

EXHIBIT “A”
CONDITIONS OF APPROVAL

Planning Application No.: Plot Plan Major Modification No. PLN 22-0120

Project Description: Plot Plan Major Modification No. PLN 22-0120 proposes construction of a two-level parking podium adjacent to the previously approved (not-yet-constructed) office building. The parking podium would include 95 stalls (47 ground-level standard stalls and 48 upper-level standard stalls). This change would increase the total number of parking stalls from a total of 431 to 477 (an increase of 46 stalls).

The Major Modification also includes a modification to the previously approved (not-yet-constructed) day care building. The day care building was approved as an 8,370-gross-sq. ft. building and the proposed building would be 8,616 gross sq. ft.

The Major Modification also includes a modification to the previously approved (not-yet-constructed) office building. The office building was approved as an 25,745-square-foot building and the proposed building would be 26,861 square feet.

Background

The Boulders Mixed Use Project was originally approved by the City of Menifee Planning Commission under **Plot Plan No. PLN 20-0167** and **Conditional Use Permit No. PLN 20-0165** on November 10, 2021, which was approved for a mixed-use commercial and multi-family residential project consisting of a three-story office building with an area of 25,745 square feet, an 8,370 square-foot day care building with outdoor play area, and a 234-unit apartment complex consisting of nine (9) three-story apartment buildings with a 3,455 square clubhouse on 10.14 gross acres.

Assessor's Parcel No.: 339-200-080

MSHCP Category: Residential (greater than 14 du/ac), Commercial

DIF Category: Multi-Family Residential, Commercial/Service/Office

TUMF Category: Multi-Family Residential, Service Commercial

Quimby Category: Multi-family residential for attached dwelling units. Quimby fees are not required for commercial developments

Approval Date: November 10, 2021 (Original Entitlement: Plot Plan No. PLN

20-0167)

December 14, 2022 (Major Modification)

Expiration Date:

November 10, 2024

Within 48 Hours of the Approval of This Project

1. **Filing Notice of Determination (ND/MND).** The applicant/developer shall deliver to the Planning Division a cashier's check or money order made payable to the County Clerk in the amount of Fifty Dollars (\$50.00) for the County administrative fee, to enable the City to file the Notice of Determination (NOD) as 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

Section IV: Building and Safety Department Conditions of Approval

Section V: Riverside County Fire Department Conditions of Approval

Section VI: Riverside County Environmental Health Conditions of Approval

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 Plot Plan Major Modification No. PLN 22-0120 shall be henceforth defined as follows:

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

APPROVED EXHIBIT A = Site Plan for Plot Plan Major Modification No. PLN 22-120, dated September 26, 2022.

APPROVED EXHIBIT G = Conceptual Grading Plan for Plot Plan Major Modification No. PLN 22-120, dated September 26, 2022.

APPROVED EXHIBIT B = Elevations, Roof Plan, and Floor Plans for Plot Plan Major Modification No. PLN 22-120, dated September 26, 2022.

APPROVED EXHIBIT L = Conceptual Landscaping and Irrigation Plan for Plot Plan No. PLN 20-0167, dated September 29, 2021.

APPROVED EXHIBIT M = Color and Materials Board for Plot Plan Major Modification No. 22-120, dated September 26, 2022.

4. **Ninety (90) Days.** The permittee has ninety (90) days from the date of approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the imposition of any and all fees, dedications, reservations and/or other exactions imposed on this project as a result of this approval or conditional approval of this project.
5. **Mitigation Monitoring and Reporting Program.** The developer shall comply with the mitigation monitoring and reporting program ("MMRP") which is incorporated by reference as part of these conditions of approval.
6. **Causes for 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. **Business Registration.** Every person conducting a business within the City of Menifee, as defined in Menifee Municipal Code, Chapter 5.01, shall obtain a business license. For more information regarding business registration, contact the City Clerk.
8. **Expiration Date.** This approval shall be used within three (3) years of the original approval date (original approval date: November 10, 2021); otherwise, it shall become null and void and of no effect whatsoever. By use is meant the beginning of substantial construction contemplated by this approval within a three-(3)-year period which is thereafter diligently pursued to completion or to the actual occupancy of existing buildings or land under the terms of the authorized use. Prior

to the expiration of the three-(3)-year period, the permittee may request up to a three-(3)-year extension of time in which to begin substantial construction or use of this permit. Should the three-(3)-year extension be obtained and no substantial construction or use of this permit be initiated within six (6) years of the approval date this permit, shall become null and void.

9. **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

- 10. **Comply with Ordinances.** The development of these premises shall comply with the standards of the City of Menifee Development Code and City of Menifee Municipal Code and all other applicable ordinances and State and Federal codes and regulations.
- 11. **Outside Lighting.** Any outside lighting shall be hooded and directed so as not to shine directly upon adjoining property or public rights-of-way and so as to prevent either the spillage of lumens or reflection into the sky.
- 12. **Colors and Materials.** Building colors and materials shall be in substantial conformance with those shown on APPROVED EXHIBIT(S) B and M.
- 13. **Parking.** Pursuant on the City of Menifee Development Code, parking for the multi-family residential and, professional offices, and day care center is calculated based on the parking ratios identified in the table below. The minimum number of required parking spaces for the proposed project is 429.

