elevations (Black and White, 11/11/21; Color, 8/16/2022), for Plot Plan No. 2019-005.

APPROVED EXHIBIT C = Floor Plans for Plot Plan No. 2019-005 dated August 5, 2021.

APPROVED EXHIBIT G = Conceptual Grading Plan for Plot Plan No. 2019-005, dated April 7, 2022.

APPROVED EXHIBIT L = Conceptual Landscaping and Irrigation Plan for Plot Plan No. 2019-005, dated April 7, 2022.

APPROVED EXHIBIT M = Color and Materials Board for Plot Plan No. 2019-005, dated August 18, 2022.

APPROVED EXHIBIT P = Photometric Plans for Plot Plan No. 2019-005, dated May 19, 2021.

APPROVED EXHIBIT R = Visual Renderings for Plot Plan No. 2019-005

APPROVED EXHIBIT T = Tentative Parcel Map No. 38156, dated April 6, 2022.

PLOT PLAN = Plot Plan No. 2019-005

FINAL MAP = Final Map or Parcel Map for the TENTATIVE MAP whether recorded in whole or in phases.

EIR = Menifee Commerce Center Environmental Impact Report State Clearinghouse Number 2021060247

MMRP: Mitigation Monitoring & Reporting Program for EIR

4. **Comply with Menifee Municipal Code Chapter 7 Subdivisions.** This land division shall comply with the State of California Subdivision Map Act and to all requirements of Title 7 (Subdivisions) of the Menifee Municipal Code, unless modified by the conditions listed herein
5. **Mitigation Monitoring and Reporting Program (MMRP).** The developer shall comply with the MMRP of the Menifee Commerce Center EIR.
6. **Standard Conditions and Requirements.** The developer shall comply with the standard conditions and requirements cited in Section 4.2 (Air Quality) and Section 4.7 (Greenhouse Gas Emissions) of the Draft Environmental Impact Report (DEIR) and provided in Section VIII of these Conditions of Approval.

7. **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.
8. **Property Maintenance.** All parkways, including within the right-of-way, entryway, landscaping, walls, fencing, and on-site lighting shall be maintained by the property owner or maintenance association.
9. **Business Registration.** 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 registration, contact the City Clerk.
10. **Expiration Date.** The conditionally approved TENTATIVE MAP and PLOT PLAN approval shall be used within three years of the City of Menifee City Council original approval date, unless extended pursuant to the Subdivision Map Act, the City of Menifee Subdivision Ordinance, or the City of Menifee Development Code. By use is meant the beginning of substantial construction contemplated by this approval within a three 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. Action on a minor change and/or revised map request shall not extend the time limits of the originally approved TENTATIVE MAP. If the TENTATIVE MAP expires before the recordation of the final phase, no further FINAL MAP recordation shall be permitted.; otherwise, it shall become null and void and of no effect whatsoever.
11. **Modifications or Revisions.** The permittee shall obtain City approval for any modifications or revisions to the approval of this project.

Section II:

Community Development **Conditions of Approval**

General Conditions

12. **Comply with Ordinances.** The development of these premises shall comply with the standards of the City of Menifee Development Code and City of Menifee Municipal Code and all other applicable ordinances and State and Federal codes and regulations, and shall conform substantially to the Menifee North Specific Plan.
13. **Map Act Compliance.** This land division shall comply with the State of California Subdivision Map Act and to all requirements of the Menifee Municipal Code unless modified by the conditions listed herein.
14. **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 Eastern Municipal Water District.
15. **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.
16. **Colors and Materials.** Building colors and materials shall be in substantial conformance with those shown on APPROVED EXHIBIT(S) B and M.
17. **Bicycle Facilities:** Class I or Class II bicycle parking facilities with a minimum of 36 spaces shall be provided to facilitate bicycle access to the project (27 at Building 1 and 9 at Building 2). The bicycle facilities shall be shown on project landscaping and improvement plans submitted for Community Development Department approval, and shall be installed in accordance with those plans. Bicycle rack designs that employ a theme are highly encouraged.
 - a. Class I. Covered, lockable enclosures with permanently anchored racks.
 - b. Class II. Lockable bicycle rooms with permanently anchored racks.
18. **Loading Areas.** Loading and/or unloading of goods/supplies shall occur in designated loading areas as shown on APPROVED EXHIBIT A only. No loading or unloading is allowed within drive aisles, parking areas, or on adjacent public streets. Loading areas shall be kept free of debris and clean throughout the life of this plot plan.
19. **Land Division Required.** Prior to the sale of any individual structure as shown on APPROVED EXHIBIT A, a land division shall be recorded in accordance with City of Menifee Title 7 (Subdivision Ordinance), and any other pertinent ordinance.
20. **No Outdoor Storage.** No outdoor storage is allowed within or upon the site except for truck trailers to be located at the parking areas as shown on APPROVED EXHIBIT A. No storage lockers, sheds, or bins shall be allowed to be stored outside the building unless first reviewed and approved by the Community Development Department. All trailer parking within the truck courts shall be fully screened from all adjacent streets with a screen wall and landscaping.
21. **Truck Queuing.** On-site truck queuing shall not be allowed at the most northerly east/west drive aisle of the Building 1 site, due to the adjacent residential uses to the north. The restriction shall not apply to any portion of the drive aisle that leads directly

off the street and into the truck court. Truck queuing shall comply with the Industrial Good Neighbor Policies.

22. **Screening.** Sliding gates into loading areas visible from the street shall be constructed with wrought iron or tubular steel and high-density perforated metal screening or equivalent durable material. The gate shall be painted to match or complement adjacent walls.
23. **Sound Dampening.** The design of dock-high loading doors shall minimum noise through installation of devices such as rubber seals and/or other sound-dampening features, and shall be included on the building permit plans.

ARCHEOLOGICAL AND PALEONTOLOGICAL

24. **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.
25. **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).
26. **Inadvertent Archeological Find.** If during ground disturbance activities, unique cultural resources are discovered that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. Unique cultural resources are defined, for this condition only, as being multiple artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance as determined in consultation with the Native American Tribe(s).
 - a. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the archaeologist, the tribal representative(s) and the Community Development Director to discuss the significance of the find.
 - b. At the meeting, the significance of the discoveries shall be discussed and after consultation with the tribal representative(s) and the archaeologist, a decision shall be made, with the concurrence of the Community Development Director,

as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources.

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

27. 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.

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

LANDSCAPING

29. **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).
30. **Landscape Plans.** All landscaping plans shall be prepared in accordance with the City's Water Efficient Landscape Ordinance. Such plans shall be reviewed and approved by the Community Development Department, and the appropriate maintenance authority.
31. **Viable Landscaping.** All plant materials within landscaped areas shall be maintained in a viable growth condition and free of weeds and debris throughout the life of this plot plan. To ensure that this occurs, the Community Development Department shall require inspections prior to final inspection and one year after the final inspection.
32. **Maintenance of Parkways and Landscaping.** All landscaping and similar improvements not properly maintained by a property owners association, individual property owners, or the common area maintenance director must be annexed into a Lighting and Landscape District, or other mechanism as determined by the City of Menifee.

Outside Agency Letters

33. **Riverside County Department of Environmental Health Conditions of Approval.** Conditions of approval for the project from the Riverside County Department of Environmental Health (Letter dated May 20, 2021) have been attached to this document and shall be complied with accordingly.
34. **Airport Land Use Commission Conditions of Approval.** Conditions of approval for the project from the Riverside County Airport Land Use Commission (Letter dated October 14, 2021) have been attached to this document and shall be complied with accordingly.

Prior to Final Map

35. **Final Map Required.** After the approval of the TENTATIVE MAP and prior to the expiration of said map, the land divider shall cause the real property included within the TENTATIVE MAP, or any part thereof, to be surveyed and a FINAL MAP thereof prepared in accordance with the current Engineering Department - Survey Division requirements, the conditionally approved TENTATIVE MAP, and in accordance with Menifee Municipal Code.
36. **Licensed Surveyor.** The FINAL MAP shall be prepared by a licensed land surveyor or registered civil engineer.
37. **Surveyor Checklist.** The City Engineering Department - Survey Division shall review any FINAL MAP and ensure compliance with the following:
 - A. All lots on the FINAL MAP shall be in substantial conformance with the approved TENTATIVE MAP relative to size and configuration.
 - B. All lot sizes and dimensions on the FINAL MAP shall be in conformance with the development standards of the Menifee North Specific Plan.
 - C. All lots on the FINAL MAP shall comply with the length to width ratios, as established by the Menifee Municipal Code.
 - D. All knuckle or cul-de-sac lots shall have a minimum of 35 feet of frontage measured at the front lot line.
 - E. All existing and proposed easements shall be identified on the FINAL MAP.

Prior to Issuance of Grading Permit

38. **Mitigation Monitoring.** The permittee shall prepare and submit a written report to the Community Development Director for review and approval demonstrating compliance with the standard conditions of approval and mitigation measures identified in the EIR for this project which must be satisfied prior to issuance of grading permits. The Community Development Director may require inspection or other monitoring to ensure such compliance.
39. **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 dusty 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.

40. **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.

41. **Construction and Demolition Debris.** The developer shall contact the City's franchised solid waste hauler for disposal of construction and demolition debris and shall provide the Building & Safety Division verification of arrangements made with the City's franchise solid waste hauler for disposal of construction and demolition debris. Only the City's franchisee may haul demolition and construction debris.

PALEONTOLOGY

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

The permittee shall retain a qualified paleontologist approved by the City of Menifee to create and implement a project-specific plan for monitoring site grading/earthmoving activities (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 Community Development Department for review and approval prior to 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:

- A. 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.
- B. 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.
- C. 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.
- D. If fossil remains are encountered by earthmoving activities when the project paleontologist is not onsite, these activities will be diverted around the fossil site and the project paleontologist called to the site immediately to recover the remains.
- E. If fossil remains are encountered, fossiliferous rock will be recovered from the fossil site and processed to allow for the recovery of smaller fossil remains. Test samples may be recovered from other sampling sites in the rock unit if appropriate.
- F. 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.

- G. 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 Community Development Department for review and approval prior to building final inspection as described elsewhere in these conditions.

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 Community Development Department along with a copy of this condition, deposit-based fee and the grading plan for appropriate case processing and tracking.

ARCHEOLOGY

43. **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.
44. **Native American Monitoring (Soboba and Morongo Band of Mission Indians).** 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 and Morongo Band of Mission Indians. Prior to issuance of a grading permit, the developer shall submit a copy of a signed contract between the above-mentioned Tribes 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.
45. **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 Tribal Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground-disturbance activities to allow recovery of cultural resources, in coordination with the Project Archaeologist.
46. **Archeology Report - Phase III and IV.** Prior to final inspection of the first building permit associated with each phase of grading, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if conducted 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 Consulting Tribe(s) Cultural Resources Department(s).

FEES

47. **Stephen's Kangaroo Rat Fee.** Prior to the issuance of a grading permit, the applicant shall comply with the provisions of Riverside County Ordinance No. 663 (hereinafter Ordinance No. 663), which generally requires the payment of the appropriate fee set forth in that ordinance. The amount of the fee required to be paid may vary depending upon a variety of factors, including the type of development application submitted and the applicability of any fee reduction or exemption provisions contained in Ordinance No. 663. Said fee shall be calculated on the approved development project which is anticipated to be 77.67 acres (gross) in accordance with APPROVED EXHIBITS. If the development is subsequently revised, this acreage amount may be modified in order to reflect the revised development project acreage amount. In the event Ordinance No. 663 is rescinded, this condition will no longer be applicable. However, should Ordinance No. 663 be rescinded and superseded by a subsequent City mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.
48. **Fees.** Prior to the issuance of grading permits, the Community Development Department shall determine the status of the deposit based fees. If the fees are in a negative status, the permit holder shall pay the outstanding balance.

Prior to Issuance of Building Permit

49. **Mitigation Monitoring.** The permittee shall prepare and submit a written report to the Community Development Director for review and approval demonstrating compliance with the standard conditions of approval and mitigation measures identified in the EIR for this project which must be satisfied prior to issuance of building permits. The Community Development Director may require inspection or other monitoring to ensure such compliance.
50. **DIF Fees.** Prior to issuance of any building permit, the applicant shall pay all applicable development impact fees in place as of the date of the permit issuance.
51. **Deposit Fees.** Prior to issuance of building permits, the Community Development Department shall determine if the deposit based fees for project are in a negative balance. If so, any outstanding fees shall be paid by the permittee.
52. **Open Space Fee (MSHCP).** Prior to the issuance of a building permit, the applicant shall comply with the provisions of City of Menifee Municipal Code Chapter 8.27, Multiple Species Habitat Conservation Plan Fee (hereinafter Chapter 8.27), which requires the payment of the appropriate fee set forth in the Ordinance.
- The amount of the fee will be based on the "Project Area" as defined in the Ordinance and the aforementioned Condition of Approval.

In the event Chapter 8.27 is rescinded, this condition will no longer be applicable. However, should Chapter 8.27 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

53. **School District Impact Fees.** The appropriate school district impact fees shall be mitigated in accordance with California State law. Receipts of payments shall be submitted to the Community Development Department prior to building permit issuance.
54. **No Refrigeration.** Prior to issuance of any building permit, the Community Development Director or his/her representative shall confirm that the buildings plans do not include refrigeration. Based on the EIR and accompanying technical analysis, refrigeration is not permitted. Should refrigeration be proposed, additional environmental analysis and entitlement approvals would be required.
55. **Downspouts.** All downspouts shall be internalized.
56. **Lighting.** The building plans shall show the location and types of light fixtures that will be within the project site and on the building. Lighting fixtures shall be decorative. Shoe-box-type lighting will not be allowed. Architecturally appropriate themed lighting fixtures shall be located along the project perimeter, project entrances, and other focal points on the project site and shall be subject to Community Development Department review and approval. All outdoor lighting shall be shown on electrical plans submitted to the Department of Building and Safety for plan check approval.
57. **Wall and Fencing Plan.** Walls and fences shall require anti-graffiti coatings, where applicable and as determined by the Community Development Director.
58. **Roof-Mounted Equipment Plans.** Roof-mounted equipment shall be shielded from ground view of the following: subject property, adjacent properties, and the adjacent rights-of-way. All building plans shall show roof-mounted equipment and methods for screening and shall be submitted to the Community Development Department for review and approval prior to Building Permit issuance.
59. **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 the building containing the management office for this development, or inside a security office or other place acceptable to the City of 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 Police Department and/or Community Development Department shall verify that the security system has been installed prior to final occupancy.

In addition, the trash enclosure shall be properly secured and have a lock as well as a covering to keep unauthorized persons from entering the dumpster area.

60. **Dark Sky Ordinance.** All streetlights and other outdoor lighting shall be shown on electrical plans submitted to the Department of Building and Safety and the Community Development Department for plan check approval and shall comply with the requirements of Menifee Municipal Code Chapter 6.01, the "Dark Sky Ordinance", and the General Plan.
61. **Master Sign Program.** A master sign program shall be submitted to the Community Development Department for review and approval.

LANDSCAPING

62. **Landscape and Irrigation Plans.** The permittee shall submit three (3) sets of Final Landscaping and Irrigation Plans to the Planning Division for review and approval. Said plan shall be submitted to the Division pursuant to City Municipal Code along with the current fee.

The plan shall be in substantial conformance to APPROVED EXHIBIT L, Menifee Municipal Code and the conditions of approval. The plan shall show all common open space areas (e.g., outdoor gathering areas). The plan shall address all areas and conditions of the project requiring landscaping and irrigation to be installed including, but not limited to, slope planting, water quality basins, common area and/or outdoor gathering area landscaping.

Landscaping plans for areas that are totally within the road right-of-way shall be submitted to the Engineering Department only.

The irrigation plan shall be in compliance with Menifee Municipal Code, 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 location, number, genus, species, and container size of plants shall be shown.

If the above-mentioned landscaping plans do not include shading and parking landscaping, prior to issuance of building permits, three (3) copies of a Shading, Parking, Landscaping, and Irrigation Plan shall be submitted to and approved by the Planning Department.

Landscaping and Irrigation Plans shall meet all applicable requirements of Menifee Municipal Code (as adopted and any amendments thereto), the Riverside County Guide to California Friendly Landscaping, and Eastern Municipal Water District requirements.

63. **Performance Securities.** Performance securities, in amounts to be determined by the Director of Community Development to guarantee the installation of plantings, irrigation system, walls and/or fences, in accordance with the approved plan, shall be filed with the Department of Community Development. Securities may require review by City Attorney and other staff. Permit holder is encouraged to allow adequate time to ensure that securities are in place. The performance security may be released one year after

structural final, inspection report, and the One-Year Post Establishment report confirms that the planting and irrigation components have been adequately installed and maintained. A cash security shall be required when the estimated cost is \$2,500.00 or less. At applicant's election, a cash security may also be used for amounts exceeding \$2,500.

64. **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 submitted 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?"
65. **Utility Screening.** All utilities shall be screened from public view. Landscape construction drawings shall show and label all utilities and provide appropriate screening. Provide a three-foot clear zone around fire check detectors as required by the Fire Department before starting the screen. Group utilities together in order to reduce intrusion. Screening of utilities is not to look like an after-thought. Plan planting beds and design around utilities. Locate all light poles on plans and ensure that there are no conflicts with trees.
66. **Viable Landscaping.** All plant materials within landscaped areas shall be maintained in a viable growth condition throughout the life of this permit. To ensure that this occurs, the Community Development Department shall require inspections in accordance with the building permit landscaping install and inspection condition.
67. **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 State air quality management authorities.
68. **Curb and Walkway on End Stall Planters.** Unless otherwise approved by the Community Development Director, a twelve (12) inch wide walkway shall be constructed along planters on end stalls adjacent to automobile parking areas. Public parking areas shall be designed with permanent curb, bumper, or wheel stop or similar device so that a parked vehicle does not overhang required sidewalks, planters, or landscaped areas.
69. **Break Areas.** Outdoor employee break/lunch areas with seating, trash bins, shade and landscaping shall be provided near each office area of each building and located away from loading, storage and trash areas. The exact location and design shall be reviewed and approved by the Community Development Department prior to building permit issuance. An indoor break area can be substituted for an outdoor break area at the discretion of the Community Development Director if the indoor break area is determined to provide superior amenities or if it is determined that there is no acceptable location for an outdoor break area near the office area.
70. **Crime Prevention through Environmental Design Guidelines.** All plants, landscaping and foliage shall fall within current CPTED (Crime Prevention through Environmental Design) guidelines.

