

EXHIBIT “A”

CONDITIONS OF APPROVAL

Planning Application No.: Tentative Parcel Map No. 38156 (PLN21-0305)

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.

Associated Applications: General Plan Amendment No. PLN21-0100
Change of Zone No. PLN21-0101
Specific Plan Amendment No. 2016-006
Plot Plan NO. 2019-005

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: October 19, 2022

Expiration Date: October 19, 2025

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 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 shall be henceforth defined as follows:

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

TENTATIVE MAP = EXHIBIT A - Tentative Parcel Map No. 38156, dated April 6, 2022.

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. **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.
7. **Expiration Date.** The conditionally approved TENTATIVE MAP shall expire three (3) years after the City of Menifee approval date, unless extended as provided pursuant to the Subdivision Map Act, and the City of Menifee Subdivision Ordinance. 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.
8. **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

9. **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.
10. **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.

Prior to Final Map

11. **Final Map.** 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.
12. **Licensed Surveyor.** The FINAL MAP shall be prepared by a licensed land surveyor or registered civil engineer.
13. **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.
 - E. All existing and proposed easements shall be identified on the FINAL MAP.

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

14. 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.
15. **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.
16. **Subdivision Map Act** - The developer / property owner shall comply with the State of California Subdivision Map Act.
17. **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.
18. **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.
19. **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.

20. **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.
21. **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.
22. **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.
23. **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.
24. **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.

25. 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.

26. 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.

27. 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.

28. 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).

29. **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 .
30. **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.”
31. **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.”

B. GRADING

32. **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.
33. **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.
34. **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.
35. **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.

36. **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.
37. **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.
38. **Slope Setbacks** – Observe slope setbacks from buildings and property lines per the California Building Code and City ordinance on grading.
39. **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.
40. **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.
41. **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.
42. **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.
43. **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.
44. **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.
45. **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.

46. **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.
47. **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.
48. **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.
49. **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.
50. **Licensed Geotech** - A licensed geotechnical engineer shall perform final determination of the foundation characteristics of soils within on-site development areas.
51. **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:

52. **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.

53. **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.
54. **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.
55. **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.
56. **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.
57. **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.
58. **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.

59. **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.
60. **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. The Public Works Director may require inspection or other monitoring to ensure compliance.

Prior to Building Permit Issuance:

61. **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.
62. **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.
63. **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.
64. **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.
65. **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.

66. **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 building permits. The Public Works Director may require inspection or other monitoring to ensure such compliance.

Prior to Issuance of Any Certificate of Occupancy:

67. **No Occupancy Prior to Parcel Map Recordation** – Prior to issuance of any occupancy, the developer / property owner shall record the Parcel Map.
68. **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.
69. **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.
70. **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.
71. **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, which must be satisfied prior to issuance of certificate of occupancy. The Public Works Director may require inspection or other monitoring to ensure such compliance.

C. DRAINAGE

General Conditions

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

- a. *Preliminary Drainage Study, Meniffee 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.

73. **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.
74. **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.

75. **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.

76. **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.

77. **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.

78. **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.

79. **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.

80. **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.
81. **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.
82. **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)

83. **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.
84. **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)
85. **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

86. **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.
- 87. **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.).
 - 88. **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.
 - 89. **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.
 - 90. **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.
 - 91. **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.
 - 92. **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.

93. **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.
94. **Traffic Signal Plans** – The applicant shall be responsible for construction of new traffic signals and modification of existing traffic signals. The traffic signal plans shall be approved by the Public Works Director / City Engineer.
95. **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.
96. **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:

97. **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.
98. **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*).
99. **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.
100. **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.

101. **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:

102. **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.
103. **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.
104. **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.

105. **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

106. **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:

107. **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.
108. **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.
109. **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.

110. **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.
111. **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.
112. **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:

113. **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.

- 114. **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 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.

115. **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 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:
- 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

116. **Road Bridge Benefit District (RBBB)** – 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 RBBB is formed, the developer shall pay its proportionate share of the cost to construct the RBBB improvements or enter into an RBBB Credit Agreement with the City for qualifying improvements. The RBBB 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 RBBB.

G. NPDES and WQMP

117. **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.
118. **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.

119. **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:

120. 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

121. **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.
122. **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:

123. **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.

124. **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.

125. **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

126. **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.
127. **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.
128. **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.
129. **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.
130. **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:

131. **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:
132. 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.

133. The developer / property owner shall be responsible for all costs associated with the annexation of the proposed development in the citywide CFD.
134. **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 the recordation of the Parcel Map. 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.
135. **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.
136. **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.
137. **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.
138. **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

139. **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

140. **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:

141. **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.

142. **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

143. **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

144. **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 Road and Bridge Benefit District (RBBD) Fees established after entitlement 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.
145. **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.

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)