There are a total of 429 parking spaces required and 431 parking spaces are provided, including twenty-one (21) parking spaces for persons with disabilities.

Use	Dwelling Units	Square Footage	Parking Ratio	Other Criteria	Parking Required	Parking Provided
Multi-family residential (1-bedroom unit)	108	-	1 space/ dwelling unit		108	
Multi-family residential (2-bedroom unit)	108	-	1.5 space/ dwelling unit	1 guest space/ 10 dwelling units (23) + 1 space / employee (5)	162	
Multi-family residential (3-bedroom unit)	18		2.5 space/ dwelling unit		45	
Day care center	-	-	-	1 space/ 5 children (30.6) + 0.5 spaces per employee (14)	44.6	475
Offices	-	21,461 (leasable area)	1 space/ 200 sq. ft.		107.3	
Minor Exception (MC Chapter 9.70.020)*					-20	

Total	475**
<p>* Chapter 9.70.020 allows for a reduction in off-street parking requirements (excluding stall and aisle dimensions) to a maximum of 10 percent with approval of a Minor Exception. In this case, 10 percent would equal 47 spaces. The applicant is requesting a Minor Exception in the amount of 20 spaces or 4.2 percent of the total number of required parking spaces.</p> <p>** Includes subtotals under the "total required" column plus the subtotals listed under the "other criteria" column.</p>	

A minimum of 475 parking spaces (in addition to the loading space) shall be provided as shown on the APPROVED EXHIBIT A, unless otherwise approved by the Community Development Department and/or Planning Commission. The parking area shall be surfaced with asphaltic concrete, concrete, or porous paving, to current standards as approved by the Department of Building and Safety.

ADA Parking Spaces:

Accessible parking spaces for persons with disabilities shall be provided consistent with ADA requirements and as approved by the City of Menifee Building and Safety Department. The location of ADA parking and paths of travel will be finalized on the final site plan of the proposed project.

Bicycle Racks:

Bicycle racks or lockers with a minimum of twenty-four (24) spaces shall be provided as shown on APPROVED EXHIBIT A to facilitate bicycle access to the project area. The bicycle racks shall be shown on project landscaping and improvement plans submitted for Community Development Department approval and shall be installed in accordance with those plans. Bicycle rack designs that employ a theme are highly encouraged.

- 14. **Loading Areas.** Loading and/or unloading of goods/supplies shall occur in designated loading areas as shown on APPROVED EXHIBIT A only. No loading or unloading is allowed in front of the stores or within drive aisles. Loading areas shall be kept free of debris and clean throughout the life of this plot plan.
- 15. **Signs.** A sign program has not been approved with this application. As such, the applicant shall submit a detailed sign program. All signage shall be developed in accordance with the City of Menifee Municipal Code. The sign program shall be approved prior to the issuance of the first building permit. The proposed signage shall compliment the design of the proposed buildings. Furthermore, building permits for all signage shall be reviewed and approved by the Community Development Department to confirm conformance with the approved sign program and Menifee Municipal Code Chapter 9.220.
- 16. **No Outdoor Advertising.** No outdoor advertising display, sign or billboard (not including on-site advertising or directional signs) shall be constructed or maintained within the property subject to this approval.
- 17. **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.

18. **Exterior Noise Levels.** Facility-related noise, as projected to any portion of any surrounding property containing a "sensitive receiver, habitable dwelling, hospital, school, library or nursing home", must not exceed the following worst-case noise levels 45 dB(A) - 10-minute noise equivalent level ("leq"), between the hours of 10:00 p.m. to 7:00 a.m. (nighttime standard) and 65 dB (A) - 10-minute leq, between 7:00 a.m. and 10:00 p. m. (daytime standard).
19. **Phases.** Construction of this project may be done progressively in phases provided a phasing plan is submitted with appropriate fees to the Community Development Department and approved prior to issuance of any Building Permits.
20. **Land Division Required.** Prior to the sale of any individual structure as shown on APPROVED EXHIBIT A, a land division shall be recorded in accordance with City of Menifee Title 7 (Subdivision Ordinance), and any other pertinent ordinance.
21. **No Outdoor Storage.** No outdoor storage is allowed within or upon the site. No storage lockers, sheds, metal container bins or metal shipping containers will be allowed to be stored outside the building unless first reviewed and approved by the Community Development Department.
22. **Rules for Construction Activities.** The permittee shall comply with all SCAQMD established minimum requirements for construction activities to reduce fugitive dust and PM₁₀ emissions. Current requirements include, but may not be limited to:
 - Any construction equipment using direct internal combustion engines shall use diesel fuel with a maximum of 0.05 percent sulfur and a four-degree retard.
 - Construction operations affecting off-site roadways shall be scheduled by implementing traffic hours and shall minimize obstruction of through traffic lanes.
 - On-site heavy equipment used during construction shall be equipped with diesel particulate filters unless it is demonstrated that such equipment is not available, or its use is not cost-competitive.
23. **SCAQMD Rule 402.** The project will comply with existing SCAQMD Rule 402 which prohibits a person from discharging any source quantities of air contaminants or other material which cause injury, nuisance, or annoyance to any considerable number of persons or to the public.
24. **Completion of Conditions Prior to Operations.** Pursuant to City of Menifee Municipal Code, the proposed uses approved under Plot Plan No. PLN 20-0273 and Conditional Use Permit No. 20-0272 shall be not be established or operated until all required conditions (e.g., road pavement, landscaping installation, building improvements, etc.) of this Plot Plan have been completed to the satisfaction of the City.