71. **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.

72. **Landscape Inspections.** Prior to issuance of Building Permits, the permit holder shall open a Landscape Deposit Based Fee case and deposit the prevailing deposit amount to cover the pre-inspection, initial installation inspection, Six (6) Month and One Year Landscape Inspections. The number of hours for the inspections will be determined by the Community Development Department's Landscape personnel prior to approval of the requisite Minor Plot Plan for Planting and Irrigation.

The permittee landscape architect responsible for preparing the Landscaping and Irrigation Plans shall arrange for a Pre-Landscape installation inspection with the Community Development Department. The pre-landscape inspection shall be arranged at least 15 working days prior to installation of landscaping.

Prior to Final Inspection

73. **Mitigation Monitoring.** The permittee shall prepare and submit a written report to the Community Development Director for review and approval demonstrating compliance with the standard conditions of approval and mitigation measures identified in the EIR for this project which must be satisfied prior to final inspection. The Community Development Director may require inspection or other monitoring to ensure such compliance.

74. **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.

75. **Archeology Report - Phase III and IV.** Prior to final inspection of the first building permit associated with each phase of grading, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if conducted 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 Consulting Tribe(s) Cultural Resources Department(s).

76. **No Refrigeration.** Prior to Certificate of Occupancy, the Community Development Director or his/her representative shall confirm that the buildings are non-refrigeration. Based on the EIR and accompanying technical analysis, refrigeration is not permitted. Should refrigeration be proposed, additional environmental analysis and entitlement approvals would be required.

77. **Roof Mounted Equipment.** Prior to final occupancy, Community Development staff shall verify that all roof-mounted equipment has been screened in compliance with the approved plans.
78. **Wall and Fence Locations.** Wall and/or fence locations shall be in conformance with the Approved Exhibit A and L or subsequent approved wall and fence plan.
79. **Sound Dampening.** Prior to final occupancy, Community Development staff shall verify that all dock-high loading doors have devices such as rubber seals and/or other sound-dampening features in compliance with the approved building plans.
80. **Phasing.** If the project has been phased, all facilities meant to serve the current phase of development shall be installed in a usable condition. Project landscaping may not all be deferred until the final phase.
81. **Condition Compliance.** The Community Development Department shall verify that the Development Standards of this approval and all other preceding conditions have been complied with prior to any use allowed by this permit.
82. **Final Planning Inspection.** The permittee shall obtain final occupancy sign-off from the Planning Division for each Building Permit issued by scheduling a final Community Development Department inspection prior to the final sign-off from the Building Department. Community Development staff shall verify that all pertinent conditions of approval have been met, including compliance with the approved elevations, site plan, parking lot layout, etc. The permittee shall have all required paving, parking, walls, site lighting, landscaping and automatic irrigation installed and in good working condition.
83. **Security Systems.** Prior to the final occupancy, the Menifee Police Department and/or Community Development staff shall verify that the approved security systems for the site are installed and operational and in compliance with the approved security plan.

LANDSCAPING

84. **Landscape Installation.** All required landscape planting and irrigation shall have been installed in accordance with approved Landscaping, Irrigation, and Shading Plans, Menifee Municipal Code, 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.
85. **Landscape Inspection.** The permittee landscape architect responsible for preparing the Landscaping and Irrigation Plans shall arrange for a Landscape Completion Installation Inspection with the Community Development Department. The inspection shall be arranged at least 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 to conduct the inspections.

86. **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

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

Section III:
Engineering/Transportation/
Grading Conditions of Approval for
Tentative Parcel Map

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.

A. GENERAL ENGINEERING CONDITIONS

88. This Tentative Parcel Map 38156, PLN21-0205, is concurrently processing the proposed Plot Plan No. 2019-005, which has its own set of Conditions of Approval. The conditions for this Tentative Parcel Map shall be satisfied in concurrence with the Conditions of Approval for the proposed Plot Plan.
89. **Project Description** – The proposed development includes construction of two industrial buildings. Building 1 is located between Sherman Road and Dawson Road and has a footprint of approximately 1,254,000 square feet. Building 2 is located between Trumble Road and Sherman Road and has a footprint of approximately 386,000 square feet.
90. **Subdivision Map Act** - The developer / property owner shall comply with the State of California Subdivision Map Act.
91. **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 registered civil engineer and/or other registered/licensed professional as required.
92. **Bond Agreement, Grading and Improvement Security** – To guarantee the construction of all required grading and improvements, the developer / property owner shall enter into Bond Agreements and post security or bonds in accordance with applicable City policies and ordinances. The improvements shall include, but not limited to: onsite/offsite grading, erosion control, street improvements, street lights, traffic signals, signing and striping, public landscape improvements, recreational paseos, parks, water/sewer/recycled water improvements, water quality BMPs, and storm drainage facilities. Bond agreements and bond posting shall be required prior to map recordation, grading, building, or construction permit issuance, whichever is applicable. It should be noted that with the exception of grading bond agreements, all other bond agreements require council approvals. Therefore, it shall be the responsibility of the developer / property owner to coordinate their project timing with City council calendar when requesting City approvals of Bond Agreements.
93. **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. Similarly, with the exception of grading bond agreements all other agreement changes require

City Council approvals. Therefore, it shall be the responsibility of the developer / property owner to coordinate their project timing with City Council calendar when requesting changes to the bond agreements.

94. **Existing and Proposed Easements** - The final grading plan shall correctly show all existing easements, traveled ways, and drainage courses. Any omission or misrepresentation of these documents may require said plan to be resubmitted for further consideration.
95. **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, street lights, 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.
96. **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.
97. **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.
98. **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 located within one-fourth mile from an occupied residence shall be permitted Monday through Saturday,

except on nationally recognized holidays, 6:30 a.m. to 7:00 p.m. in accordance with Municipal Code Section 8.01.010. There shall be no construction permitted on Sunday or nationally recognized holidays unless 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 start of any construction activities for this site.

99. **Dry Utility Installations** – Electrical power, telephone, communication, street lighting, and cable television lines shall be placed underground in accordance with current City ordinances, or 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 still 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.

100. **Final Map Required** – After the approval of the Tentative Map and prior to the expiration of said map, the land divider shall cause the real property included within the Tentative Map, or any part thereof, to be surveyed and a Parcel Map thereof prepared in accordance with the current Engineering Department requirements, the conditionally approved Tentative Map, and in accordance with Chapter 7.40 of the City of Menifee Municipal Code.

101. **Licensed Surveyor** – The Parcel Map shall be prepared by a licensed land surveyor or registered civil engineer qualified by California Board for Professional Engineers, Land Surveyors, and Geologists to prepare Parcel Maps.

102. **Surveyor Checklist** – The City Engineering Department – Survey Division shall review the Parcel Map and ensure compliance with the following:

- a. All parcels on the Parcel Map shall be in substantial conformance with the approved Tentative Map relative to size and configuration.
- b. The total number of parcels on the Parcel Map shall be two (2).

103. **ECS** – The land divider shall prepare and Environmental Constraints Sheet (ECS) in accordance with Chapter 7.65 of the City of Menifee Municipal Code, which shall be submitted as part of the plan check review of the Parcel Map. A note shall be placed

on the Parcel Map “Environmental Constraint Sheet affecting this map is on file at the City of Menifee Public Works and Engineering Department, in E.C.S Book XX, Page XX.”

104. **ECS Note on Dark Sky Lighting** – The following Environmental Constraints Note shall be placed on the ECS:

“This property is subject to lighting restrictions as required by the Menifee Municipal Code Chapter 6.01, the “Dark Sky Ordinance”, which are intended to reduce the effects of night lighting on the Mount Palomar Observatory. All proposed outdoor lighting systems shall in in conformance with the Dark Sky Ordinance.”

105. **ECS Mitigation Monitoring Plan** – The following Environmental Constraints Note shall be placed on the ECS:

“This property is subject to the Mitigation and Monitoring and Reporting Plan adopted as part of the Environmental Impact Report for the project on file with the Community Development Department.”

106. **Mitigation Monitoring.** The permittee shall prepare and submit a written report to the Public Works Director for review and approval demonstrating compliance with these conditions of approval, and the mitigation measures identified in the EIR prior to issuance of grading permits, building permits, and certificate of occupancy. The Public Works Director may require inspection or other monitoring to ensure compliance.

B. GRADING

107. **Introduction** – Improvement such as grading, filling, over excavation and re-compaction, and base or paving which require a grading permit are subject to the Public Works Department conditions of approval stated herein.
108. **Grading Regulations Chapter 8.26** – Any construction activity such as over excavation, re-compaction, cut, fill, base or paving which require a grading permit and shall conform to the requirements of City Grading Regulations Chapter 8.26. Additionally grading permits are subject to the Public Works Department conditions of approval stated herein.
109. **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.

110. **Grading Permit for Disturbed Soil** – City ordinance on grading requires a grading permit prior to clearing, grubbing or any topsoil disturbances related to construction grading.
111. **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.
112. **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.
113. **Slope Setbacks** – Observe slope setbacks from buildings and property lines per the California Building Code and City ordinance on grading.
114. **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. Drip irrigation shall be used for all irrigated slopes.
115. **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 registered landscape architect and bonded per applicable City ordinances.
116. **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.
117. **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.
118. **Water Quality Management Plan** - All grading plans shall require an approved copy of the Water Quality Management Plan sheet per the approved WQMP report. The developer / property owner shall comply with the requirements of the WQMP report, and City standards and specifications. The WQMP Maintenance agreement shall be recorded prior to plan approval.
119. **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 and/or Tentative Parcel Map.

120. **Drainage Grade** - Minimum drainage design grade shall be 1.5% on asphalt concrete pavement and 1.0% on Portland cement concrete surfaces. In areas of concentrated flow on Portland cement the minimum grade shall be 0.4%. The engineer of record must submit a variance request for design grades less than those above with a justification for a lesser grade.
121. **Finish Grade** – Finish grades shall be sloped to provide proper drainage away from all exterior foundation walls in accordance with City of Menifee Standard Plan 300.
122. **Use of Maximum and Minimum Grade Criteria** – Actual field construction grades shall not exceed the minimum and maximum grades for ADA and approved project grading design, to allow for construction tolerances. Any improvement that is out of the minimum and maximum values will not be accepted by the City Inspector, and will need to be removed and replaced at developer's or owner's expense.
123. **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.
124. **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.
125. **Licensed Geotech** - A licensed geotechnical engineer shall perform final determination of the foundation characteristics of soils within on-site development areas.
126. **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. The walls shall be designed by a registered civil engineer and conform to City Standards.

Prior to Grading Permit Issuance:

127. **Geotechnical Report** – The following geotechnical report was reviewed by the City:
 - a. *Preliminary Geotechnical Interpretive Report, Proposed Motte Rancon Distribution Center (MR-DC)*, prepared by Earth Strata Geotechnical Services, Inc., Project No. 182161-10A, dated May 29, 2018.

Prior to issuance of any grading permit, an updated geotechnical report shall be prepared and submitted to the City for review and approval. The geotechnical report will be reviewed for 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 report shall be paid to the City, the amount of which shall be determined by the City at the first submittal of the report. The developer / property owner shall comply with the recommendations of the report, and City standards and specifications.

A pre-grading meeting, certifications, approvals and inspection procedures will be implemented in accordance with City Public Works - Inspection process. All grading shall be done in conformance with the recommendations of the City approved geotechnical/soils reports, and under the general direction of a licensed geotechnical engineer.

128. **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.
129. **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 Resources Control Board (SWRCB).
- 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. For additional information on how to obtain a GCP, contact the SWRCB.
130. **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 shall require submittal of NOTs for requests to fully release associated grading bonds.
131. **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 condition at all times until construction is completed and the Regional Board has issued a Notice of Termination (NOT) for the development.
132. **Grading Bonds** – Prior to commencing any grading of 50 or more cubic yards of dirt, the applicant shall obtain a grading permit from the Public Works / Engineering Department. Prior to issuance of the permit, adequate performance grading security shall be posted by the developer / property owner with the Public Works / Engineering Department.

133. **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. The proposed import / export shall conform with Chapter 8.26.140 *Import and Export of Earth Materials* of the City's Municipal Code, including environmental requirements, and submitted 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.
134. **Offsite Grading** – Prior to the issuance of a grading permit, it shall be the sole responsibility of the developer/property owner to obtain all proposed or required easements and/or permissions necessary to perform offsite grading, from affected landowners; including any off-site grading to construct the necessary transitions. Notarized and recorded agreement or documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.

Prior to Building Permit Issuance:

135. **Submit Plans** – A copy of the improvement plans, grading plans, BMP improvement plans, and any other necessary documentation along with supporting hydrologic and hydraulic calculations shall be submitted to the Public Works / Engineering Department for review. All submittals shall be date stamped by the engineer and include a completed City Deposit or Fee Based Worksheet and the appropriate plan check fee or deposit.
136. **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.
137. **No Building Permit without Grading Permit** - Prior to issuance of any building permit for any new structures or appurtenances, the developer / property owner shall obtain a grading permit and/or approval to construct from the Public Works / Engineering Department.
138. **Final Rough Grading Conditions** – Prior to issuance of a building permit for any new structures or appurtenances, 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, for the lots for which building permits are requested. The certifications shall use City approved forms, and shall be submitted to the Public Works / Engineering Department for verification and acceptance.
139. **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.

Prior to Issuance of Any Certificate of Occupancy:

140. **No Occupancy Prior to Parcel Map Recordation** – Prior to issuance of any occupancy, the developer / property owner shall record the Parcel Map.
141. **Final Grade Certification** – The developer / property owner shall cause the Civil Engineer of Record for the approved grading plans, to submit a signed and wet-stamped final grade certification, on City approved form, for each building for which a certificate of occupancy is requested. The certification shall be submitted to the Public Works / Engineering Department for verification and acceptance.
142. **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.
143. **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.

C. DRAINAGE

General Conditions

144. **Drainage Study** – The following preliminary drainage report was reviewed and approved by the City:

- a. *Preliminary Drainage Study, Menifee Commerce Center, PP2019-005*, prepared by Albert A. Webb Associates, dated August 2021.

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. The project shall comply with all mitigation recommended by the approved drainage study. 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.

145. **Area Drainage Plan (ADP) Fees.** The proposed development is located within the bounds of the Homeland / Romoland ADP of the Riverside County Flood Control and Water Conservation District (Flood Control District), for which drainage fees have been established by the Riverside County Board of Supervisors. Applicable ADP fees will be due (in accordance with the Rules and Regulations for Administration of Area Drainage Plans) prior to building permits for this project. The fee due will be based on the fee in effect at the time of payment.
146. **Proposed Drainage Concept.** The development proposes to construct two industrial buildings. A system of storm drain pipes will collect onsite drainage flows and route

them to water quality basins on the west side of each building. The water quality basins will connect to storm drain facilities leading to the Homeland / Romoland ADP Line A via laterals to be constructed by the developer and maintained by Riverside County Flood Control District. The following regional storm drain facilities will be constructed:

- a. **MDP Line A-1:** Line A-1 will capture the runoff from the tributary area east of Sherman Road, west of Dawson Road and between Ethanac Road and Romoland Line A-1. The line will be constructed of a reinforced concrete box structure up to 9 feet wide by 4.5 feet high and convey a 100-year flowrate of approximately 216 cfs where it connects with Line A.
- b. **MDP Line A-1a:** Line A-1a will capture the runoff from the drainage channel near the northeast corner of Building 1 that conveys flow runoff from east of Antelope Road. The line will be constructed of a reinforced concrete box structure up to 4.5 feet wide by 3 feet high and convey a 100-year flowrate of approximately 48 cfs where it connects with Line A.
- c. **MDP Line A-21:** Line A-21 will capture the runoff from the tributary area east of Trumble Road, west of Sherman Road and between Ethanac Road and Romoland Line A-1. The line will be constructed of a reinforced concrete box structure up to 9 feet wide by 4 feet high and convey a 100-year flowrate of approximately 145 cfs where it connects with Line A.

All onsite and offsite water quality / drainage systems must be constructed and operational prior to the issuance of any certificate of occupancy.

147. **MDP and ADP.** Prior to initiation of the final construction drawings for those facilities required to be built as part of the Romoland MDP and Homeland / Romoland ADP, the developer shall contact the Flood Control District to ascertain the terms and conditions of design, construction, inspection, transfer of ROW, project credit in lieu of charges and reimbursement schedules which may apply. The developer acknowledges that if the estimated cost for required MDP / ADP facilities exceeds the required ADP fees and the developer wishes to receive credit for reimbursement in excess of his fees, the facilities will be constructed as a public works contract. Scheduling for construction of these facilities will be at the discretion of the Public Works / Engineering Department and the Flood Control District.
148. **Drainage Facilities for Ownership and Maintenance by the Flood Control District.** Some of the proposed drainage facilities may be requested for ownership and maintenance by the Flood Control District. For such drainage facilities, applicable Flood Control District standards and guidelines shall be complied with, including conditions of approval required for said drainage facilities. Prior to the issuance of any Certificate of Occupancy, the developer / property owner shall enter into a three-party cooperative agreement with the City and the Flood Control District. Both the Riverside County Board of Supervisors and the City Council shall approve the agreement.
149. **Conditions for Acceptance of Drainage Facilities by the Flood Control District.** For drainage facilities requested for ownership and maintenance by the Flood Control District, a written request must be submitted to the Flood Control District. The request shall note the project number, location, brief description of the system (sizes and lengths) and an exhibit that shows the proposed storm drain alignment.

If the Flood Control District is willing to maintain the requested drainage systems, the developer / property owner shall complete the following prior to issuance of any Certificate of Occupancy:

- Submit to the Flood Control District preliminary title reports, plats and legal descriptions for all drainage facilities, ROW, or easements to be conveyed to the Flood Control District, and secure such ROW or easements to the satisfaction of the Flood Control District;
- Execute a three-party cooperative agreement with the City and the Flood Control District, establishing the terms and conditions of inspection, operation and maintenance of said drainage facilities;
- Process approval of drainage plans by the Flood Control District's General Manager-Chief Engineer. The plans cannot be approved prior to execution of the agreement.
- Submit an application and applicable fee to the Flood Control District to draw up the agreement;
- Provide guarantee bonds for the drainage facility, and necessary certificate of insurance.

The developer / property owner will need to submit proof of Flood Control facility bonds and a certificate of insurance to the Flood Control District's Inspection section before a pre-construction meeting can be scheduled.

150. **10 Year Curb – 100 Year ROW** - The 10-year storm flow shall be contained within the top of curb, and the 100-year storm flow shall be contained within the street right-of-way. When either of these criteria is exceeded, additional drainage facilities shall be installed. The property shall be graded to drain to the adjacent street or an adequate outlet.
151. **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.
152. **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.
153. **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.
154. **On-Site Storm Drain System** - Prior to issuance of a grading permit, the proposed on-site storm drain system shall be designed such that any ponding in the 100-year storm, shall be contained within the site; it shall not encroach onto any adjacent property, and shall maintain a minimum 1-foot freeboard to the proposed building pad elevation. The 100-year storm flow from Building 1 shall be conveyed to Sherman Road and Building

2 shall be conveyed to Trumble Road, and shall not flow over the proposed parkway or within the driveway approach.

D. COVENANTS, CONDITIONS & RESTRICTIONS (CC&Rs)

155. **Common Area Maintenance** – Where applicable, any common areas identified in the Tentative Parcel Map shall be owned and maintained as follows:

- a. A permanent master maintenance organization shall be established for the tentative parcel map area, to assume maintenance responsibility for all common areas. The organization may be public (City CFD, or another agency) or private (e.g., property owners' association). Merger with an area-wide or regional organization shall satisfy this condition provided that such organization is legally and financially capable of assuming the responsibilities for maintenance. When necessary, property dedication or easement dedications shall be granted to the maintenance organization through map dedication, or separate recordable instrument, and shall be in a form acceptable to the city. (See also the Use / Maintenance of Ultimate Right-of-Way Portion of Property and Owner Improvements condition)
- b. The maintenance organization shall be established prior to or concurrent with the Parcel Map recordation.

156. **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) shall be the mechanism to maintain such common areas. (See also the Use / Maintenance of Ultimate Right-of-Way Portion of Property and Owner Improvements condition)

157. **CC&R Content, Submittal Process and Timing** – Where applicable for maintenance of common areas, prior to parcel map recordation, the developer/property owner shall submit to the Public Works / Engineering Department for review and approval CC&R documents consisting of the following:

1. 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.
2. 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.
 3. 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 or concurrent with the recordation of the parcel map.
 4. 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.

E. STREETS AND DEDICATIONS

158. **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. The development includes improvements to Trumble Road, Sherman Road and Dawson Road along the project frontage. Turning movements at driveways will be as approved by the Public Works Director / City Engineer. Raised medians will be required to restrict turning movements where deemed necessary for public health and safety. The developer is responsible to obtain all right of way necessary to accommodate the required improvements. Where needed the City will assist in processing eminent domain to obtain the right of way. It shall be the responsibility of the developer / property owner to coordinate their project timing with the eminent domain process as right of way acquisition is required prior to plan approval.

Vehicular access to the project as shown on the Plot Plan / Tentative Parcel Map will be provided via seven driveways: three on Sherman Road and two each on Trumble Road and Dawson Road. The following driveway designations are from the approved Traffic Impact Analysis report:

- Driveway #1 is located along the east side of Sherman Road at the northern end of Building 1.
- Driveway #2 is located along the west side of Sherman Road at the northern end of Building 2.
- Driveway #3 is on both the east and west sides of Sherman Road at the southern end of both Building 1 and Building 2.
- Driveway #4 is on the east side of Trumble Road at the northern end of Building 2.

- Driveway #5 is on the east side of Trumble Road at the southern end of Building 2.
 - Driveway #6 is on the west side of Dawson Road at the northern end of Building 1.
 - Driveway #7 is on the west side of Dawson Road at the southern end of Building 1.
- a. **Sherman Road** – Sherman Road shall be improved along the project frontage to a modified Major (4 lane divided) designation with an ultimate half-width Right of Way of 59 feet, with of 38 feet paved curb to centerline, a 16 foot landscaped parkway and a 5 foot sidewalk. A raised median shall be constructed to restrict turning movements at Driveway #1 and between Buildings 1 and 2 where the project is constructing the entire roadway. Between Building 2 and Driveway #1, the developer / property owner shall pay a fair share for half of the median. Class II Community On-Street bike lanes shall also be provided. Prior to recordation of the Parcel Map, the developer shall construct or guarantee the construction of the public street improvements within Sherman fronting the property to the centerline plus an additional 12 feet past the median or centerline, including the necessary offsite transitions to the existing pavement width, as approved by the Public Works Director / City Engineer. The design of the street improvements shall be reviewed and approved by the City Engineer. If needed, it shall be the sole responsibility of the developer/property owner to obtain all proposed or required easements and/or permissions necessary to perform offsite grading, from affected landowners where necessary to construct the street improvements. Notarized and recorded agreement or documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.
- b. **Trumble Road** – Trumble Road shall be improved along the project frontage to a modified Collector designation with an ultimate half-width Right of Way of 37 feet, 22 feet paved curb to centerline, and 6 foot sidewalk within a 15 foot wide parkway. A Class III bike route shall also be provided. Prior to recordation of the Parcel Map, the developer shall construct or guarantee the construction of the public street improvements within Trumble Road fronting the property to the centerline plus an additional 12 feet past centerline, including the necessary offsite transitions to the existing pavement width, as approved by the Public Works Director / City Engineer. The western half of Trumble Road is within the City of Perris. Construction of the roadway west of the centerline will not be required if the right of way is vacated by the City of Perris due to an existing development agreement. If the right of way has not been vacated, but the City of Perris does not allow improvement of the roadway, the developer / property owner may pay a fair share fee that can be used to improve the roadway in the event the development agreement is abandoned. The design of the street improvements shall be reviewed and approved by the City Engineer. If needed, it shall be the sole responsibility of the developer/property owner to obtain all proposed or required easements and/or permissions necessary to perform offsite grading, from affected landowners where necessary to construct the street improvements. Notarized and recorded agreement or documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.

- c. **Dawson Road** – Dawson Road shall be improved along the project frontage to a modified Industrial Collector designation with an ultimate half-width Right of Way of 39 feet, 28 feet paved curb to centerline, a 6 foot sidewalk adjacent to curb and a 5 foot wide parkway. A raised median will be required in the northern portion of Dawson Road to restrict turning movements at Driveway #6. Improvements shall extend north between the project and Ethanac Road. Prior to recordation of the Parcel Map, the developer shall construct or guarantee the construction of the public street improvements within Dawson Road fronting the property to the centerline plus an additional 12 feet past the median or centerline, including the necessary offsite transitions and connection to Ethanac Road, as approved by the Public Works Director / City Engineer. The design of the street improvements shall be reviewed and approved by the City Engineer. If needed, it shall be the sole responsibility of the developer/property owner to obtain all proposed or required easements and/or permissions necessary to perform offsite grading, from affected landowners where necessary to construct the street improvements. Notarized and recorded agreement or documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.
- d. **Reconstruction or Resurfacing of Sherman Road, Trumble Road, and Dawson Road** – The improvements along the project frontage to Sherman Road, Trumble Road, and Dawson Road shall bring the roadways to meet current City Standards and have a Pavement Condition Index of at least 80 as determined by the Public Works Director / City Engineer. The Public Works Director / City Engineer may consider reconstruction or resurfacing of existing roads paving fronting the development, provided the road is found to meet the minimum City standards for pavement conditions at the time of project construction, and has an adequate structural section for the design Traffic Index and subgrade R-value in conformance with the Caltrans Highway Design Manual. If it is determined that the existing road is found to be substandard, then the Public Works Director / City Engineer will require the developer / property owner to provide full reconstruction as provided for in these conditions of approval. At the discretion of the City Engineer, the developer may evaluate the existing pavement section with available As-Built plans, or the developer may core the existing pavement during project design to confirm the required improvements to bring the roadways to current standards, and any findings shall be incorporated into the project design. The Public Works Director / City Engineer shall have the final approval for all road conditions.
- e. **Offsite Resurfacing of Trumble Road** – The developer / property owner shall improve Trumble Road between McLaughlin Road and Ethanac Road to a Pavement Condition Index of at least 80 as determined by the Public Works Director / City Engineer. Resurfacing of existing roads will be required where existing paving does not have an adequate pavement condition index. These improvements to Trumble Road may be deferred to a future project if the improvements are part of the conditions of approval for a project that has an approved entitlement by the City. If the future project is in entitlement, the developer / property owner may enter into a subdivision improvement agreement with the City and post a bond for the value of the improvements. The Public Works Director / City Engineer shall have the final approval for all road conditions.

159. **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. The preliminary pavement design shown on the plans shall be based on R-Value testing of representative soils. The final pavement design shall be performed following grading and be based on R-Value testing of subgrade soils at locations approved by the City's Public Works Inspector, and the approved Traffic Index (T.I.).
160. **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. As outlined in the following conditions, medians may be required to restrict turning movements for public safety purposes as determined by the Public Works Director / City Engineer.
161. **Acceptance of Public Roadway Dedication and Improvements** – Easements and right-of way for public roadways shall be granted to the City through the Parcel Map, or other acceptable recordable instrument.
162. **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.
163. **Paving or Paving Repairs** – The applicant shall be responsible for obtaining the paving inspections required by Ordinance 461. 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.
164. **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.
165. **Signing and Striping** – A signing and striping plan for Sherman Road, Trumble Road, Dawson Road, and McLaughlin Road is required for this project. The applicant shall be responsible for any additional paving and/or striping removal caused by the striping plan.
166. **Traffic Signal Plans** – The applicant shall be responsible for construction of new traffic signals and modification of existing traffic signals as outlined in these conditions. The traffic signal plans shall be approved by the Public Works Director / City Engineer.
167. **Street Light Plan** – Street lights requiring relocations, or any required new street lights 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.

168. **Street Sweeping and Pavement Maintenance.** The property owner shall file for annexation or inclusion into the Citywide Community Facilities Maintenance District, CFD for street sweeping services and street pavement maintenance.

Prior to Issuance of Building Permit:

169. **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.
170. **Improvement Bonds** – Prior to issuance of any construction permit for all required onsite and offsite public improvements, and/or the recordation of the Parcel Map, whichever occurs first, the developer/project owner shall post acceptable bonds or security to guarantee the construction of all required improvements. The bonds shall be in accordance with all applicable City ordinances, resolutions and municipal codes (*See also bond agreement condition under General Condition*).
171. **Sherman Road Dedication.** The developer / property owner shall construct or guarantee the construction of Sherman Road fronting the development to a modified Major (4-lane divided) designation with an ultimate half-width Right of Way of 59 feet, and 38 feet paved curb to centerline. The developer / property owner shall dedicate the necessary right of way fronting the development on the Parcel Map. The Parcel Map boundary shall extend to the centerline of Sherman Road, unless the street was previously dedicated in fee title in which case the boundary should extend to the right-of-way line and the map shall note the instrument number that dedicated the right of way.
172. **Trumble Road Dedication.** The developer / property owner shall construct or guarantee the construction of Trumble Road fronting the development to a modified Collector designation with an ultimate half-width Right of Way of 37 feet, and 22 feet paved curb to centerline. The developer / property owner shall dedicate the necessary right of way fronting the development on the Parcel Map. The Parcel Map boundary shall extend to the centerline of Trumble Road, unless the street was previously dedicated in fee title in which case the boundary should extend to the right-of-way line and the map shall note the instrument number that dedicated the right of way.
173. **Dawson Road Dedication.** The developer / property owner shall construct or guarantee the construction of Dawson Road fronting the development to a modified Industrial Collector designation with an ultimate half-width Right of Way of 39 feet, and 28 feet paved curb to centerline. The developer / property owner shall dedicate the necessary right of way fronting the development on the Parcel Map. The Parcel Map boundary shall extend to the centerline of Dawson Road, unless the street was previously dedicated in fee title in which case the boundary should extend to the right-of-way line and the map shall note the instrument number that dedicated the right of way.

Prior to Issuance of Any Certificate of Occupancy:

174. **Sherman Road Improvements** – Improvements on Sherman fronting the development shall be completed to a modified Major (4 lane divided) designation with an ultimate half-width Right of Way of 59 feet and 38 feet paved curb to centerline, a

raised median where applicable, and Class II Community On-Street bike lanes, prior to issuance of Certificate of Occupancy. The improvements shall be adequately transitioned to the existing or proposed street improvements. It shall be the sole responsibility of the developer/property owner to obtain all proposed or required easements and/or permissions necessary to perform offsite grading, from affected landowners where necessary to construct the street improvements. Notarized and recorded agreement or documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.

175. **Trumble Road Improvements** – Improvements on Trumble Road fronting the development shall be completed to a modified Collector designation with an ultimate half-width Right of Way of 37 feet and 22 feet paved curb to centerline, and a Class III bike route, prior to issuance of Certificate of Occupancy. The improvements shall be adequately transitioned to the existing or proposed street improvements. The western half of Trumble Road is within the City of Perris. Construction of the roadway west of the centerline will not be required if the right of way is vacated by the City of Perris due to an existing development agreement. If the right of way has not been vacated, but the City of Perris does not allow improvement of the roadway, the developer / property owner may pay a fair share fee that can be used to improve the roadway in the event the development agreement is abandoned. It shall be the sole responsibility of the developer/property owner to obtain all proposed or required easements and/or permissions necessary to perform offsite grading, from affected landowners where necessary to construct the street improvements. Notarized and recorded agreement or documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.
176. **Dawson Road Improvements** – Improvements on Dawson Road fronting the development and extending north to Ethanac Road shall be improved to a modified Industrial Collector designation with an ultimate half-width Right of Way of 39 feet and 28 feet paved curb to centerline prior to issuance of Certificate of Occupancy. Undergrounding of electrical power lines along Dawson Road will be required. The improvements shall be adequately transitioned to the existing or proposed street improvements. It shall be the sole responsibility of the developer/property owner to obtain all proposed or required easements and/or permissions necessary to perform offsite grading, from affected landowners where necessary to construct the street improvements. Notarized and recorded agreement or documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.
177. **Driveways and Driveway Approaches** – Driveways and Driveway Approaches as shown on the approved plot plan/Tentative Parcel Map shall be designed and constructed prior to issuance of Certificate of Occupancy. The driveways shall be designed and constructed per City of Menifee No. 208 and meet spacing requirements as well as other City requirements.

F. TRAFFIC ENGINEERING

178. **Traffic Impact Analysis Report** – The development shall comply with all the improvements and mitigation measures identified to be constructed or provided in the traffic impact analysis approved by the Public Works / Engineering Department. The traffic study was prepared by Albert A. Webb Associates dated August 2021. All required improvements and mitigations identified in the study shall be included in all

improvement plans for review and approval by the Public Works Department. Additional improvements may be required to address public safety and welfare, as determined by the Public Works Director / City Engineer.

The approved Traffic Impact Analysis report includes improvements to various intersections within the region to mitigate traffic impacts of the project. The required improvements at the intersection of Sherman Road and Ethanac Road includes dual northbound left turn lanes onto Ethanac Road. During Final Engineering, the developer / property owner can update the traffic study to determine if a single left turn lane from Sherman Road onto Ethanac Road would be adequate. Note that this may require dual northbound left turn lanes at the intersection of Dawson Road and Ethanac Road which would require a second westbound lane be constructed along Ethanac Road between Dawson Road and Sherman Road. The updated traffic study would require review and approval by the Public Works / Engineering Department.

Prior to Issuance of Construction Permit:

179. **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.
180. **Signing and Striping Plan** – Prior to issuance of a construction permit, any necessary signing and striping plan for Sherman Road, Trumble Road, Dawson Road, or any offsite improvements shall be approved by the Public Works Director / City Engineer in accordance with City ordinances, standards and specifications, and with the latest edition of the CAMUTCD.
181. **Traffic Signal Plan** – Prior to issuance of a construction permit, traffic signal plans for installation of new traffic signals or modification of existing traffic signals shall be approved by the Public Works Director / City Engineer in accordance with City standards and specifications.
182. **Driveway Geometrics** – Final driveway geometrics may be modified in final engineering as approved by the City Engineer / 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.
183. **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. The plan shall specify the following mitigation measures to address the following:

- a. Dust and dirt fallout from truck loads that gets entrained onto City roadways: (1) Biweekly street sweeping during construction activity, and daily during all grading operations. (2) Approved BMPs shall be installed at all approved construction entrances as part of the SWPPP.
 - b. Noise from construction truck traffic: Include construction time and operation of vehicles through surrounding residential streets.
 - c. Traffic safety within the road right-of-way: Include temporary traffic control measures and devices.
184. **Fair Share Cost Estimates** – The developer / property owner shall contribute fair share costs for associated intersection roadway geometric and median improvements. The fair share cost estimates shall reflect costs at the time of project construction and be based on conceptual exhibits showing the proposed improvements overlaid onto the existing roadway in order to determine the construction cost of said improvement. The developer / property owner shall submit the conceptual exhibits and cost estimates to the Engineering Department for review, and the cost exhibits shall be approved prior to issuance of a construction permit.

Prior to Issuance of Any Certificate of Occupancy:

185. **Construction of Roadway Improvements** – The developer / property owner shall design and construct the following roadway improvements. The improvements shall be complete prior to any certificate of occupancy.

If needed, it shall be the sole responsibility of the developer/property owner to obtain all proposed or required right-of-way dedications, easements and/or permissions necessary to perform offsite grading, from affected landowners where necessary to construct the traffic signals and street improvements. Notarized and recorded dedications, agreement or documents authorizing the offsite improvements and grading shall be submitted to the Public Works / Engineering Department. Where needed the City will assist in processing eminent domain to obtain the right of way. It shall be the responsibility of the developer / property owner to coordinate their project timing with the eminent domain process as right of way acquisition is required prior to plan approval.