ARCHEOLOGY

25. **Human Remains.** If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resource Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within the period specified by law (24 hours). Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.
26. **Non-Disclosure of Location Reburials.** It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r), parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).
27. **Inadvertent Archeological Find.** If during ground disturbance activities, unique cultural resources are discovered that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. Unique cultural resources are defined, for this condition only, as being multiple artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance as determined in consultation with the Native American Tribe(s).
- a. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the archaeologist, the tribal representative(s) and the Community Development Director to discuss the significance of the find.
 - b. At the meeting, the significance of the discoveries shall be discussed and after consultation with the tribal representative(s) and the archaeologist, a decision shall be made, with the concurrence of the Community Development Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources.
 - c. Grading of further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional Tribal monitors if needed.
 - d. Treatment and avoidance of the newly discovered resources shall be consistent with the Cultural Resources Management Plan and Monitoring Agreements entered into with the appropriate tribes. This may include avoidance of the cultural resources through project design, in-place

preservation of cultural resources located in native soils and/or re-burial on the Project property so they are not subject to further disturbance in perpetuity as identified in Non-Disclosure of Reburial Condition.

- e. Pursuant to Calif. Pub. Res. Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be presented to the City Community Development Director for decision. The City Community Development Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, recommendations of the project archeologist and shall take into account the cultural and religious principles and practices of the Tribe. Notwithstanding any other rights available under the law, the decision of the City Community Development Director shall be appealable to the City Planning Commission and/or City Council.”

28. Cultural Resources Disposition. In the event that Native American cultural resources are discovered during the course of ground disturbing activities (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:

- a. One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Menifee Community Development Department:
 - i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources.
 - ii. Reburial of the resources on the Project property. The measures for reburial shall include, at least, the following: Measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed, with an exception that sacred items, burial goods and Native American human remains are excluded. Any reburial process shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV report. The Phase IV Report shall be filed with the City under a confidential cover and not subject to Public Records Request.
 - iii. If preservation in place or reburial is not feasible then the resources shall be curated in a culturally appropriate manner at a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the Guidelines. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of curation

in the form of a letter from the curation facility stating that subject archaeological materials have been received and that all fees have been paid, shall be provided by the landowner to the City. There shall be no destructive or invasive testing on sacred items, items of Native American Cultural Patrimony, burial goods and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Phase IV monitoring report.

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

LANDSCAPING

30. **Interim Landscaping.** Graded but undeveloped land shall be maintained in a condition so as to prevent a dust and/or blow sand nuisance and shall be either planted with interim landscaping or provided with other wind and water erosion control measures as approved by the Community Development Department and the South Coast Air Quality Management District (SCAQMD).
31. **Landscape Plans.** All landscaping plans shall be prepared in accordance with the City's Water Efficient Landscape Ordinance. Such plans shall be reviewed and approved by the Community Development Department, and the appropriate maintenance authority.
32. **Viable Landscaping.** All plant materials within landscaped areas shall be maintained in a viable growth condition and free of weeds and debris throughout the life of this plot plan. To ensure that this occurs, the Community Development Department shall require inspections prior to final inspection and six (6) months and twelve (12) months after the final inspection.
33. **Maintenance of Parks and Landscaping.** All landscaping and similar improvements not properly maintained by a property owners association, individual property owners, or the common area maintenance director must be annexed into a Lighting and Landscape District, or other mechanism as determined by the City of Menifee.

FEES

34. **Subsequent Submittals.** Any subsequent submittals required by these Conditions of Approval, including but not limited to grading plan, building plan or mitigation monitoring review, shall be reviewed on an hourly basis (research fee), or other such review fee as may be in effect at the time of submittal, as required by Resolution No. 22-1229 (Cost of Services Fee Study), or any successor thereto. Each submittal shall be accompanied with a letter clearly indicating which condition or conditions the submittal is intended to comply with.

Prior to Issuance of Grading Permit

35. **Mitigation Monitoring.** The permittee shall prepare and submit a written report to the Community Development Director or review and approval demonstrating compliance with the standard conditions of approval and mitigation measures identified in the Initial Study/Mitigated Negative Declaration (IS/MND) for this project which must be satisfied prior to issuance of grading permits. The Community Development Director may require inspection or other monitoring to ensure such compliance.
36. **Rough and Precise Grading Plan Review.** The Community Development Department shall review the rough and precise grading plans for consistency with the approved site plan and conceptual grading plan (Approved Exhibit A and G) and the conditions of approval.
37. **Fugitive Dust Control.** The permittee shall implement fugitive dust control measures in accordance with Southern California Air Quality Management District (SCAQMD) Rule 403. The permittee shall include in construction contracts the control measures required under Rule 403 at the time of development, including the following:
- a. Use watering to control dust generation during demolition of structures or break-up of pavement. The construction area and vicinity (500-foot radius) must be swept (preferably with water sweepers) and watered at least twice daily. Site wetting must occur often enough to maintain a 10 percent surface soil moisture content throughout all earth moving activities. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50%.
 - b. Water active grading/excavation sites and unpaved surfaces at least three times daily;
 - c. All paved roads, parking and staging areas must be watered at least once every two hours of active operations;
 - d. Site access points must be swept/washed within thirty minutes of visible dirt deposition;
 - e. Sweep daily (with water sweepers) all paved parking areas and staging areas;