- a. **Sherman Road Frontage Improvements** - Construct Sherman Road as a modified Major (4 lane divided) designation with Class II Community On-Street bike lanes along the project frontage. The improvements shall be full width between Buildings 1 and 2 and shall extend past centerline to provide a 12 foot travel lane adjacent to Building 1 north of Building 2. Appropriate transitions shall be provided as approved by the Public Works Director / City Engineer. The design shall be finalized during review of final construction drawings.
- b. **Trumble Road Frontage Improvements** - Construct Trumble Road as a modified collector designation and Class III bike route along the project frontage to centerline plus 12 feet. Appropriate transitions shall be provided as approved by the Public Works Director / City Engineer. The western half of Trumble Road is within the City of Perris. Construction of the roadway west of the centerline will not be required if the right of way is vacated by the City of Perris due to an

existing development agreement. If the right of way has not been vacated, but the City of Perris does not allow improvement of the roadway, the developer / property owner may pay a fair share fee that can be used to improve the roadway in the event the development agreement is abandoned. The design shall be finalized during review of final construction drawing.

- c. **Dawson Road Frontage Improvements** - Construct Dawson Road as a modified Industrial Collector designation along the project frontage and to Ethanac Road to centerline plus a 12 foot travel lane. Appropriate transitions shall be provided as approved by the Public Works Director / City Engineer. The design shall be finalized during review of final construction drawings.
- d. **Sherman Road Driveway #1 (Right-in Right-out)** – Construct the following improvements at the northern Sherman Road driveway intersection:
 - i. Northbound: One through lane, one shared through / right turn lane
 - ii. Southbound: One through lane
 - iii. Westbound: One right turn lane
- e. **Sherman Road Driveway #2** – Construct the following improvements at the center Sherman Road driveway intersection:
 - i. Northbound: Two through lanes, one left turn pocket
 - ii. Southbound: One through lane, one shared through / right turn lane
 - iii. Eastbound: One shared right turn / left turn lane
- f. **Sherman Road Driveway #3** – Construct the following improvements at the southern Sherman Road driveway intersection:
 - i. Northbound: One through lane, one shared through / right turn lane, one left turn pocket
 - ii. Southbound: One through lane, one shared through / right turn lane, one left turn pocket
 - iii. Westbound: One shared through / right turn / left turn lane
 - iv. Eastbound: One shared through / right turn / left turn lane
- g. **Trumble Road Driveway #4** – Construct the following improvements at the northern Trumble Road driveway intersection:
 - i. Northbound: One shared through / right turn lane
 - ii. Southbound: One shared through / left turn lane
 - iii. Westbound: One shared right turn / left turn lane
- h. **Trumble Road Driveway #5** – Construct the following improvements at the southern Trumble Road driveway intersection:
 - iv. Northbound: One shared through / right turn lane
 - v. Southbound: One shared through / left turn lane
 - vi. Westbound: One shared right turn / left turn lane
- i. **Dawson Road Driveway #6 (no left out)** – Construct the following improvements at the northern Dawson Road driveway intersection:
 - vii. Northbound: One through lane, one left turn pocket
 - viii. Southbound: One shared through / right turn lane
 - ix. Eastbound: One right turn lane

- j. **Dawson Road Driveway #7** – Construct the following improvements at the southern Dawson Road driveway intersection:
 - x. Northbound: One through lane, one left turn pocket
 - xi. Southbound: One shared through / right turn lane
 - xii. Eastbound: One shared right turn / left turn lane

- k. **Sherman Road (Offsite)** – Sherman Road shall be improved south of the project frontage to McLaughlin Road with one lane in each direction. The improvements on either side of the roadway shall include 12 foot paved lanes plus a 6 foot paved shoulder and the necessary drainage improvements such as swales and culverts to maintain existing drainage patterns. The improvements shall include appropriate transitions subject to the approval of the Public Works Director / City Engineer.

The improvements to Sherman Road south of the project frontage to McLaughlin Road will require obtaining right of way from Southern California Edison. In the event that the right of way acquisition impacts the project schedule, the developer / property owner may defer completion of the improvements to Sherman Road to prior to the occupancy of Building 2 provided they improve Dawson Road between the southern project frontage and McLaughlin Road where right of way is available. The improvements to Dawson Road shall include 12 foot paved lanes plus a 6 foot paved shoulder and the necessary drainage improvements such as swales and culverts to maintain existing drainage patterns. The improvements shall include appropriate transitions subject to the approval of the Public Works Director / City Engineer.

- l. **McLaughlin Road (Offsite)** – McLaughlin Road shall be improved from **Trumble Road to Dawson Road** with one lane in each direction. The improvements on either side of the roadway shall include 12 foot paved lanes plus a 6 foot paved shoulder and the necessary drainage improvements such as swales and culverts to maintain existing drainage patterns. The improvements to McLaughlin Road between Sherman Road and Dawson Road may be deferred to a future project if the improvements are part of the conditions of approval for a project that has an approved entitlement by the City. The improvements shall include appropriate transitions subject to the approval of the Public Works Director / City Engineer. Prior to recordation of the Parcel Map, the developer shall construct or guarantee the construction of the public street improvements within McLaughlin Road as approved by the Public Works Director / City Engineer.

The improvements to McLaughlin Road between Trumble Road and Dawson Road will require obtaining right of way from Southern California Edison. In the event that the right of way acquisition impacts the project schedule, the developer / property owner may defer completion of the improvements to McLaughlin Road to prior to the occupancy of Building 2 provided they improve Dawson Road between the southern project frontage and McLaughlin Road where right of way is available. The improvements to Dawson Road shall include 12 foot paved lanes plus a 6 foot paved shoulder and the necessary drainage improvements such as swales and culverts to maintain existing drainage patterns. The improvements shall include appropriate transitions subject to the approval of the Public Works Director / City Engineer.

- m. **Ethanac Road (Offsite)** – Ethanac Road shall be widened to two lanes in each direction from the Interstate 215 northbound on / off ramps to Sherman Road. The improvements on either side of the roadway shall include 6-foot paved shoulders and the necessary drainage improvements such as swales and culverts to maintain existing drainage patterns. Where right of way acquisition is not feasible on the north side of Ethanac Road, the improvements can be designed with the centerline of Ethanac Road shifted to the south as approved by the Public Works Director / City Engineer. The improvements shall include appropriate transitions subject to the approval of the Public Works Director / City Engineer. Prior to recordation of the Parcel Map, the developer shall construct or guarantee the construction of the public street improvements within Ethanac Road as approved by the Public Works Director / City Engineer.

- 186. **Traffic Signals and Intersection Geometrics** – The developer / property owner shall install new traffic signals and modify the existing traffic signals to construct the required improvements at the intersections outlined in the approved Traffic Impact Analysis or as revised with an updated Traffic Impact Analysis approved by the Public Works Director / City Engineer, with the following geometrics. Improvements shall be complete prior to any certificate of occupancy.

If needed, it shall be the sole responsibility of the developer/property owner to obtain all proposed or required right-of-way dedications, easements and/or permissions necessary to perform offsite grading, from affected landowners where necessary to construct the traffic signals and street improvements. Notarized and recorded dedications, agreement or documents authorizing the offsite improvements and grading shall be submitted to the Public Works / Engineering Department. Where needed the City will assist in processing eminent domain to obtain the right of way. It shall be the responsibility of the developer / property owner to coordinate their project timing with the eminent domain process as right of way acquisition is required prior to plan approval.

- a. **Ethanac Road at I-215 Northbound:** Traffic Signal Modification and Intersection Improvements:
 - i. Northbound: One shared through / left turn lane, one right turn lane
 - ii. Eastbound: Two through lanes, two left turn lanes
 - iii. Westbound: Two through lanes, one right turn lane
- b. **Ethanac Road at Trumble Road:** Traffic Signal Modification and Intersection Improvements:
 - i. Northbound: One shared through / right turn lane, one left turn lane
 - ii. Southbound: One shared through / right turn lane, one left turn lane
 - iii. Westbound: One through lane, one shared through lane / right turn lane, one left turn lanes
 - iv. Eastbound: Two through lanes, one right turn lane, one left turn lane
- c. **Ethanac Road at Sherman Road:** New Traffic Signal with north / south protected left-turn phasing, eastbound right-turn overlap phasing, and Intersection Improvements:
 - i. Northbound: one shared through / right turn lane, two left turn lanes
 - ii. Southbound: one through lane, one right turn lane, one left turn lane

- iii. Westbound: one shared through /right turn lane, one left turn lane
- iv. Eastbound: two through lanes, one right turn lane, one left turn lane

Traffic signal poles for the northbound and southbound lanes at the intersection of Ethanac Road and Sherman Road shall be placed at the ultimate location as feasible.

d. **Ethanac Road at Dawson Road:** New Traffic Signal and Intersection Improvements:

- v. Northbound: one shared right turn / left turn lane
- vi. Westbound: one through lane, one left turn lane
- vii. Eastbound: one through lane, one right turn lane

Traffic signal poles for the northbound lane at the intersection of Ethanac Road and Dawson Road shall be placed at the ultimate location as feasible.

187. **Cost Participation through Payment of Fair Share** – Prior to issuance of any certificate of occupancy, the developer / property owner shall pay fair share costs for the offsite improvements as required by the approved Traffic Impact Analysis as follows:

a. **Case Road / Bonnie Drive at Interstate 215:** The developer / property owner shall pay a fair share to widen the roadway and modify the existing traffic signal at a fair share cost of 15.1% of the total cost of the improvement with the following geometrics:

- i. Northbound: One through lane, one left turn lane
- ii. Southbound: Two through lanes, one left turn lane
- iii. Eastbound: One shared right turn / left turn lane

b. **Ethanac Road at Interstate 215 Southbound:** The developer / property owner shall pay a fair share to widen the roadway and modify the existing traffic signal at a fair share cost of 43.5% of the total cost of the improvement with the following geometrics:

- iv. Southbound: One shared through / left turn lane, one right turn lane
- v. Westbound: Two through lanes, two left turn lanes
- vi. Eastbound: Two through lanes, one right turn lane

c. **Ethanac Road at Antelope Road:** The developer / property owner shall pay a fair share to widen the roadway at a fair share cost of 30.3% of the total cost of the improvement with the following geometrics:

- vii. Northbound: One shared through / right turn / left turn lane
- viii. Southbound: One shared through / right turn / left turn lane
- ix. Westbound: One shared through / right turn lane, one two way left turn lane through intersection
- x. Eastbound: One through lane, one right turn lane, one two way left turn lane through intersection

d. **State Route 74 at Menifee Road:** The developer / property owner shall pay a fair share to widen the roadway and modify the existing traffic signal at a fair share cost of 16.9% of the total cost of the improvement with the following geometrics:

- xi. Northbound: One through lane, one right turn lane, one left turn lane
- xii. Southbound: One shared through / right turn lane, one left turn lane
- xiii. Westbound: One through lane, one shared through / right turn lane, two left turn lanes
- xiv. Eastbound: One through lane, one shared through / right turn lane, one left turn lane
- xv. Modify signal to eliminate north / south split phase operation
- xvi. Modify signal to provide north / south protected left turn
- xvii. Modify signal to provide northbound right turn overlap phasing

- e. **State Route 74 at Briggs Road:** The developer / property owner shall pay a fair share to widen the roadway and modify the existing traffic signal at a fair share cost of 14.6% of the total cost of the improvement with the following geometrics:
 - xviii. Northbound: One through, one right turn lane, two left turn lanes
 - xix. Southbound: One through lane, one right turn lane, one left turn lane
 - xx. Westbound: One through lane, one shared through / right turn lane, one left turn lane
 - xxi. Eastbound: Two through lanes, one right turn lane, one left turn lane
 - xxii. Modify signal to eliminate north / south split phase operation
 - xxiii. Modify signal to provide north / south protected left turn
 - xxiv. Modify signal to provide eastbound right turn overlap phasing
- f. **McCall Boulevard at Interstate 215 Southbound:** The developer / property owner shall pay a fair share to widen the roadway and modify the existing traffic signal at a fair share cost of 9.8% of the total cost of the improvement with the following geometrics:
 - xxv. Southbound: One shared through / left turn lane, Two right turn lanes, one left turn lane
 - xxvi. Westbound: Two through lanes, one left turn lane
 - xxvii. Eastbound: Two through lanes, one right turn lane

188. **Road Bridge Benefit District (RBBD)** – Prior to the City's approval of any construction plans associated with the development project, unless otherwise approved by the City Engineer and Public Works Director, the developer shall prepare the engineering exhibits and cost estimates to assist the City in evaluating the feasibility for formation of a Road and Bridge Benefit District for the ultimate street improvements and traffic signals for the following facilities: Ethanac Road, McLaughlin Road, Trumble Road, Sherman Road, Dawson Road and Antelope Road. The limits of the facilities and the boundary of the benefit area will be as approved by the City Engineer and Public Works Director. If the RBBD is formed, the developer shall either pay its proportionate share of the cost to construct the RBBD improvements or enter into an RBBD Credit Agreement with the City for qualifying improvements. The RBBD credits shall be in addition to eligible TUMF and DIF credits. The engineering costs to form the district and eligible construction costs shall be reimbursable from the RBBD.

G. NPDES and WQMP

189. **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 and as determined

and 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.

190. **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.

191. **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 to remove trash from all Priority Land Use areas that will contribute storm water runoff to the City of Menifee's MS4. All trash full capture devices shall be listed on the State Board's current list of certified full capture devices posted on their website (https://www.waterboards.ca.gov/water_issues/programs/stormwater/trash_implementation.shtml), or otherwise approved by State or Regional Water Quality Control Board staff. Storm water runoff from privately owned Priority Land Use areas shall be treated by full capture devices located within privately owned storm drain structures or otherwise located on the privately owned property, whenever possible. Runoff from Priority Land Use areas created or modified by the project, and which are proposed to be City owned, shall be treated by full capture devices located within city-owned storm drains or otherwise located within the public right of way.

Prior to Grading Permit Issuance:

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

- a. *Preliminary Project Specific Water Quality Management Plan, Menifee Crossroads, PP2019-005*, prepared by Albert A. Webb Associates, dated May 2021.

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. The final developed project construction plans 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

193. **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.

194. **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.

Prior to Issuance of Any Certificate of Occupancy:

195. **WQMP/BMP Education** – Prior to issuance of Certificate of Occupancy, the developer / project owner shall provide the City proof of notification to future occupants of all BMP's and educational and training requirements for said BMP's as directed in the approved WQMP. Proof of notification shall be provided to the Public Works / Engineering Department in forms determined acceptable by the Public Works Director / City Engineer. Public Education Program materials may be obtained from the Riverside County Flood Control and Water Conservation District's NPDES Section through their website at www.rcwatershed.org. The developer must provide to the Public Works / Engineering Department a notarized affidavit, or other notification forms acceptable to the Public Works Director / City Engineer, stating that the distribution of educational materials to future homebuyers has been completed prior to issuance of occupancy permits.

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

196. **Implement WQMP** - All structural BMPs described in the project-specific WQMP shall be constructed and installed 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.
197. **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.

H. WATER, SEWER, AND RECYCLED WATER

198. **Meet 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.
199. **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.

- 200. **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 Parcel Map recordation and approval of improvement plans.
- 201. **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.
- 202. **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.

I. CITYWIDE COMMUNITY FACILITIES MAINTENANCE DISTRICT (CFD)

Prior to Final Map Recordation:

- 203. **Annexation to the Citywide Community Facilities District (CFD)** –Prior to Parcel Map recordation, the developer / property owner shall complete the annexation of the proposed development, into the boundaries of the City of Menifee citywide Community Facilities Maintenance District (Services). The citywide CFD shall be responsible for:
- 204. The maintenance of public improvements or facilities that benefit this development, including but not limited to, public landscaping, streetlights, traffic signals, streets, drainage facilities, water quality basins, graffiti abatement, and other public improvements or facilities as approved by the Public Works Director / City Engineer.
- 205. The developer / property owner shall be responsible for all costs associated with the annexation of the proposed development in the citywide CFD.
- 206. **CFD Annexation Agreement** – In the event timing for this development's schedule prevents the developer / property owner from complying with condition of approval for CFD annexation, the developer shall enter into a CFD annexation agreement to allow the annexation to complete prior to 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.
- 207. **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 plan for review and approval by the Public Works / Engineering Department.
- 208. **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 Public Works / Engineering Department prior to issuance of a construction permit.

209. **Landscaping on Sherman Road, Trumble Road, and Dawson Road** – The parkway areas behind the sidewalk within the public right-of-way fronting the entire property along Sherman Road, Trumble Road, and Dawson Road shall be landscaped and irrigated per City standards and guidelines. These areas shall be maintained by the CFD.
210. **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.

J. WASTE MANAGEMENT

211. **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 in order 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

212. **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:
- a. Source separate organic material from all other recyclables and donate or self-haul to a permitted organic waste processing facility.
 - b. 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.
 - c. 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.

Prior to Building Permit Issuance:

213. **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.

214. **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.

Prior to Issuance of Any Certificate of Occupancy

215. **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.

K. FEES, DEPOSITS AND DEVELOPMENT IMPACT FEES

216. **Fees and Deposits** – Prior to approval of grading plans, improvement plans, issuance of building permits, map recordation, 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), Development Impact Fees (DIF), and any applicable regional fees including potential Road and

Bridge Benefit District (RBBD) Fees unless included in an RBBD credit agreement for infrastructure completed as part of the project. 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.

217. **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 issuance, pursuant to adopted City Ordinance governing the TUMF program.

Section IV:

Engineering/Public Works

Department Conditions of Approval

for Plot Plan

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.