- f. Onsite stockpiles of debris, dirt or dusty material must be covered or watered at least twice daily;
- g. Cover stockpiles with tarps or apply non-toxic chemical soil binders;
- h. All haul trucks hauling soil, sand and other loose materials must either be covered or maintain two feet of freeboard;
- i. All inactive disturbed surface areas must be watered on a daily basis when there is evidence of wind drive fugitive dust;
- j. Install wind breaks at the windward sides of construction areas;
- k. Operations on any unpaved surfaces must be suspended when winds exceed 25 mph;
- l. Suspend excavation and grading activity when winds (instantaneous gusts) exceed 15 miles per hour over a 30-minute period or more, so as to prevent excessive amounts of dust;
- m. All haul trucks must have a capacity of no less than twelve and three-quarter (12.75) cubic yards;
- n. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust;
- o. Traffic speeds on unpaved roads must be limited to 15 miles per hour;
- p. Provide daily clean-up of mud and dirt carried onto paved streets from the site;
- q. Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site;
- r. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust;
- s. Operations on any unpaved surfaces must be suspended during first and second stage smog alerts; and,
- t. An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt.

38. **AQMD Rule 402.** The project developer shall implement the following measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the project site throughout the project construction phases. The project developer shall include in construction contracts the control measures

as may be required under Rule 402, at the time of development, including the following:

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

PALEONTOLOGICAL

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

The permittee shall retain a qualified paleontologist approved by the City of Menifee to create and implement a project-specific plan for monitoring site grading/earthmoving activities (project paleontologist).

The project paleontologist retained shall review the approved development plan and shall conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements as appropriate. These requirements shall

be documented by the project paleontologist in a Paleontological Resource Impact Mitigation Program (PRIMP). This PRIMP shall be submitted to the Community Development Department for review and approval prior to issuance of a Grading Permit.

Information to be contained in the PRIMP, at a minimum and in addition to other industry standard and Society of Vertebrate Paleontology standards, are as follows:

- A. The project paleontologist shall participate in a pre-construction project meeting with development staff and construction operations to ensure an understanding of any mitigation measures required during construction, as applicable.
- B. Paleontological monitoring of earthmoving activities will be conducted on an as-needed basis by the project paleontologist during all earthmoving activities that may expose sensitive strata. Earthmoving activities in areas of the project area where previously undisturbed strata will be buried but not otherwise disturbed will not be monitored. The project paleontologist or his/her assign will have the authority to reduce monitoring once he/she determines the probability of encountering fossils has dropped below an acceptable level.
- C. If the project paleontologist finds fossil remains, earthmoving activities will be diverted temporarily around the fossil site until the remains have been evaluated and recovered. Earthmoving will be allowed to proceed through the site when the project paleontologist determines the fossils have been recovered and/or the site mitigated to the extent necessary.
- D. If fossil remains are encountered by earthmoving activities when the project paleontologist is not onsite, these activities will be diverted around the fossil site and the project paleontologist called to the site immediately to recover the remains.
- E. If fossil remains are encountered, fossiliferous rock will be recovered from the fossil site and processed to allow for the recovery of smaller fossil remains. Test samples may be recovered from other sampling sites in the rock unit if appropriate.
- F. Any recovered fossil remains will be prepared to the point of identification and identified to the lowest taxonomic level possible by knowledgeable paleontologists. The remains then will be curated (assigned and labeled with museum* repository fossil specimen numbers and corresponding fossil site numbers, as appropriate; places in specimen trays and, if necessary, vials with completed specimen data cards) and catalogued, an associated specimen data and corresponding geologic and geographic site data will be archived (specimen and site numbers and corresponding data entered into appropriate museum repository catalogs and computerized data bases) at the museum repository by a laboratory technician. The remains will then be accessioned into the museum* repository fossil collection, where they will be permanently stored, maintained, and, along with associated specimen and site data, made available for future study by qualified scientific investigators.

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

- G. A qualified paleontologist shall prepare a report of findings made during all site grading activity with an appended itemized list of fossil specimens recovered during grading (if any). This report shall be submitted to the Community Development Department for review and approval prior to building final inspection as described elsewhere in these conditions.

All reports shall be signed by the project paleontologist and all other professionals responsible for the report's content (e.g. Professional Geologist, Professional Engineer, etc.), as appropriate. Two wet-signed original copies of the report shall be submitted directly to the Community Development Department along with a copy of this condition, deposit-based fee and the grading plan for appropriate case processing and tracking.