A. GENERAL ENGINEERING CONDITIONS

218. This Plot Plan No. 2019-005, is concurrently processing a proposed Tentative Parcel Map 38156, PLN21-0205, which has its own set of Conditions of Approval. The conditions for this Plot Plan shall be satisfied in concurrence with the Conditions of Approval for the proposed Tentative Parcel Map.
219. **Project Description** – The proposed development includes construction of two industrial buildings. Building 1 is located between Sherman Road and Dawson Road and has a footprint of approximately 1,254,000 square feet. Building 2 is located between Trumble Road and Sherman Road and has a footprint of approximately 386,000 square feet.
220. **Subdivision Map Act** - The developer / property owner shall comply with the State of California Subdivision Map Act.
221. **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 registered civil engineer and/or other registered/licensed professional as required.
222. **Bond Agreement, Grading and Improvement Security** – To guarantee the construction of all required grading and improvements, the developer / property owner shall enter into Bond Agreements and post security or bonds in accordance with applicable City policies and ordinances. The improvements shall include, but not limited to: onsite/offsite grading, erosion control, street improvements, street lights, traffic signals, signing and striping, public landscape improvements, recreational paseos, parks, water/sewer/recycled water improvements, water quality BMPs, and storm drainage facilities. Bond agreements and bond posting shall be required prior to map recordation, grading, building, or construction permit issuance, whichever is applicable. It should be noted that with the exception of grading bond agreements, all other bond agreements require council approvals. Therefore, it shall be the responsibility of the developer / property owner to coordinate their project timing with City council calendar when requesting City approvals of Bond Agreements.
223. **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. Similarly, with the exception of grading bond agreements all other agreement changes require City Council approvals. Therefore, it shall be the responsibility of the developer / property owner to coordinate their project timing with City Council calendar when requesting changes to the bond agreements.

224. **Existing and Proposed Easements** - The final grading plan shall correctly show all existing easements, traveled ways, and drainage courses. Any omission or misrepresentation of these documents may require said plan to be resubmitted for further consideration.
225. **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, street lights, 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.
226. **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.
227. **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.
228. **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 located within one-fourth mile from an occupied residence shall be permitted Monday through Saturday, except on nationally recognized holidays, 6:30 a.m. to 7:00 p.m. in accordance with Municipal Code Section 8.01.010. There shall be no construction permitted on Sunday or nationally recognized holidays unless 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 start of any construction activities for this site.

229. **Dry Utility Installations** – Electrical power, telephone, communication, street lighting, and cable television lines shall be placed underground in accordance with current City ordinances, or 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 still 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.

230. **Mitigation Monitoring.** The permittee shall prepare and submit a written report to the Public Works Director for review and approval demonstrating compliance with these conditions of approval, and the mitigation measures identified in the EIR prior to issuance of grading permits, building permits, and certificate of occupancy. The Public Works Director may require inspection or other monitoring to ensure compliance.

B. GRADING

231. **Introduction** – Improvement such as grading, filling, over excavation and re-compaction, and base or paving which require a grading permit are subject to the Public Works Department conditions of approval stated herein.

232. **Grading Regulations Chapter 8.26** – Any construction activity such as over excavation, re-compaction, cut, fill, base or paving which require a grading permit and shall conform to the requirements of City Grading Regulations Chapter 8.26. Additionally grading permits are subject to the Public Works Department conditions of approval stated herein.

233. **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.

- 234. **Grading Permit for Disturbed Soil** – City ordinance on grading requires a grading permit prior to clearing, grubbing or any topsoil disturbances related to construction grading.
- 235. **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.
- 236. **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.
- 237. **Slope Setbacks** – Observe slope setbacks from buildings and property lines per the California Building Code and City ordinance on grading.
- 238. **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. Drip irrigation shall be used for all irrigated slopes.
- 239. **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 registered landscape architect and bonded per applicable City ordinances.
- 240. **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.
- 241. **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.
- 242. **Water Quality Management Plan** - All grading plans shall require an approved copy of the Water Quality Management Plan sheet per the approved WQMP report. The developer / property owner shall comply with the requirements of the WQMP report, and City standards and specifications. The WQMP Maintenance agreement shall be recorded prior to plan approval.
- 243. **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 and/or Tentative Parcel Map.

244. **Drainage Grade** - Minimum drainage design grade shall be 1.5% on asphalt concrete pavement and 1.0% on Portland cement concrete surfaces. In areas of concentrated flow on Portland cement the minimum grade shall be 0.4%. The engineer of record must submit a variance request for design grades less than those above with a justification for a lesser grade.
245. **Finish Grade** – Finish grades shall be sloped to provide proper drainage away from all exterior foundation walls in accordance with City of Menifee Standard Plan 300.
246. **Use of Maximum and Minimum Grade Criteria** – Actual field construction grades shall not exceed the minimum and maximum grades for ADA and approved project grading design, to allow for construction tolerances. Any improvement that is out of the minimum and maximum values will not be accepted by the City Inspector, and will need to be removed and replaced at developer's or owner's expense.
247. **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.
248. **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.
249. **Licensed Geotech** - A licensed geotechnical engineer shall perform final determination of the foundation characteristics of soils within on-site development areas.
250. **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. The walls shall be designed by a registered civil engineer and conform to City Standards.

Prior to Grading Permit Issuance:

251. **Geotechnical Report** – The following geotechnical report was reviewed by the City:
 - a. *Preliminary Geotechnical Interpretive Report, Proposed Motte Rancon Distribution Center (MR-DC)*, prepared by Earth Strata Geotechnical Services, Inc., Project No. 182161-10A, dated May 29, 2018.

Prior to issuance of any grading permit, an updated geotechnical report shall be prepared and submitted to the City for review and approval. The geotechnical report will be reviewed for 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 report shall be paid to the City, the amount of which shall be determined by the City at the first submittal of the report. The developer / property owner shall comply with the recommendations of the report, and City standards and specifications.

A pre-grading meeting, certifications, approvals and inspection procedures will be implemented in accordance with City Public Works - Inspection process. All grading shall be done in conformance with the recommendations of the City approved geotechnical/soils reports, and under the general direction of a licensed geotechnical engineer.

252. **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.

253. **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 Resources Control Board (SWRCB).

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 WDD number issued by the SWRCB shall be reflected on all grading plans. For additional information on how to obtain a GCP, contact the SWRCB.

254. **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 shall require submittal of NOTs for requests to fully release associated grading bonds.

255. **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 condition at all times until construction is completed and the Regional Board has issued a Notice of Termination (NOT) for the development.

256. **Grading Bonds** – Prior to commencing any grading of 50 or more cubic yards of dirt, the applicant shall obtain a grading permit from the Public Works / Engineering Department. Prior to issuance of the permit, adequate performance grading security shall be posted by the developer / property owner with the Public Works / Engineering Department.

257. **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. The proposed import / export shall conform with Chapter 8.26.140 *Import and Export of Earth Material* of

the City's Municipal Code, including environmental requirements, and submitted 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.

258. **Offsite Grading** – Prior to the issuance of a grading permit, it shall be the sole responsibility of the developer/property owner to obtain all proposed or required easements and/or permissions necessary to perform offsite grading, from affected landowners; including any off-site grading to construct the necessary transitions. Notarized and recorded agreement or documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.

Prior to Building Permit Issuance:

259. **Submit Plans** – A copy of the improvement plans, grading plans, BMP improvement plans, and any other necessary documentation along with supporting hydrologic and hydraulic calculations shall be submitted to the Public Works / Engineering Department for review. All submittals shall be date stamped by the engineer and include a completed City Deposit or Fee Based Worksheet and the appropriate plan check fee or deposit.
260. **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.
261. **No Building Permit without Grading Permit** - Prior to issuance of any building permit for any new structures or appurtenances, the developer / property owner shall obtain a grading permit and/or approval to construct from the Public Works / Engineering Department.
262. **Final Rough Grading Conditions** – Prior to issuance of a building permit for any new structures or appurtenances, 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, for the lots for which building permits are requested. The certifications shall use City approved forms, and shall be submitted to the Public Works / Engineering Department for verification and acceptance.
263. **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.

Prior to Issuance of Any Certificate of Occupancy:

264. **Final Grade Certification** – The developer / property owner shall cause the Civil Engineer of Record for the approved grading plans, to submit a signed and wet-stamped final grade certification, on City approved form, for each building for which a certificate of occupancy is requested. The certification shall be submitted to the Public Works / Engineering Department for verification and acceptance.

265. **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.
266. **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.

C. DRAINAGE

General Conditions

267. **Drainage Study** – The following preliminary drainage report was reviewed and approved by the City:

- a. *Preliminary Drainage Study, Menifee Commerce Center, PP2019-005*, prepared by Albert A. Webb Associates, dated August 2021.

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. The project shall comply with all mitigation recommended by the approved drainage study. 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.

268. **Area Drainage Plan (ADP) Fees.** The proposed development is located within the bounds of the Homeland / Romoland ADP of the Riverside County Flood Control and Water Conservation District (Flood Control District), for which drainage fees have been established by the Riverside County Board of Supervisors. Applicable ADP fees will be due (in accordance with the Rules and Regulations for Administration of Area Drainage Plans) prior to building permits for this project. The fee due will be based on the fee in effect at the time of payment.
269. **Proposed Drainage Concept.** The development proposes to construct two industrial buildings. A system of storm drain pipes will collect onsite drainage flows and route them to water quality basins on the west side of each building. The water quality basins will connect to storm drain facilities leading to the Homeland / Romoland ADP Line A via laterals to be constructed by the developer and maintained by Riverside County Flood Control District. The following regional storm drain facilities will be constructed:
- a. **MDP Line A-1:** Line A-1 will capture the runoff from the tributary area east of Sherman Road, west of Dawson Road and between Ethanac Road and Romoland Line A-1. The line will be constructed of a reinforced concrete box structure up to 9 feet wide by 4.5 feet high and convey a 100-year flowrate of approximately 216 cfs where it connects with Line A.

- b. **MDP Line A-1a:** Line A-1a will capture the runoff from the drainage channel near the northeast corner of Building 1 that conveys flow runoff from east of Antelope Road. The line will be constructed of a reinforced concrete box structure up to 4.5 feet wide by 3 feet high and convey a 100-year flowrate of approximately 48 cfs where it connects with Line A.
- c. **MDP Line A-21:** Line A-21 will capture the runoff from the tributary area east of Trumble Road, west of Sherman Road and between Ethanac Road and Romoland Line A-1. The line will be constructed of a reinforced concrete box structure up to 9 feet wide by 4 feet high and convey a 100-year flowrate of approximately 145 cfs where it connects with Line A.

All onsite and offsite water quality / drainage systems must be constructed and operational prior to the issuance of any certificate of occupancy.

- 270. **MDP and ADP.** Prior to initiation of the final construction drawings for those facilities required to be built as part of the Romoland MDP and Homeland / Romoland ADP, the developer shall contact the Flood Control District to ascertain the terms and conditions of design, construction, inspection, transfer of ROW, project credit in lieu of charges and reimbursement schedules which may apply. The developer acknowledges that if the estimated cost for required MDP / ADP facilities exceeds the required ADP fees and the developer wishes to receive credit for reimbursement in excess of his fees, the facilities will be constructed as a public works contract. Scheduling for construction of these facilities will be at the discretion of the Public Works / Engineering Department and the Flood Control District.
- 271. **Drainage Facilities for Ownership and Maintenance by the Flood Control District.** Some of the proposed drainage facilities may be requested for ownership and maintenance by the Flood Control District. For such drainage facilities, applicable Flood Control District standards and guidelines shall be complied with, including conditions of approval required for said drainage facilities. Prior to the issuance of any Certificate of Occupancy, the developer / property owner shall enter into a three-party cooperative agreement with the City and the Flood Control District. Both the Riverside County Board of Supervisors and the City Council shall approve the agreement.
- 272. **Conditions for Acceptance of Drainage Facilities by the Flood Control District.** For drainage facilities requested for ownership and maintenance by the Flood Control District, a written request must be submitted to the Flood Control District. The request shall note the project number, location, brief description of the system (sizes and lengths) and an exhibit that shows the proposed storm drain alignment.

If the Flood Control District is willing to maintain the requested drainage systems, the developer / property owner shall complete the following prior to issuance of any Certificate of Occupancy:

- Submit to the Flood Control District preliminary title reports, plats and legal descriptions for all drainage facilities, ROW, or easements to be conveyed to the Flood Control District, and secure such ROW or easements to the

satisfaction of the Flood Control District;

- Execute a three-party cooperative agreement with the City and the Flood Control District, establishing the terms and conditions of inspection, operation and maintenance of said drainage facilities;
- Process approval of drainage plans by the Flood Control District's General Manager-Chief Engineer. The plans cannot be approved prior to execution of the agreement.
- Submit an application and applicable fee to the Flood Control District to draw up the agreement;
- Provide guarantee bonds for the drainage facility, and necessary certificate of insurance.

The developer / property owner will need to submit proof of Flood Control facility bonds and a certificate of insurance to the Flood Control District's Inspection section before a pre-construction meeting can be scheduled.

273. **10 Year Curb – 100 Year ROW** - The 10-year storm flow shall be contained within the top of curb, and the 100-year storm flow shall be contained within the street right-of-way. When either of these criteria is exceeded, additional drainage facilities shall be installed. The property shall be graded to drain to the adjacent street or an adequate outlet.
274. **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.
275. **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.
276. **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.
277. **On-Site Storm Drain System** - Prior to issuance of a grading permit, the proposed on-site storm drain system shall be designed such that any ponding in the 100-year storm, shall be contained within the site; it shall not encroach onto any adjacent property, and shall maintain a minimum 1-foot freeboard to the proposed building pad elevation. The 100-year storm flow from Building 1 shall be conveyed to Sherman Road and Building 2 shall be conveyed to Trumble Road, and shall not flow over the proposed parkway or within the driveway approach.

D COVENANTS, CONDITIONS & RESTRICTIONS (CC&Rs)

278. **Common Area Maintenance** – Where applicable, any common areas identified in the Plot Plan shall be owned and maintained as follows:

- a. A permanent master maintenance organization shall be established for the plot plan area, to assume maintenance responsibility for all common areas. The organization may be public (City CFD, or another agency) or private (e.g., property owners' association). Merger with an area-wide or regional organization shall satisfy this condition provided that such organization is legally and financially capable of assuming the responsibilities for maintenance. When necessary, property dedication or easement dedications shall be granted to the maintenance organization through map dedication, or separate recordable instrument, and shall be in a form acceptable to the city. (See also the Use / Maintenance of Ultimate Right-of-Way Portion of Property and Owner Improvements condition)
 - b. The maintenance organization shall be established prior to building permit.
279. **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) shall be the mechanism to maintain such common areas. (See also the Use / Maintenance of Ultimate Right-of-Way Portion of Property and Owner Improvements condition)
280. **CC&R Content, Submittal Process and Timing** – Where applicable for maintenance of common areas, prior to building permit, the developer/property owner shall submit to the Public Works / Engineering Department for review and approval CC&R documents consisting of the following:
- 1. 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.

2. 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.
3. 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 building permit.
4. 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.

E STREETS AND DEDICATIONS

281. **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. The development includes improvements to Trumble Road, Sherman Road and Dawson Road along the project frontage. Turning movements at driveways will be as approved by the Public Works Director / City Engineer. Raised medians will be required to restrict turning movements where deemed necessary for public health and safety. The developer is responsible to obtain all right of way necessary to accommodate the required improvements. Where needed the City will assist in processing eminent domain to obtain the right of way. It shall be the responsibility of the developer / property owner to coordinate their project timing with the eminent domain process as right of way acquisition is required prior to plan approval.

Vehicular access to the project as shown on the Plot Plan / Tentative Parcel Map will be provided via seven driveways: three on Sherman Road and two each on Trumble Road and Dawson Road. The following driveway designations are from the approved Traffic Impact Analysis report:

- Driveway #1 is located along the east side of Sherman Road at the northern end of Building 1.
 - Driveway #2 is located along the west side of Sherman Road at the northern end of Building 2.
 - Driveway #3 is on both the east and west sides of Sherman Road at the southern end of both Building 1 and Building 2.
 - Driveway #4 is on the east side of Trumble Road at the northern end of Building 2.
 - Driveway #5 is on the east side of Trumble Road at the southern end of Building 2.
 - Driveway #6 is on the west side of Dawson Road at the northern end of Building 1.
 - Driveway #7 is on the west side of Dawson Road at the southern end of Building 1.
- a) **Sherman Road** – Sherman Road shall be improved along the project frontage to a modified Major (4 lane divided) designation with an ultimate half-width Right of Way of 59 feet, width of 38 feet paved curb to centerline, a 16 foot landscaped parkway and a 5 foot sidewalk. A raised median shall be

constructed to restrict turning movements at Driveway #1 and between Buildings 1 and 2 where the project is constructing the entire roadway. Between Building 2 and Driveway #1, the developer / property owner shall pay a fair share for half of the median. Class II Community On-Street bike lanes shall also be provided. Prior to building permit, the developer shall construct or guarantee the construction of the public street improvements within Sherman fronting the property to the centerline plus an additional 12 feet past the median or centerline, including the necessary offsite transitions to the existing pavement width, as approved by the Public Works Director / City Engineer. The design of the street improvements shall be reviewed and approved by the City Engineer. If needed, it shall be the sole responsibility of the developer/property owner to obtain all proposed or required easements and/or permissions necessary to perform offsite grading, from affected landowners where necessary to construct the street improvements. Notarized and recorded agreement or documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.