ARCHEOLOGY

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

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

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

In addition, the Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a Cultural Resources Management Plan (CRMP) in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting tribe is defined as a tribe that initiated the AB 52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:

- a. Project grading and development scheduling;
- b. The Project archeologist and the Consulting Tribes(s) shall attend the pre-grading meeting with the City, the construction manager and any

contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel that will conduct earthwork or grading activities that begin work on the Project following the initial Training must take the Cultural Sensitivity Training prior to beginning work and the Project archaeologist and Consulting Tribe(s) shall make themselves available to provide the training on an as-needed basis;

c. The protocols and stipulations that the contractor, City, Consulting Tribe(s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.

41. **Paleontologist Required.** Prior to the issuance of grading permits, the project applicant shall retain a qualified paleontologist approved by the Community Development Department to create and implement a project-specific plan for monitoring site grading/earthmoving activities (project paleontologist). The project paleontologist retained shall review the approved development plan and shall conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements as appropriate. These requirements shall be documented by the project paleontologist in a Paleontological Resource Impact Mitigation Program (PRIMP). This PRIMP shall be submitted to the City Community Development Department for review and approval prior to the issuance of a grading permit. Information to be contained in the PRIMP, at a minimum and in addition to other industry standard and society of Vertebrate Paleontology standards, are as follows:

- a. The project paleontologist shall participate in a pre-construction project meeting with development staff and construction operations to ensure an understanding of any mitigation measures required during construction, as applicable.
- b. Paleontological monitoring of earthmoving activities will be conducted on an as-needed basis by the project paleontologist during all earthmoving activities that may expose sensitive strata. Earthmoving activities in areas of the project area where previously undisturbed strata will be buried but not otherwise disturbed will not be monitored. The project paleontologist or his/her assign will have the authority to reduce monitoring once he/she determines the probability of encountering fossils has dropped below an acceptable level.
- c. If the project paleontologist finds fossil remains, earthmoving activities will be diverted temporarily around the fossil site until the remains have been evaluated and recovered. Earthmoving will be allowed to proceed through the site when the project paleontologist determines the fossils have been recovered and/or the site mitigated to the extent necessary.

- d. If fossil remains are encountered by earthmoving activities when the project paleontologist is not on-site, these activities will be diverted around the fossil site and the project paleontologist called to the site immediately to recover the remains.
 - e. If fossil remains are found, fossiliferous rock will be recovered from the fossil site and processed to allow for the recovery of smaller fossil remains. Test samples may be recovered from other sampling sites in the rock unit if appropriate.
 - f. Any recovered fossil remains will be prepared to the point of identification and identified to the lowest taxonomic level possible by knowledgeable paleontologists. The remains will then be curated (assigned and labeled with museum repository fossil specimen numbers and corresponding fossil site numbers, as appropriate; placed in specimen trays and, if necessary, vials with completed specimen data cards) and catalogued, and associated specimen data and corresponding geologic and geographic site data will be archived (specimen and site numbers and corresponding data entered into appropriate museum repository catalogs and computerized data bases) at the museum repository by a laboratory technician. The remains will then be accessioned into the museum repository fossil collection, where they will be permanently stored, maintained, and, along with associated specimen and site data, made available for future study by qualified scientific investigators. The City must be consulted on the repository/museum to receive the fossil material prior to being curated.
 - g. A qualified paleontologist shall prepare a report of findings made during all site grading activity with an appended itemized list of fossil specimens recovered during grading (if any). This report shall be submitted to the City for review and approval prior to final building inspection as described elsewhere in this condition set. All reports shall be signed by the project paleontologist and all other professionals responsible for the report's content (e.g., professional geologist, professional engineer, etc.), as appropriate. Two wet-signed original copies of the report shall be submitted directly to the office of the City Community Development Department along with a copy of this condition and the grading plan for appropriate case processing and tracking.
42. **Native American Monitoring (Pechanga).** Tribal monitor(s) shall be required on-site during all ground-disturbing activities, including grading, stockpiling of materials, engineered fill, rock crushing, etc. The land divider/permit holder shall retain a qualified tribal monitor(s) from the Pechanga Band of Indians. Prior to issuance of a grading permit, the developer shall submit a copy of a signed contract between the above-mentioned Tribe and the land divider/permit holder for the monitoring of the project to the Community Development Department and to the Engineering Department. The Tribal Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground-disturbance activities to allow recovery of cultural resources, in coordination with the Project Archaeologist.

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

FEES

44. **Stephen's Kangaroo Rat (SKR) Fee.** Prior to the issuance of a grading permit, the applicant shall comply with the provisions of Ordinance No. 663, which generally requires the payment of the appropriate fee set forth in that ordinance. The amount of the fee required to be paid may vary depending upon a variety of factors, including the type of development application submitted and the applicability of any fee reduction or exemption provisions contained in Ordinance No. 663. Said fee shall be calculated on the approved development project which is anticipated to be 10.14 acres (gross) in accordance with APPROVED EXHIBIT NO. A of PP PLN 20-0167. If the development is subsequently revised, this acreage amount may be modified in order to reflect the revised development project acreage amount. In the event Ordinance No. 663 is rescinded, this condition will no longer be applicable. However, should Ordinance No. 663 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.
45. **Fees.** Prior to the issuance of grading permits for PP PLN 20-0167 or PP Major Modification No. PLN 22-0120, the Community Development Department shall determine the status of the deposit-based fees. If the fees are in a negative status, the permit holder shall pay the outstanding balance.