- b) **Trumble Road** – Trumble Road shall be improved along the project frontage to a modified Collector designation with an ultimate half-width Right of Way of 37 feet, 22 feet paved curb to centerline, and 6 foot sidewalk within a 15 foot wide parkway. A Class III bike route shall also be provided. Prior to building permit, the developer shall construct or guarantee the construction of the public street improvements within Trumble Road fronting the property to the centerline plus an additional 12 feet past centerline, including the necessary offsite transitions to the existing pavement width, as approved by the Public Works Director / City Engineer. The western half of Trumble Road is within the City of Perris. Construction of the roadway west of the centerline will not be required if the right of way is vacated by the City of Perris due to an existing development agreement. If the right of way has not been vacated, but the City of Perris does not allow improvement of the roadway, the developer / property owner may pay a fair share fee that can be used to improve the roadway in the event the development agreement is abandoned. The design of the street improvements shall be reviewed and approved by the City Engineer. If needed, it shall be the sole responsibility of the developer/property owner to obtain all proposed or required easements and/or permissions necessary to perform offsite grading, from affected landowners where necessary to construct the street improvements. Notarized and recorded agreement or documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.
- c) **Dawson Road** – Dawson Road shall be improved along the project frontage to a modified Industrial Collector designation with an ultimate half-width Right of Way of 39 feet, 28 feet paved curb to centerline, a 6 foot sidewalk adjacent to curb and a 5 foot wide parkway. A raised median will be required in the northern portion of Dawson Road to restrict turning movements at Driveway #6. Improvements shall extend north between the project and Ethanac Road. Prior to building permit, the developer shall construct or guarantee the construction of the public street improvements within Dawson Road fronting the property to the centerline plus an additional 12 feet past the median or centerline, including the necessary offsite transitions and connection to Ethanac Road, as approved

by the Public Works Director / City Engineer. The design of the street improvements shall be reviewed and approved by the City Engineer. If needed, it shall be the sole responsibility of the developer/property owner to obtain all proposed or required easements and/or permissions necessary to perform offsite grading, from affected landowners where necessary to construct the street improvements. Notarized and recorded agreement or documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.

- d) **Reconstruction or Resurfacing of Sherman Road, Trumble Road, and Dawson Road** – The improvements along the project frontage to Sherman Road, Trumble Road, and Dawson Road shall bring the roadways to meet current City Standards and have a Pavement Condition Index of at least 80 as determined by the Public Works Director / City Engineer. The Public Works Director / City Engineer may consider reconstruction or resurfacing of existing roads paving fronting the development, provided the road is found to meet the minimum City standards for pavement conditions at the time of project construction, and has an adequate structural section for the design Traffic Index and subgrade R-value in conformance with the Caltrans Highway Design Manual. If it is determined that the existing road is found to be substandard, then the Public Works Director / City Engineer will require the developer / property owner to provide full reconstruction as provided for in these conditions of approval. At the discretion of the City Engineer, the developer may evaluate the existing pavement section with available As-Built plans, or the developer may core the existing pavement during project design to confirm the required improvements to bring the roadways to current standards, and any findings shall be incorporated into the project design. The Public Works Director / City Engineer shall have the final approval for all road conditions.
- e) **Offsite Resurfacing of Trumble Road** – The developer / property owner shall improve Trumble Road between McLaughlin Road and Ethanac Road to a Pavement Condition Index of at least 80 as determined by the Public Works Director / City Engineer. Resurfacing of existing roads will be required where existing paving does not have an adequate pavement condition index. These improvements to Trumble Road may be deferred to a future project if the improvements are part of the conditions of approval for a project that has an approved entitlement by the City. If the future project is in entitlement, the developer / property owner may enter into a subdivision improvement agreement with the City and post a bond for the value of the improvements. The Public Works Director / City Engineer shall have the final approval for all road conditions.

- 282. **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. The preliminary pavement design shown on the plans shall be based on R-Value testing of representative soils. The final pavement design shall be performed following grading and be based on R-Value testing of subgrade soils at locations approved by the City's Public Works Inspector, and the approved Traffic Index (T.I.).

283. **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. As outlined in the following conditions, medians may be required to restrict turning movements for public safety purposes as determined by the Public Works Director / City Engineer.
284. **Acceptance of Public Roadway Dedication and Improvements** – Easements and right-of way for public roadways shall be granted to the City through the Parcel Map, or other acceptable recordable instrument.
285. **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.
286. **Paving or Paving Repairs** – The applicant shall be responsible for obtaining the paving inspections required by Ordinance 461. 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.
287. **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.
288. **Signing and Striping** – A signing and striping plan for Sherman Road, Trumble Road, Dawson Road, and McLaughlin Road is required for this project. The applicant shall be responsible for any additional paving and/or striping removal caused by the striping plan.
289. **Traffic Signal Plans** – The applicant shall be responsible for construction of new traffic signals and modification of existing traffic signals as outlined in these conditions. The traffic signal plans shall be approved by the Public Works Director / City Engineer.
290. **Street Light Plan** – Street lights requiring relocations, or any required new street lights 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.
291. **Street Sweeping and Pavement Maintenance.** The property owner shall file for annexation or inclusion into the Citywide Community Facilities Maintenance District, CFD for street sweeping services and street pavement maintenance.

Prior to Issuance of Building Permit:

292. **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.

293. **Improvement Bonds** – Prior to issuance of any construction permit for all required onsite and offsite public improvements, the developer/project owner shall post acceptable bonds or security to guarantee the construction of all required improvements. The bonds shall be in accordance with all applicable City ordinances, resolutions and municipal codes (See *also bond agreement condition under General Condition*).
294. **Sherman Road Dedication.** The developer / property owner shall construct or guarantee the construction of Sherman Road fronting the development to a modified Major (4-lane divided) designation with an ultimate half-width Right of Way of 59 feet, and 38 feet paved curb to centerline. The developer / property owner shall dedicate the necessary right of way fronting the development. The dedication boundary shall extend to the centerline of Sherman Road, unless the street was previously dedicated in fee title in which case the boundary should extend to the right-of-way line and the map shall note the instrument number that dedicated the right of way.
295. **Trumble Road Dedication.** The developer / property owner shall construct or guarantee the construction of Trumble Road fronting the development to a modified Collector designation with an ultimate half-width Right of Way of 37 feet, and 22 feet paved curb to centerline. The developer / property owner shall dedicate the necessary right of way fronting the development. The dedication boundary shall extend to the centerline of Trumble Road, unless the street was previously dedicated in fee title in which case the boundary should extend to the right-of-way line and the map shall note the instrument number that dedicated the right of way.
296. **Dawson Road Dedication.** The developer / property owner shall construct or guarantee the construction of Dawson Road fronting the development to a modified Industrial Collector designation with an ultimate half-width Right of Way of 39 feet, and 28 feet paved curb to centerline. The developer / property owner shall dedicate the necessary right of way fronting the development. The dedication boundary shall extend to the centerline of Dawson Road, unless the street was previously dedicated in fee title in which case the boundary should extend to the right-of-way line and the map shall note the instrument number that dedicated the right of way.

Prior to Issuance of Any Certificate of Occupancy:

297. **Sherman Road Improvements** – Improvements on Sherman fronting the development shall be completed to a modified Major (4 lane divided) designation with an ultimate half-width Right of Way of 59 feet and 38 feet paved curb to centerline, a raised median where applicable, and Class II Community On-Street bike lanes, prior to issuance of Certificate of Occupancy. The improvements shall be adequately transitioned to the existing or proposed street improvements. It shall be the sole responsibility of the developer/property owner to obtain all proposed or required easements and/or permissions necessary to perform offsite grading, from affected landowners where necessary to construct the street improvements. Notarized and recorded agreement or documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.
298. **Trumble Road Improvements** – Improvements on Trumble Road fronting the development shall be completed to a modified Collector designation with an ultimate half-width Right of Way of 37 feet and 22 feet paved curb to centerline, and a Class III bike route, prior to issuance of Certificate of Occupancy. The improvements shall be adequately transitioned to the existing or proposed street improvements. The western half of Trumble

Road is within the City of Perris. Construction of the roadway west of the centerline will not be required if the right of way is vacated by the City of Perris due to an existing development agreement. If the right of way has not been vacated, but the City of Perris does not allow improvement of the roadway, the developer / property owner may pay a fair share fee that can be used to improve the roadway in the event the development agreement is abandoned. It shall be the sole responsibility of the developer/property owner to obtain all proposed or required easements and/or permissions necessary to perform offsite grading, from affected landowners where necessary to construct the street improvements. Notarized and recorded agreement or documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.

299. **Dawson Road Improvements** – Improvements on Dawson Road fronting the development and extending north to Ethanac Road shall be improved to a modified Industrial Collector designation with an ultimate half-width Right of Way of 39 feet and 28 feet paved curb to centerline prior to issuance of Certificate of Occupancy. Undergrounding of electrical power lines along Dawson Road will be required. The improvements shall be adequately transitioned to the existing or proposed street improvements. It shall be the sole responsibility of the developer/property owner to obtain all proposed or required easements and/or permissions necessary to perform offsite grading, from affected landowners where necessary to construct the street improvements. Notarized and recorded agreement or documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.
300. **Driveways and Driveway Approaches** – Driveways and Driveway Approaches as shown on the approved plot plan/Tentative Parcel Map shall be designed and constructed prior to issuance of Certificate of Occupancy. The driveways shall be designed and constructed per City of Menifee No. 208 and meet spacing requirements as well as other City requirements.

F TRAFFIC ENGINEERING

301. **Traffic Impact Analysis Report** – The development shall comply with all the improvements and mitigation measures identified to be constructed or provided in the traffic impact analysis approved by the Public Works / Engineering Department. The traffic study was prepared by Albert A. Webb Associates dated August 2021. All required improvements and mitigations identified in the study shall be included in all improvement plans for review and approval by the Public Works Department. Additional improvements may be required to address public safety and welfare, as determined by the Public Works Director / City Engineer.

The approved Traffic Impact Analysis report includes improvements to various intersections within the region to mitigate traffic impacts of the project. The required improvements at the intersection of Sherman Road and Ethanac Road includes dual northbound left turn lanes onto Ethanac Road. During Final Engineering, the developer / property owner can update the traffic study to determine if a single left turn lane from Sherman Road onto Ethanac Road would be adequate. Note that this may require dual northbound left turn lanes at the intersection of Dawson Road and Ethanac Road which would require a second westbound lane be constructed along Ethanac Road between Dawson Road and Sherman Road. The updated traffic study would require review and approval by the Public Works / Engineering Department.

Prior to Issuance of Construction Permit:

302. **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.
303. **Signing and Striping Plan** – Prior to issuance of a construction permit, any necessary signing and striping plan for Sherman Road, Trumble Road, Dawson Road, or any offsite improvements shall be approved by the Public Works Director / City Engineer in accordance with City ordinances, standards and specifications, and with the latest edition of the CAMUTCD.
304. **Traffic Signal Plan** – Prior to issuance of a construction permit, traffic signal plans for installation of new traffic signals or modification of existing traffic signals shall be approved by the Public Works Director / City Engineer in accordance with City standards and specifications.
305. **Driveway Geometrics** – Final driveway geometrics may be modified in final engineering as approved by the City Engineer / 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.
306. **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. The plan shall specify the following mitigation measures to address the following:
- d. Dust and dirt fallout from truck loads that gets entrained onto City roadways: (1) Biweekly street sweeping during construction activity, and daily during all grading operations. (2) Approved BMPs shall be installed at all approved construction entrances as part of the SWPPP.
 - e. Noise from construction truck traffic: Include construction time and operation of vehicles through surrounding residential streets.
 - f. Traffic safety within the road right-of-way: Include temporary traffic control measures and devices.
307. **Fair Share Cost Estimates** – The developer / property owner shall contribute fair share costs for associated intersection roadway geometric and median improvements. The fair share cost estimates shall reflect costs at the time of project construction and be based on conceptual exhibits showing the proposed improvements overlaid onto the existing roadway in order to determine the construction cost of said improvement. The developer / property owner shall submit the conceptual exhibits and cost estimates to the Engineering Department for review, and the cost exhibits shall be approved prior to issuance of a construction permit.

Prior to Issuance of Any Certificate of Occupancy:

308. **Construction of Roadway Improvements** – The developer / property owner shall design and construct the following roadway improvements. The improvements shall be complete prior to any certificate of occupancy.

If needed, it shall be the sole responsibility of the developer/property owner to obtain all proposed or required right-of-way dedications, easements and/or permissions necessary to perform offsite grading, from affected landowners where necessary to construct the traffic signals and street improvements. Notarized and recorded dedications, agreement or documents authorizing the offsite improvements and grading shall be submitted to the Public Works / Engineering Department. Where needed the City will assist in processing eminent domain to obtain the right of way. It shall be the responsibility of the developer / property owner to coordinate their project timing with the eminent domain process as right of way acquisition is required prior to plan approval.

- a. **Sherman Road Frontage Improvements** - Construct Sherman Road as a modified Major (4 lane divided) designation with Class II Community On-Street bike lanes along the project frontage. The improvements shall be full width between Buildings 1 and 2 and shall extend past centerline to provide a 12 foot travel lane adjacent to Building 1 north of Building 2. Appropriate transitions shall be provided as approved by the Public Works Director / City Engineer. The design shall be finalized during review of final construction drawings.
- b. **Trumble Road Frontage Improvements** - Construct Trumble Road as a modified collector designation and Class III bike route along the project frontage to centerline plus 12 feet. Appropriate transitions shall be provided as approved by the Public Works Director / City Engineer. The western half of Trumble Road is within the City of Perris. Construction of the roadway west of the centerline will not be required if the right of way is vacated by the City of Perris due to an existing development agreement. If the right of way has not been vacated, but the City of Perris does not allow improvement of the roadway, the developer / property owner may pay a fair share fee that can be used to improve the roadway in the event the development agreement is abandoned. The design shall be finalized during review of final construction drawing.
- c. **Dawson Road Frontage Improvements** - Construct Dawson Road as a modified Industrial Collector designation along the project frontage and to Ethanac Road to centerline plus a 12 foot travel lane. Appropriate transitions shall be provided as approved by the Public Works Director / City Engineer. The design shall be finalized during review of final construction drawings.
- d. **Sherman Road Driveway #1 (Right-in Right-out)** – Construct the following improvements at the northern Sherman Road driveway intersection:
 - iv. Northbound: One through lane, one shared through / right turn lane
 - v. Southbound: One through lane
 - vi. Westbound: One right turn lane

- e. **Sherman Road Driveway #2** – Construct the following improvements at the center Sherman Road driveway intersection:
 - iv. Northbound: Two through lanes, one left turn pocket
 - v. Southbound: One through lane, One shared through / right turn lane
 - vi. Eastbound: One shared right turn / left turn lane
- f. **Sherman Road Driveway #3** – Construct the following improvements at the southern Sherman Road driveway intersection:
 - v. Northbound: One through lane, one shared through / right turn lane, one left turn pocket
 - vi. Southbound: One through lane, one shared through / right turn lane, one left turn pocket
 - vii. Westbound: One shared through / right turn / left turn lane
 - viii. Eastbound: One shared through / right turn / left turn lane
- g. **Trumble Road Driveway #4** – Construct the following improvements at the northern Trumble Road driveway intersection:
 - xiii. Northbound: One shared through / right turn lane
 - xiv. Southbound: One shared through / left turn lane
 - xv. Westbound: One shared right turn / left turn lane
- h. **Trumble Road Driveway #5** – Construct the following improvements at the southern Trumble Road driveway intersection:
 - xvi. Northbound: One shared through / right turn lane
 - xvii. Southbound: One shared through / left turn lane
 - xviii. Westbound: One shared right turn / left turn lane
- i. **Dawson Road Driveway #6 (no left out)** – Construct the following improvements at the northern Dawson Road driveway intersection:
 - xix. Northbound: One through lane, one left turn pocket
 - xx. Southbound: One shared through / right turn lane
 - xxi. Eastbound: One right turn lane
- j. **Dawson Road Driveway #7** – Construct the following improvements at the southern Dawson Road driveway intersection:
 - xxii. Northbound: One through lane, one left turn pocket
 - xxiii. Southbound: One shared through / right turn lane
 - xxiv. Eastbound: One shared right turn / left turn lane
- k. **Sherman Road (Offsite)** – Sherman Road shall be improved south of the project frontage to McLaughlin Road with one lane in each direction. The improvements on either side of the roadway shall include 12 foot paved lanes plus a 6 foot paved shoulder and the necessary drainage improvements such as swales and culverts to maintain existing drainage patterns. The improvements shall include appropriate transitions subject to the approval of the Public Works Director / City Engineer.

The improvements to Sherman Road south of the project frontage to McLaughlin Road will require obtaining right of way from Southern California Edison. In the event that the right of way acquisition impacts the project schedule, the developer / property owner may defer completion of the

improvements to Sherman Road to prior to the occupancy of Building 2 provided they improve Dawson Road between the southern project frontage and McLaughlin Road where right of way is available. The improvements to Dawson Road shall include 12 foot paved lanes plus a 6 foot paved shoulder and the necessary drainage improvements such as swales and culverts to maintain existing drainage patterns. The improvements shall include appropriate transitions subject to the approval of the Public Works Director / City Engineer.

- I. **McLaughlin Road (Offsite)** – McLaughlin Road shall be improved from Trumble Road to Dawson Road with one lane in each direction. The improvements on either side of the roadway shall include 12 foot paved lanes plus a 6 foot paved shoulder and the necessary drainage improvements such as swales and culverts to maintain existing drainage patterns. The improvements to McLaughlin Road between Sherman Road and Dawson Road may be deferred to a future project if the improvements are part of the conditions of approval for a project that has an approved entitlement by the City. The improvements shall include appropriate transitions subject to the approval of the Public Works Director / City Engineer. Prior to building permit, the developer shall construct or guarantee the construction of the public street improvements within McLaughlin Road as approved by the Public Works Director / City Engineer.

The improvements to McLaughlin Road between Trumble Road and Dawson Road will require obtaining right of way from Southern California Edison. In the event that the right of way acquisition impacts the project schedule, the developer / property owner may defer completion of the improvements to McLaughlin Road to prior to the occupancy of Building 2 provided they improve Dawson Road between the southern project frontage and McLaughlin Road where right of way is available. The improvements to Dawson Road shall include 12 foot paved lanes plus a 6 foot paved shoulder and the necessary drainage improvements such as swales and culverts to maintain existing drainage patterns. The improvements shall include appropriate transitions subject to the approval of the Public Works Director / City Engineer.

- m. **Ethanac Road (Offsite)** – Ethanac Road shall be widened to two lanes in each direction from the Interstate 215 northbound on / off ramps to Sherman Road. The improvements on either side of the roadway shall include 6 foot paved shoulders and the necessary drainage improvements such as swales and culverts to maintain existing drainage patterns. Where right of way acquisition is not feasible on the north side of Ethanac Road, the improvements can be designed with the centerline of Ethanac Road shifted to the south as approved by the Public Works Director / City Engineer. The improvements shall include appropriate transitions subject to the approval of the Public Works Director / City Engineer. Prior to building permit, the developer shall construct or guarantee the construction of the public street improvements within Ethanac as approved by the Public Works Director / City Engineer.

309. **Traffic Signals and Intersection Geometrics** – The developer / property owner shall install new traffic signals and modify the existing traffic signals to construct the required improvements at the intersections outlined in the approved Traffic Impact Analysis or as revised with an updated Traffic Impact Analysis approved by the Public Works Director /

City Engineer, with the following geometrics. Improvements shall be complete prior to any certificate of occupancy.

If needed, it shall be the sole responsibility of the developer/property owner to obtain all proposed or required right-of-way dedications, easements and/or permissions necessary to perform offsite grading, from affected landowners where necessary to construct the traffic signals and street improvements. Notarized and recorded dedications, agreement or documents authorizing the offsite improvements and grading shall be submitted to the Public Works / Engineering Department. Where needed the City will assist in processing eminent domain to obtain the right of way. It shall be the responsibility of the developer / property owner to coordinate their project timing with the eminent domain process as right of way acquisition is required prior to plan approval.

k. **Ethanac Road at I-215 Northbound:** Traffic Signal Modification and Intersection Improvements:

- iv. Northbound: One shared through / left turn lane, one right turn lane
- v. Eastbound: Two through lanes, two left turn lanes
- vi. Westbound: Two through lanes, one right turn lane

l. **Ethanac Road at Trumble Road:** Traffic Signal Modification and Intersection Improvements:

- v. Northbound: One shared through / right turn lane, one left turn lane
- vi. Southbound: One shared through / right turn lane, one left turn lane
- vii. Westbound: One through lane, one shared through lane / right turn lane, one left turn lanes
- viii. Eastbound: Two through lanes, one right turn lane, one left turn lane

c. **Ethanac Road at Sherman Road:** New Traffic Signal with north / south protected left-turn phasing, eastbound right-turn overlap phasing, and Intersection Improvements:

- i. Northbound: one shared through / right turn lane, two left turn lanes
- ii. Southbound: one through lane, one right turn lane, one left turn lane
- iii. Westbound: one shared through /right turn lane, one left turn lane
- iv. Eastbound: two through lanes, one right turn lane, one left turn lane

Traffic signal poles for the northbound and southbound lanes at the intersection of Ethanac Road and Sherman Road shall be placed at the ultimate location as feasible.

d. **Ethanac Road at Dawson Road:** New Traffic Signal and Intersection Improvements:

- i. Northbound: one shared right turn / left turn lane
- ii. Westbound: one through lane, one left turn lane
- iii. Eastbound: one through lane, one right turn lane

Traffic signal poles for the northbound lane at the intersection of Ethanac Road and Dawson Road shall be placed at the ultimate location as feasible.

310. **Cost Participation through Payment of Fair Share** – Prior to issuance of any certificate of occupancy, the developer / property owner shall pay fair share costs for the offsite improvements as required by the approved Traffic Impact Analysis as follows:

- a. **Case Road / Bonnie Drive at Interstate 215:** The developer / property owner shall pay a fair share to widen the roadway and modify the existing traffic signal at a fair share cost of 15.1% of the total cost of the improvement with the following geometrics:
 - i. Northbound: One through lane, one left turn lane
 - ii. Southbound: Two through lanes, one left turn lane
 - iii. Eastbound: One shared right turn / left turn lane
- b. **Ethanac Road at Interstate 215 Southbound:** The developer / property owner shall pay a fair share to widen the roadway and modify the existing traffic signal at a fair share cost of 43.5% of the total cost of the improvement with the following geometrics:
 - i. Southbound: One shared through / left turn lane, one right turn lane
 - ii. Westbound: Two through lanes, two left turn lanes
 - iii. Eastbound: Two through lanes, one right turn lane
- c. **Ethanac Road at Antelope Road:** The developer / property owner shall pay a fair share to widen the roadway at a fair share cost of 30.3% of the total cost of the improvement with the following geometrics:
 - i. Northbound: One shared through / right turn / left turn lane
 - ii. Southbound: One shared through / right turn / left turn lane
 - iii. Westbound: One shared through / right turn lane, one two way left turn lane through intersection
 - iv. Eastbound: One through lane, one right turn lane, one two way left turn lane through intersection
- d. **State Route 74 at Meniffee Road:** The developer / property owner shall pay a fair share to widen the roadway and modify the existing traffic signal at a fair share cost of 16.9% of the total cost of the improvement with the following geometrics:
 - i. Northbound: One through lane, one right turn lane, one left turn lane
 - ii. Southbound: One shared through / right turn lane, one left turn lane
 - iii. Westbound: One through lane, one shared through / right turn lane, two left turn lanes
 - iv. Eastbound: One through lane, one shared through / right turn lane, one left turn lane
 - v. Modify signal to eliminate north / south split phase operation
 - vi. Modify signal to provide north / south protected left turn
 - vii. Modify signal to provide northbound right turn overlap phasing
- e. **State Route 74 at Briggs Road:** The developer / property owner shall pay a fair share to widen the roadway and modify the existing traffic signal at a fair share cost of 14.6% of the total cost of the improvement with the following geometrics:
 - i. Northbound: One through, one right turn lane, two left turn lanes
 - ii. Southbound: One through lane, one right turn lane, one left turn lane

- iii. Westbound: One through lane, one shared through / right turn lane, one left turn lane
- iv. Eastbound: Two through lanes, one right turn lane, one left turn lane
- v. Modify signal to eliminate north / south split phase operation
- vi. Modify signal to provide north / south protected left turn
- vii. Modify signal to provide eastbound right turn overlap phasing

f. **McCall Boulevard at Interstate 215 Southbound:** The developer / property owner shall pay a fair share to widen the roadway and modify the existing traffic signal at a fair share cost of 9.8% of the total cost of the improvement with the following geometrics:

- i. Southbound: One shared through / left turn lane, Two right turn lanes, one left turn lane
- ii. Westbound: Two through lanes, one left turn lane
- iii. Eastbound: Two through lanes, one right turn lane

311. **Road Bridge Benefit District (RBBD)** – Prior to the City’s approval of any construction plans associated with the development project, unless otherwise approved by the City Engineer and Public Works Director, the developer shall prepare the engineering exhibits and cost estimates to assist the City in evaluating the feasibility for formation of a Road and Bridge Benefit District for the ultimate street improvements and traffic signals for the following facilities: Ethanac Road, McLaughlin Road, Trumble Road, Sherman Road, Dawson Road and Antelope Road. The limits of the facilities and the boundary of the benefit area will be as approved by the City Engineer and Public Works Director. If the RBBD is formed, the developer shall either pay its proportionate share of the cost to construct the RBBD improvements or enter into an RBBD Credit Agreement with the City for qualifying improvements. The RBBD credits shall be in addition to eligible TUMF and DIF credits. The engineering costs to form the district and eligible construction costs shall be reimbursable from the RBBD.

G NPDES and WQMP

312. **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 and as determined and 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.

313. **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.

314. **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 to remove trash from all Priority Land Use areas that will contribute storm water runoff to the City of Menifee’s MS4. All trash full capture devices shall be listed on the State Board’s current list of certified full capture devices posted on their website (https://www.waterboards.ca.gov/water_issues/programs/stormwater/trash_implementation.shtml), or otherwise approved by State or Regional Water Quality Control Board staff. Storm water runoff from privately owned Priority Land Use areas shall be treated by full capture devices located within privately owned storm drain structures or otherwise located on the privately owned property, whenever possible. Runoff from Priority Land Use areas created or modified by the project, and which are proposed to be City owned, shall be treated by full capture devices located within city-owned storm drains or otherwise located within the public right of way.

Prior to Grading Permit Issuance:

315. **Final Project-Specific Water Quality Management Plan (Final WQMP)** – The following report was reviewed and approved by the City:

- a. *Preliminary Project Specific Water Quality Management Plan, Menifee Crossroads, PP2019-005, prepared by Albert A. Webb Associates, dated May 2021.*

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. The final developed project construction plans 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*

316. **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.
317. **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.

Prior to Issuance of Any Certificate of Occupancy:

318. **WQMP/BMP Education** – Prior to issuance of Certificate of Occupancy, the developer / project owner shall provide the City proof of notification to future occupants of all BMP's and educational and training requirements for said BMP's as directed in the approved WQMP. Proof of notification shall be provided to the Public Works / Engineering Department in forms determined acceptable by the Public Works Director / City Engineer. Public Education Program materials may be obtained from the Riverside County Flood Control and Water Conservation District's NPDES Section through their website at www.rcwatershed.org. The developer must provide to the Public Works / Engineering Department a notarized affidavit, or other notification forms acceptable to the Public Works Director / City Engineer, stating that the distribution of educational materials to future homebuyers has been completed prior to issuance of occupancy permits.

A copy of the notarized affidavit must be placed in the final WQMP report. The Public Works / Engineering Department MUST also receive the original notarized affidavit with the plan check submittal in order to clear the appropriate condition.

Placing a copy of the affidavit without submitting the original will not guarantee clearance of the condition.

319. **Implement WQMP** - All structural BMPs described in the project-specific WQMP shall be constructed and installed 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.
320. **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.

H WATER, SEWER, AND RECYCLED WATER

321. **Meet 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.
322. **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.
323. **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 building permit and approval of improvement plans.
324. **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.
325. **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.

I CITYWIDE COMMUNITY FACILITIES MAINTENANCE DISTRICT (CFD)

Prior to Final Map Recordation:

326. **Annexation to the Citywide Community Facilities District (CFD)** –Prior to 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). 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, drainage facilities, water quality basins, graffiti abatement, and other public improvements or facilities as approved by the Public Works Director / City Engineer.

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

327. **CFD Annexation Agreement** – In the event timing for this development's schedule prevents the developer / property owner from complying with condition of approval for CFD annexation, the developer shall enter into a CFD annexation agreement to allow the annexation to complete prior to 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.
328. **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 plan for review and approval by the Public Works / Engineering Department.
329. **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 Public Works / Engineering Department prior to issuance of a construction permit.
330. **Landscaping on Sherman Road, Trumble Road, and Dawson Road** – The parkway areas behind the sidewalk within the public right-of-way fronting the entire property along Sherman Road, Trumble Road, and Dawson Road shall be landscaped and irrigated per City standards and guidelines. These areas shall be maintained by the CFD.
331. **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.

J WASTE MANAGEMENT

332. **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 in order 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

333. **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:

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

Prior to Building Permit Issuance:

334. **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.

335. **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.

Prior to Issuance of Any Certificate of Occupancy

336. **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.

K FEES, DEPOSITS AND DEVELOPMENT IMPACT FEES

337. **Fees and Deposits.** Prior to approval of grading plans, improvement plans, issuance of building permits, map recordation, 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), Development Impact Fees (DIF), and any applicable regional fees including potential Road and Bridge Benefit District (RBBD) Fees unless included in an RBBD credit agreement for infrastructure completed as part of the project. 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.
338. **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 issuance, pursuant to adopted City Ordinance governing the TUMF program.

Section V:
Building and Safety Department
Conditions of Approval

General Requirements

339. 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.
340. Compliance with Code. All Design components shall comply with applicable provisions of the 2019 edition of the California Building, Plumbing and Mechanical Codes; 2019 California Electrical Code; California Administrative Code, 2019 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.
341. 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.
 - c. Accessible path of travel from parking to the furthest point of improvement.
 - d. Path of accessibility from parking to furthest point of improvement.
 - e. Accessible path of travel from public right of way to all public areas on site, such as enclosures, clubhouses and picnic areas.
342. County of Riverside Mount Palomar Ordinance. Applicant shall submit, at the time of plan review, a complete exterior site lighting plan with a “photometric study” showing compliance with County of Riverside Mount Palomar Ordinance Number 655 for the regulation of light pollution. All streetlights and other outdoor lighting shall be shown on electrical plans submitted to the Building & Safety Department. Any outside lighting shall be hooded and aimed not to shine directly upon adjoining property or public rights-of-way. All exterior LED light fixtures shall be 3,000 kelvin and below.
343. 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.
344. Obtain Approvals Prior to Construction. Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.
345. Obtaining Separate Approvals and Permits. Temporary construction/sales trailers, temporary power poles/generators, trash enclosures, patio covers, light standards, building and monument signage, and any block walls will require separate approvals and permits. Solid covers are required over new and existing trash enclosures.
346. Demolition. (If applicable) Demolition permits require separate approvals and permits. AQMD notification and approval may be required.

347. On-Site Sanitary Sewer and Domestic Water Plan Approvals. On-site sanitary sewer and domestic water plans will require separate approvals and permits from Building and Safety. A total of 6 sets shall be submitted.
348. 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.
349. 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.
350. Roof Drains. Drainage water collected from a roof, awning, canopy or marquee, and condensate from mechanical equipment shall not flow over a public walking surface.
351. Protection and penetration. Protection of joints and penetrations in fire resistance-rated assemblies shall not be concealed from view until inspected for all designed fire protection. Required fire seals/fire barriers in fire assemblies at fire resistant penetrations shall be installed by individuals with classification or certification covering the installation of these systems. Provide certification for the installation of each area and certification of compliance for Building Officials/Fire Marshal's approval.

At Plan Review Submittal

352. Submitting Plans and Calculations. Applicant must submit to Building & Safety one (1) complete set of each document listed below for electronic submittals or, seven (7) complete sets of plans and two (2) sets of supporting documents, two (2) sets of calculations for review including: **All plans shall be submitted on minimum 24" x 36" size paper or digital equivalent.**

General Requirements

- a. 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)

Cover Sheet

- b. Vicinity Map
- c. Parcel number and Site Address
- d. Business Name
- e. Occupancy Type
- f. Occupant Load
- g. Type of Construction
- h. Number of stories
- i. Building Height
- j. Floor Area in sq. ft.

- k. Building data: Building Type of Construction, Square Feet of leased area intended use/occupancy, occupant loads, Building Code Data: 2019 California Building Code, 2019 California Electrical Code, 2019 California Mechanical Code, 2019 California Plumbing Code, 2019 California Green Building Code, 2019 California Energy Code, and 2019 California Fire Code.
- l. List any flammable/combustible materials, chemicals, toxics, or hazardous materials used or stored and total quantities or each, including MSDS reports.
- m. Indicate if the building has a fire sprinkler system.
- n. Sheet Index

Plot Plans

- o. North Arrow
- p. Property Lines/Easements
- q. Street/Alleys
- r. Clearly dimension building setbacks from property lines, street centerlines, and from all adjacent buildings and structures on the site plan.
- s. Accessible parking/unload areas, curb ramps, exterior route of travel to the leased area entry door and at least one route to the public right-of-way.
- t. Calculations and locations for future electric vehicle charging station parking stalls and calculations and locations for the required clean air vehicle parking stalls.
- u. Precise grading plans indicating surface grades, locations and details for all accessible walkways, parking stalls, access aisles, ramps, etc...

Floor Plans

- v. All wall lines to be indicated by double line.
- w. Fully dimensioned and to scale (3/16 inch per foot minimum)
- x. Exit door locations, widths, and direction of door swing.
- y. Wall legend. Show walls as existing or new, with references to wall construction details indicating heights, framing member size, spacing and material type, connections at top and bottom and top of wall lateral bracing method.
- z. Show all fixed elements of construction e.g., bathroom facilities, fixtures, cabinets, storage racks and/or shelves.
- aa. Accessible features e.g., fixed customer service counters, including kitchen, dining, or drinking bar counters, new bathroom facilities, access to new areas, features and elements.

Reflected Ceiling Plans

- bb. Indicate the ceiling treatment, ceiling grid, and the placement of all light fixtures.

Section Views

- cc. Walls and roof/ceiling finishes, complete occupancy separation and fire resistive construction if required, demising walls etc. For new conditioned spaces, section views shall indicate wall heights and insulation locations for walls and roof/ceilings.

Plumbing/Mechanical Plans

- dd. System material types and sizes, waste/vent and potable water layouts or isometrics, plumbing fixture schedule, etc.
- ee. HVAC equipment location, distribution layout, material type and sizes fire/smoke control devices and activation.
- ff. Include a line of site detail showing new roof top equipment shielding.
- gg. Gas line diagram, material type, sizes, and load demand.

Electrical Plans

- hh. Interior Main Distribution single line diagram, panel location/schedule, and load calculations, etc.
- ii. Electric power and lighting plans, interior fixture schedule, illuminated exit signs and emergency illumination.
- jj. Title 24 Energy Electrical requirements including multi-level switching arrangements and automatic electrical lighting shut-off system.

Structural Plan/Foundation/Floor/Ceiling/Roof Plan and Details

- kk. Structural design justification of the existing roof framing for new mechanical equipment exceeding 300lbs.
- ll. Foundation supporting elements and connections, reinforcement, slab, and footing details, etc.
- mm. Structural frame plan(s).
- nn. T-Bar ceiling standard details and seismic restraints.

Supplemental Information

- oo. Submittal to include two (2) copied sets of original shell building Title 24 Energy Calculations or new 8.5" x 11" Title 24 Energy calculations or Energy calculations as for newly constructed conditioned space.
- pp. Envelope or Mechanical for conditioned space as new construction or, as for an addition including, LTG (lighting) Energy calculations for new lighting with required forms copied to the full-size plan sheets.
- qq. Separate submittals and permits are required for signs. Planning approval required prior to submittal to Building & Safety.
- rr. Fees are based on the City of Menifee Adopted Fee Schedule.
- ss. Restaurant/Food establishments must obtain approval from the County Health Department/Food Division, and the local water/sewer purveyor for grease waste interceptors.
- tt. All contractors/sub-contractors must show proof of State and City licenses and shall comply with SEC. 3800 of the Labor Code regarding Workers Compensation.
- uu. Applicant shall obtain all required clearances and/or approvals from Planning, Engineering, Fire, and the appropriate water district(s) prior to issuance of any building permits.
- vv. A precise grading plan to verify accessibility for persons with disabilities.
- ww. Truss calculations that have been stamped by the engineer of record of the building and the truss manufacturer engineer. Maybe a deferred submittal.
- xx. Eastern Municipal Water District (EMWD) First Release Required.