Prior to Issuance of Building Permit

46. **Mitigation Monitoring.** The permittee shall prepare and submit a written report to the Community Development Director or review and approval demonstrating compliance with the standard conditions of approval and mitigation measures identified in the Initial Study/Mitigated Negative Declaration (IS/MND) for this project which must be satisfied prior to issuance of building permits. The Community Development Director may require inspection or other monitoring to ensure such compliance.
47. **Submit Building Plans.** Prior to the issuance of a building permit, the permittee shall submit building plans with the City of Menifee Building and Safety Department for building permits. The building plans shall be in substantial conformance with APPROVED EXHIBIT A, B, C, G, L and M.
48. **Elevations.** Elevations of all buildings and structures submitted for building plan check approval shall be in substantial conformance with the elevations shown on APPROVED EXHIBIT B and M.

If building plans are proposed that alter the elevations as shown on APPROVED EXHIBIT B and M a plot plan application pursuant to City Municipal Code, along with the current fee shall be submitted to the Community Development Department for review and approval. If substantial modifications are proposed to the elevations, the Community Development Director may determine that Planning Commission review and approval is required.

49. **Tower Elements and Parapets.** Tower elements shall include four architecturally enhanced sides or be wrapped (with the same architectural enhancement shown on the front of the tower) to appear four-sided from public view. Sides and backs of parapets open to public view shall be treated/painted in the same manner as the front of the parapet. Colors of all buildings shall be in substantial compliance with APPROVED EXHIBIT B.
50. **Lighting.** The building plans shall show the location and types of light fixtures that will be within the project site and on the building. Lighting fixtures shall be decorative. Shoe-box-type lighting will not be allowed. The types of lighting fixtures used shall be subject to Community Development Department approval. The location of lighting shown on the building is for conceptual purposes only and may be relocated during the building plan check. Architecturally appropriate themed lighting fixtures shall be located along the project perimeter, project entrances, and other focal points on the project site and shall be subject to Community Development Department review and approval. Parking lot lights shall be approved by the Community Development Director. All parking lot lights and other outdoor lighting shall be shown on electrical plans submitted to the Department of Building and Safety for plan check approval and shall comply with the requirements of the City of Menifee Municipal Code Chapter 6.01.
51. **Roof-Mounted Equipment Plans.** Roof-mounted equipment shall be shielded from ground view and from view of any public right-of-way. All building plans shall show all roof-mounted equipment and methods for screening consistent with Approved Exhibit B and C and shall be submitted to the Community Development Department for review and approval prior to Building Permit issuance. The plans shall be approved prior to issuance of a Building Permit. Screening material shall be subject to Community Development Department approval. Community Development staff will verify that all roof-mounted equipment has been screened in compliance with the approved plans prior to final occupancy.
52. **Dark Sky Ordinance.** All streetlights and other outdoor lighting shall be shown on electrical plans submitted to the Department of Building and Safety and the Community Development Department for plan check approval and shall comply with the requirements of Menifee Municipal Code Chapter 6.01, the "Dark Sky Ordinance", and the General Plan.
53. **Electrical Cabinets.** All electrical cabinets shall be located inside a room that is architecturally integrated into the design of the building.
54. **Floor Plans.** Floor plans shall be in substantial conformance with that shown on APPROVED EXHIBIT C.

55. **Wall and Fencing Plan.** A wall and fencing plan shall be submitted to the Community Development Department for review and approval showing all wall and fence locations and typical views of all types of fences or walls proposed. This plan shall require anti-graffiti coatings on fences and walls, where applicable. The plan shall be approved prior to issuance of a Building Permit.
56. **HVAC.** The developer shall utilize HVAC units with the lowest sound power level shall be selected. The HVAC units shall be installed as far as possible from residential land uses. The HVAC equipment shall be enclosed or shielded from off-site properties.
57. **Security Systems.** Prior to the issuance of Building Permits, the applicant shall prepare a security plan for the site. The security plan for this project shall include a comprehensive security camera system that clearly depicts the entire parking field. This security camera system shall be based in the building containing the management office for this development, or inside a security office or other place acceptable to the City of Menifee Police Department, that is accessible to law enforcement at all times of the day and night. This security camera system shall have a recording capacity to minimally save footage for the period of one month or as approved by the Sherriff's Department. The above camera surveillance system shall include LPR (License Plate Recognition) cameras installed at the entrances/exits to this project or as approved by the Police Department. LPR cameras are cameras specifically designed to read and record vehicle license plates as they enter and exit this complex. It should be noted that high quality day/night vision LPR cameras are relatively inexpensive. The plan shall be approved prior to issuance of Building Permits.

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

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

LANDSCAPING

58. **Performance Securities.** Performance securities, in amounts to be determined by the Director of Community Development to guarantee the installation of plantings, irrigation system, walls and/or fences, in accordance with the approved plan, shall be filed with the Department of Community Development. Securities may require review by City Attorney and other staff. Permit holder is encouraged to allow adequate time to ensure that securities are in place. The performance security may be released one year after structural final, inspection report, and the One-Year Post Establishment report confirms that the planting and irrigation components have been adequately installed and maintained. A cash security shall be required when the estimated cost is \$2,500.00 or less. At applicant's election, a cash security may also be used for amounts exceeding \$2,500.
59. **Landscape and Irrigation Plans.** The permittee shall submit three (3) sets of Final Landscaping and Irrigation Plans to the Planning Division for review and approval.

Said plan shall be submitted to the Division pursuant to City Municipal Code along with the current fee.

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

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

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

The location, number, genus, species, and container size of plants shall be shown.

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

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

Project Specific Landscape Requirements:

- a. **Curb and Walkway on End Stall Planters.** Unless otherwise approved by the Community Development Director, a twelve (12) inch wide walkway shall be constructed along planters on end stalls adjacent to automobile parking areas. Public parking areas shall be designed with permanent curb, bumper, or wheel stop or similar device so that a parked vehicle does not overhang required sidewalks, planters, or landscaped areas.
- b. **Interim Landscaping.** Graded but undeveloped land shall be maintained in a condition so as to prevent a dust and/or blow sand nuisance and shall be either planted with interim landscaping or provided with other wind and water erosion control measures as approved by the Planning Department, Building and Safety Department and the State air quality management authorities.

Interim shrub borders shall be planted around various undeveloped pads of the project.

- c. **Crime Prevention through Environmental Design Guidelines.** All plants, landscaping and foliage shall fall within current CPTED (Crime Prevention through Environmental Design) guidelines.
 - d. **Enhanced Paving.** The landscaping and irrigation plans shall show the location and types of hardscape, including enhanced paving, throughout the site consistent with APPROVED EXHIBIT A and EXHIBIT L. Currently, it is unclear whether all crosswalks and store entryways are shown with pavers; however, on the final landscape and irrigation plans all crosswalks and store entryways shall be shown with enhanced paving, such as pavers, thermoplastic paving, or similar design or material acceptable to the Community Development Director.
 - e. **Public Plazas.** The landscaping plans shall provide the details on the outdoor plazas and shall be consistent with Approved Exhibit A, G, L, and M.
 - f. **Bicycle Racks.** The landscaping plans shall show the location of bicycle racks. Where bicycle racks are placed in public view, the racks must be enhanced.
 - g. **Tree Placement.** Tree placement should avoid conflicts with parking lot lighting.
 - h. **Basins.** Planting in basins or vegetated swales shall be consistent with Approved Exhibit L and the plants shall be of adequate height so that they can be seen above the curbs surrounding the basins and/or up to a minimum height of three (3) feet.
 - i. **Double Detectors.** Double detector check valve assemblies (backflow preventers) for landscape irrigation and domestic water shall not be located at visually prominent locations (such as the end of drive aisles or at site entries) and shall be well-screened with shrubs, berming, or low screen walls.
 - j. **Conform to Major Modification Site Plan.** The landscape plans approved under PP PLN 20-0167 were not updated or included as part of this PP Major Modification No. PLN 22-0120 approval. However, Final Landscaping and Irrigation Plans shall incorporate those site plan layout changes approved under PP Major Modification No. PLN 22-0120 as shown on Approved Exhibit A.
60. **Landscape Inspections.** Prior to issuance of Building Permits, the permit holder shall open a Landscape Deposit Based Fee case and deposit the prevailing deposit amount to cover the pre-inspection, initial installation inspection, Six (6) Month and One Year Landscape Inspections. The number of hours for the inspections will be determined by the Community Development Department's Landscape personnel prior to approval of the requisite Minor Plot Plan for Planting and Irrigation.

FEES

61. **Fees.** Prior to issuance of Building Permits, the Community Development Department shall determine if the deposit-based fees for project are in a negative balance. If so, any outstanding fees shall be paid by the permittee.

62. **Resolution No. 22-1169 (DIF).** Prior to the issuance of a building permit (for any of the commercial buildings and the recreation building), the applicant shall comply with the provisions of Resolution No. 22-1169, which requires the payment of the appropriate fee set forth in the Resolution. Resolution No. 22-1169 has been established to set forth policies, regulations and fees related to the funding and construction of facilities necessary to address the direct and cumulative environmental effects generated by new development projects described and defined in this Resolution, and it establishes the authorized uses of the fees collected.

In the event Resolution No. 22-1169 is rescinded, this condition will no longer be applicable. However, should Resolution No. 22-1169 be rescinded and superseded by a subsequent City mitigation fee ordinance or resolution, payment of the appropriate fee set forth in that ordinance or resolution shall be required.

63. **Open Space Fee (MSHCP).** Prior to the issuance of a building permit, the applicant shall comply with the provisions of City of Menifee Municipal Code Chapter 8.27 (hereinafter Chapter 8.27), which requires the payment of the appropriate fee set forth in the Ordinance.