Prior to Issuance of Grading Permits

- 353. On-site Domestic Water and Sanitary Sewer Plans. On-site domestic water and sanitary sewer plans, submitted separately from the building plans, shall be submitted to Building & Safety for review and approval.
- 354. Demolition Permits. (If applicable) A demolition permit shall be obtained if there is an existing structure to be removed as part of the project. AQMD shall be notified and a Permit/Release shall be submitted to Building and Safety, Prior to Permit Issuance.

Prior to Issuance of Building Permits

- 355. Plans require Stamp of Registered Professional. Applicant shall provide appropriate stamp of a registered professional with original signature on the plans. Electronic Signature is acceptable. All associated Building Fees to be paid.
- 356. Each Department is **required** to Approve, with a signature.

Prior to Start of Construction

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

Prior to Temporary Certificate of Occupancy

- 358. Temporary Certificate of Occupancy. Application and deposit to be submitted, **a minimum of 5 working days prior to effective date.** Each department is required to provide an Exhibit' clearly identifying those Conditions of Approval that remain outstanding with a signature.

Prior to Certificate of Occupancy

- 359. Each department is required to Review and Approve with a Signature once ALL Conditions of Approval have been Met/Approved.

Prior to Final Inspection

- 360. 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 VI:
Riverside County Fire Department
Conditions of Approval

361. Final fire and life safety conditions will be addressed when the Office of the Fire Marshal reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in effect at the time of building plan submittal.
362. The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with the (CFC). and NFPA 24. Fire hydrants shall be located no closer than 40 feet from a building. A fire hydrant shall be located within 200 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6" x 4" x 2 1/2" x 2 1/2") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3)
363. The Fire Apparatus Access Road shall be (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW. The fire apparatus access road or temporary access road shall be reviewed and approved by the Office of the Fire Marshal and in place during the time of construction. (CFC 501.4)
364. 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.
365. Fire apparatus access roads shall have an unobstructed width of not less than twenty-Six (26) 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.
366. 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.
367. GATES- Gate entrances shall be at least two feet wider than the width of the traffic lanes serving the gate. Any gate providing access from a road to a driveway shall be located at least 35 feet setback from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Where a one-way road with a single traffic lane provides access to a gate entrance, 38 feet turning radius shall be used.
368. AUTO GATES- Gates shall be automatic minimum 24 feet in width. Gate access shall be equipped with a rapid entry system to include OPTICOM and Knox Electric switches. Plan shall be submitted to the Fire Department for approval prior to installation. Automatic/manual gate pins shall be rated with shear pin force, not to exceed 30 pounds. Automatic gates shall be equipped with emergency backup power. Gates activated by the rapid entry system shall remain open until closed by the rapid entry system.
369. SPRINKLER SYSTEM- Buildings or structures exceeding 3600 sq. ft are required to have approved CFC and NFPA 13 compliant fire sprinkler systems installed. ESFR system to be required for a project of this size.

370. BUILDING ACCESS- Shall comply per Table 3206.2 California Fire Code, fire apparatus access roads in accordance with Section 503 shall be provided within 150 feet of all portions of the exterior walls of buildings used for high pile storage
371. ACCESS DOORS- Where building access is required by Table 3206.2, fire department access doors shall be provided in accordance with this section. Access doors shall be accessible without the use of a ladder.
372. NUMBER OF DOORS REQUIRED- Not less than one door shall be provided in each 100 linear feet, or fraction thereof, of the exterior walls that face required fire apparatus access roads. The required access doors shall be distributed such that the lineal distance between adjacent access doors does not exceed 100 feet.
373. SMOKE AND HEAT REMOVAL- Where smoke and heat removal is required by Table 3206.2 it shall be in accordance with Section 910.
374. ADDITIONAL REQUIRED HYDRANTS- Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at spacing not to exceed 1,000 feet to provide for transportation hazards.

Section VII:
**Other Agency/Department Conditions
of Approval**



County of Riverside
DEPARTMENT OF ENVIRONMENTAL HEALTH

P.O. BOX 7909 • RIVERSIDE, CA 92513-7909
KEITH JONES, DIRECTOR

May 20, 2021

City of Menifee
Planning Department
Attn: Brett Hamilton
29714 Haun Road
Menifee, CA 92586

SUBJECT: CITY OF MENIFEE – PP2019-005 PLN21-0100 SP2019-006 PLN21-010

Dear Mr. Hamilton:

The project listed in the subject heading of this letter is proposing the following:

- **General Plan Amendment No. PLN21-0100 (formerly routed as 2019-008)** proposes to alter the General Plan land use designation of APN 331-140-010 and 331-110-027 from Heavy Industrial (HI) to Specific Plan (SP) and APN 331-140-021 and 331-140-018 from Business Park (BP) to Specific Plan(SP).
- **Specific Plan Amendment No. 2019-006** proposes to modify the boundary of the Specific Plan No. 260 (Menifee North Specific Plan) to include APN 331-140-010, 331-140-018, 331-140-021 and 331-140-027 within Planning Area 2 (“Industrial”).
- **Change of Zone No. PLN21-0101** proposes to change the zoning classification of APN 331-140-010 and 331-140-027 from Heavy Industrial (HI) and APN 331-140-018 and 331-140-021 from Business Park (BP) to Specific Plan No. 260, Planning Area 2 (“Industrial”).
- **Plot Plan No. 2019-005** proposes to construct two (2) concrete tilt-up buildings. Building 1 would total 1,254,160 square feet (sq. ft.) and include 1,144,160 sq. ft. of warehouse, 100,000 sq. ft. of mezzanine and 10,000 sq. ft. of office. Building 1 proposes a structural height of 49 feet and includes 663 automobile parking spaces and 286 truck trailer parking spaces. Building 2 would total 385,970 sq. ft. and include 380,970 sq. ft. of warehouse space and 5,000 sq. ft. of office space. Building 2 proposes a structural height of 49 feet and includes 211 automobile parking spaces and 168 truck trailer parking spaces.

In accordance with the agreement between the County of Riverside, Department of Environmental Health (DEH) and the City of Menifee, DEH offers the following comments to complete the review of an official project:

Office Locations • Blythe • Corona • Hemet • Indio • Murrieta • Palm Springs • Riverside

Phone (888)722-4234
www.rivcoeh.org

POTABLE WATER SERVICE AND SANITARY SEWER SERVICE:

A general condition shall be placed on the project that it must obtain potable water service and sanitary sewer service from Eastern Municipal Water District (EMWD).

Prior to building permit issuance, applicant must provide documentation to DEH for review that establishes the connection of water and sanitary sewer service to EMWD for the project. Review fees will apply.

Please note that it is the responsibility of the developer to ensure that all requirements to obtain potable water service and sanitary sewer service are met with the appropriate purveyors, as well as, all other applicable agencies.

REMOVAL/ABANDONMENT OF ANY EXISTING OWTS AND WELLS:

Prior to building permit issuance, any existing wells and/or existing onsite wastewater treatment systems (OWTS) shall be properly removed and/or destroyed under permit with DEH.

ENVIRONMENTAL CLEANUP PROGRAMS (ECP)

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

The City of Menifee is taking on the responsibility to review the above aspects of the project.

HAZARDOUS MATERIALS MANAGEMENT BRANCH (HMMB)

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

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

Sincerely,

Kristine Kim

Supervising Environmental Health Specialist
Riverside County Department of Environmental Health
Environmental Cleanup Program
3880 Lemon Street Suite 200, Riverside CA 92501
Phone #: 951-955-8980
Fax #: 951-955-8988
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RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

October 14, 2021

Mr. Brett Hamilton, Project Planner
City of Menifee Community Development Department
29844 Haun Road
Menifee, CA 92586

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Palm Springs

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

www.rcaluc.org

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW

File No.: ZAP1490MA21
Related File Nos.: PLN21-0100 (General Plan Amendment), SPA2019-006 (Specific Plan Amendment), PLN21-0101 (Change of Zone), PP2019-005 (Plot Plan), PLN21-0205 (Tentative Parcel Map No. 38156)
Compatibility Zone: Zones D and E
APNs: 331-110-027, 331-110-035, 331-110-041, 331-140-010, 331-140-018, 331-140-021, 331-140-025

Dear Mr. Hamilton:

On October 14, 2021, the Riverside County Airport Land Use Commission (ALUC) found City of Menifee Case Nos. PLN21-0100 (General Plan Amendment), SPA2019-006 (Specific Plan Amendment), PLN21-0101 (Change of Zone), PP2019-005 (Plot Plan), PLN21-0205 (Tentative Parcel Map No. 38156) a proposal to construct two industrial warehouse buildings with mezzanines totaling 1,640,130 square feet on 72.08 acres located northerly of McLaughlin Road, southerly of Ethanac Road, easterly of Trumble Road, and westerly of Dawson Road, and also a proposal to amend the site's general plan land use designation and zoning from Heavy Industrial and Business Park to Specific Plan (SP260), and a proposal to modify the boundary of Specific Plan No. 260, and a proposal to divide the site into two parcels, CONSISTENT with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, subject to the following conditions:

CONDITIONS:

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

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, wastewater management facilities, artificial marshes, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Hazards to flight
3. The attached notice shall be provided to all prospective purchasers of the property and tenants of the building, and shall be recorded as a deed notice.
4. Any proposed detention basins or facilities shall be designed and maintained to provide for a maximum 48-hour detention period following the design storm, and remain totally dry between rainfalls. Vegetation in and around the detention basins that would provide food or cover for birds would be incompatible with airport operations and shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. Landscaping in and around the detention basin(s) shall not include trees or shrubs that produce seeds, fruits, or berries.

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

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

5. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.

Supporting documentation was provided to the Airport Land Use Commission and is available online at www.rcaluc.org, click Agendas 10-14-2021 Agenda, Bookmark Agenda Item No. 3.3.

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

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Sincerely,
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

A handwritten signature in blue ink, appearing to read "Paul Rull", is positioned above a horizontal line.

Paul Rull, ALUC Director

Attachments: Notice of Airport in Vicinity

cc: Core 5 Industrial Partners, LLC (Applicant/property owner)
Albert A. Webb Associates (Representative)
Gary Gosliga, March Inland Port Airport Authority
Major David Shaw, Base Civil Engineer, March Air Reserve Base
ALUC Case File

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Section VIII: Standard Conditions of Approval Cited in the Environmental Impact Report

- SC-1** Prior to the issuance of grading permits, the City Engineer shall confirm that the Grading Plan, Building Plans and Specifications require all construction contractors to comply with South Coast Air Quality Management District's (SCAQMD's) Rules 402 and 403 to minimize construction emissions of dust and particulates. The measures include, but are not limited to, the following:
- Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.
 - All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized.
 - All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.
 - The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.
 - Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the workday to remove soil tracked onto the paved surface.
- SC-2** Pursuant to SCAQMD Rule 1113, the Project Applicant shall require by contract specifications that the interior and exterior architectural coatings (paint and primer including parking lot paint) products used would have a volatile organic compound rating of 50 grams per liter or less.
- SC-3** Require diesel powered construction equipment to turn off when not in use per Title 13 of the California Code of Regulations, Section 2449.
- SC-4** All construction equipment shall be maintained in good operating condition so as to reduce emissions. The construction contractor shall ensure that all construction equipment is being properly serviced and maintained as per the manufacturer's specification. Maintenance records shall be available at the construction site for City of Menifee verification. The following additional measures, as determined applicable by the City Engineer, shall be included as conditions of the Grading Permit issuance:
- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.
 - Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.
 - Truck traffic shall be generally routed to impact the least number of sensitive receptors (e.g., access locations, use of traffic control features, signage).
 - Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation.
 - Improve traffic flow by signal synchronization and ensure that all vehicles and equipment will be properly tuned and maintained according to manufacturers' specifications.
 - Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export). If the City of Menifee determines that 2010 model year or newer diesel trucks cannot be obtained, or if the cost of using these 2010 or newer trucks is

economically infeasible, the Project shall use trucks that meet EPA 2007 model year NOX and PM emissions requirements.

- During Project construction, all internal combustion engines/construction equipment operating on the Project site shall meet EPA-certified Tier 4 Final emissions standards according to the following:
 - All off-road diesel-powered construction equipment shall meet the most readily available technology (CARB Tier 3, Tier 4 Interim, or Tier 4 Final emission standard) or incorporate CARB Level 3 Verified Diesel Emission Control Strategy (VDECS). In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for similarly sized engines as defined by CARB regulations.
 - A copy of each unit's certified tier specification, BACT documentation (certified tier specification or model year specification), and CARB or SCAQMD operating permit (if applicable) shall be made available if requested at the time of mobilization of each applicable unit of equipment. This equipment shall be used when commercial models that meet the construction needs of the proposed project are commercially available from local suppliers/vendors. The determination of commercial availability of such equipment shall be made by the City of Menifee, based on applicant-provided evidence from expert sources, such as construction contractors in the region.
- In the event of a conflict between this condition and the MMRP, this condition shall take priority.

SC-5 Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls and sensors for landscaping according to the City's Landscape Water Use Efficiency requirements (Chapter 15.04 of the City's Municipal Code).

SC-6 Prior to issuance of Certificate of Occupancy, the Project shall be required to (1) provide twenty percent (20%) of the employee parking stalls on-site as "EV ready," with all necessary conduit and related appurtenances installed, and (2) provide five percent (5%) of the twenty percent (20%) of the employee parking stalls on-site equipped with working Level 2 Quickcharge EV charging stations installed. Signage shall be installed indicating EV charging stations/stalls and specifying stalls that are reserved for clean air/EV vehicles. In the event of a conflict between this condition and the MMRP, this condition shall take priority.

SC-7 The Project shall be required to incorporate light colored roofing materials with a solar reflective index ("SRI") of not less than 78 on the office area of the building. In the event of a conflict between this condition and the MMRP, this condition shall take priority.

- SC-8** The Project shall be designed in accordance with the applicable Title 24 Energy Efficiency Standards for Nonresidential Buildings (California Code of Regulations [CCR], Title 24, Part 6). These standards are updated, nominally every three years, to incorporate improved energy efficiency technologies and methods. The Building Official, or designee shall ensure compliance prior to the issuance of each building permit. The Title 24 Energy Efficiency Standards (Section 110.10) require buildings to be designed to have 15 percent of the roof area “solar ready” that will structurally accommodate later installation of rooftop solar panels. If future building operators pursue providing rooftop solar panels, they will submit plans for solar panels prior to occupancy.
- SC-9** The Project shall be designed in accordance with the applicable California Green Building Standards (CALGreen) Code (24 CCR, Part 11). The Building Official, or designee shall ensure compliance prior to the issuance of each building permit. These requirements include, but are not limited to:
- Design buildings to be water-efficient. Install water-efficient fixtures in accordance with Section 5.303 (nonresidential) of the California Green Building Standards Code Part 11.
 - Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1 (nonresidential) of the California Green Building Standards Code Part 11.
 - Provide storage areas for recyclables and green waste and adequate recycling containers located in readily accessible areas in accordance with Section 5.410 (nonresidential) of the California Green Building Standards Code Part 11.
 - Provide designated parking for any combination of low-emitting, fuel efficient and carpool/van pool vehicles. At least eight percent of the total parking spaces are required to be designated in accordance Section 5.106.5.2 (nonresidential), Designated Parking for Clean Air Vehicles, of the California Green Building Standards Code Part 11.
- SC-10** Trees shall be installed in automobile parking areas to provide 50 percent shade cover of parking areas within fifteen years. Trees shall be planted that are capable of meeting this requirement.
- SC-11** Prior to the issuance of a tenant occupancy permit, the Community Development Department shall confirm that all truck access gates and loading docks within the project site shall have a sign posted that states:
- Truck drivers shall turn off engines when not in use.
 - Truck drivers shall shut down the engine after three minutes of continuous idling operation. Once the vehicle is stopped, the transmission is set to “neutral” or “park,” and the parking brake is engaged.
 - Telephone numbers of the building facilities manager, the SCAQMD, and CARB to report violations.
 - Signs shall also inform truck drivers about the health effects of diesel particulates, the California Air Resources Board diesel idling regulations, and the importance of being a good neighbor by not parking in residential areas.
 - The Operator shall designate an officer to monitor trucks on-site for compliance.
 - In the event of a conflict between this condition and the MMRP, this condition shall take priority.

- SC-12** All forklifts shall be electric or use low-carbon or zero-carbon fuels. In the event of a conflict between this condition and the MMRP, this condition shall take priority.
- SC-13** To the extent feasible, the project shall restrict the turns trucks can make entering and exiting the facility to route trucks away from sensitive receptors by posting signs at every truck exit driveway providing directional information to head toward designated truck routes. In the event of a conflict between this condition and the MMRP, this condition shall take priority.
- SC-14** Prior to issuance of Certificate of Occupancy, signs and drive aisle pavement markings shall clearly identify the on-site circulation pattern to minimize unnecessary on-site vehicular travel.
- SC-15** All signage installed as part of the Project shall be legible, durable, and weather-proof.
- SC-16** To ensure that the Project's electrical room(s) is sufficiently sized to accommodate the potential need for additional electrical panels, either (1) a secondary electrical room shall be provided in the building, or (2) the primary electrical room shall be sized 25% larger than is required to satisfy the service requirements of the building or the electrical gear shall be installed with the initial construction with 25% excess demand capacity.
- SC-17** Prior to issuance of Certificate of Occupancy, the facility's operator shall be required to provide the City with a copy of the Project's recycling program.
- SC-18** A Property Maintenance Program shall be submitted for review and approval by the Planning Director or his/her designee prior to the issuance of building permits. The program shall provide for the regular maintenance of building structures, landscaping, and paved surfaces in good physical condition, and appearance. The methods and maximum intervals for maintenance of each component shall be specified in the program.
- SC-19** The Project does not include cold storage.
- SC-20** The Project has been designed such that the check-in points for trucks comply with the City's good neighbor policies for on-site truck queuing. Further, the applicant shall provide signage stating that queuing and/or parking in the public right-of-way is prohibited. Signage shall also be placed at the entrance of the site for the community in case of complaints and shall include the phone number of the building manager or designee. The building manager or designee shall be responsible for ensuring compliance with this measure tenant and third-party truck owners.

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)