The amount of the fee will be based on the "Project Area" as defined in the Ordinance and the aforementioned Condition of Approval.

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

64. **Quimby Fees.** *Payment of in-lieu fees.* The proposed subdivision will fulfill Quimby obligations through the payment of in-lieu fees. Prior to the issuance of a building permit, the City Manager or his/her designee shall determine the amount of Quimby Fees to be paid by the subdivider. Quimby fees shall be paid directly to the city prior to the issuance of the first certificate of occupancy of any dwelling unit in the subdivision.

65. **Perris Union School District.** Impacts to the Perris Union High School District shall be mitigated in accordance with California State law.

66. **Menifee Union School District.** Impacts to the Menifee Union School District shall be mitigated in accordance with California State law.

Prior to Final Inspection

67. **Mitigation Monitoring.** The permittee shall prepare and submit a written report to the Community Development Director or review and approval demonstrating compliance with the standard conditions of approval and mitigation measures identified in the Initial Study/Mitigated Negative Declaration (IS/MND) for this project

which must be satisfied prior to final inspection. The Community Development Director may require inspection or other monitoring to ensure such compliance.

68. **Paleontological Monitoring Report.** Prior to issuance of a certificate of occupancy, the permittee shall submit to the Community Development Department, two (2) copies of the Paleontology Monitoring Report. The report shall be certified by a professional paleontologist listed Riverside County's Paleontology Consultant List. A deposit for the review of the report will be required.
69. **Archeology Report - Phase III and IV.** Prior to final inspection of the first building permit associated with each phase of grading, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if conducted for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Pechanga Cultural Resources Department.
70. **Elevations.** Elevations of all buildings and structures shall be in substantial conformance as determined by the Community Development Director with the elevations shown on APPROVED EXHIBIT B.
71. **Roof Mounted Equipment.** Prior to final occupancy, Community Development staff will verify that all roof-mounted equipment has been screened in compliance with the approved plans.
72. **Lighting.** Exterior lighting shall be consistent with the approved building plans.
73. **Utilities Underground.** All utilities, except electrical lines rated 33 kV or greater, shall be installed underground. If the permittee provides to the Department of Building and Safety and the Community Development Department a definitive statement from the utility provider refusing to allow underground installation of the utilities they provide, this condition shall be null and void with respect to that utility.
74. **Trash Enclosures.** Trash enclosures which are adequate to enclose the required number of bins (per Waste Management) shall be located as shown on the Approved Exhibit A, G and L and shall be constructed prior to the issuance of occupancy permits. The enclosure(s) shall be a minimum of six (6) feet in height and shall be architecturally enhanced and made with masonry block (including masonry cap) with landscaping screening, roof covering and a solid gate which screens the bins from external view in compliance with Approved Exhibit L. Additional enclosed area for collection of recyclable materials shall be located within, near or adjacent to each trash and rubbish disposal area. The recycling collection area shall be a minimum of fifty percent (50%) of the area provided for the trash/rubbish enclosure(s) or as approved by the City of Menifee Engineering

Public Works Department. All recycling bins shall be labeled with the universal recycling symbol and with signage indicating to the users the type of material to be deposited in each bin.

75. **Wall and Fence Locations.** Wall and/or fence locations shall be in conformance with the Approved Exhibit A and L or subsequent approved wall and fence plan.
76. **Roll Up Garage Doors.** All residences shall have automatic roll-up garage doors.
77. **Entry Monuments.** Prior to the first occupancy within the residential portion of the project,, entry monuments shall be installed in accordance with an approved sign program.
78. **Hardscaping, Outdoor Furniture and Public Art.** All hardscaping, including enhanced paving, outdoor furniture and community art shall have been installed in accordance with the approved landscaping, irrigation and shading plans or outdoor plaza plans (whichever is applicable) prior to issuance of the first certificate of occupancy.
79. **Phasing.** If the project has been phased, all facilities meant to serve the current phase of development shall be installed in a usable condition. Project landscaping may not all be deferred until the final phase.
80. **Condition Compliance.** The Community Development Department shall verify that the Development Standards of this approval and all other preceding conditions have been complied with prior to any use allowed by this permit.
81. **Security Systems.** Prior to the final occupancy, the applicant shall prepare a security plan for the site. The security plan for this project shall include a comprehensive security camera system that clearly depicts the entire parking field. This security camera system shall be based in one of the buildings containing the management office for this development, or inside a security office located within one of the retail buildings or other places acceptable to the Menifee Police Department, that is accessible to law enforcement at all times of the day and night. This security camera system shall have a recording capacity to minimally save footage for the period of one month. The above camera surveillance system shall include LPR (License Plate Recognition) cameras installed at the entrances/exits to this project. LPR cameras are cameras specifically designed to read and record vehicle license plates as they enter and exit this complex. It should be noted that high quality day/night vision LPR cameras are relatively inexpensive. The plan shall be approved prior to final occupancy.

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

82. **Extended Truck Idling.** Prior to final occupancy of commercial and industrial buildings, the sign(s) stating that "EXTENDED IDLING TRUCK ENGINES IS NOT PERMITTED" shall be located at the entrance to all loading areas.

The sign(s) shall not be less than twenty four (24) inches square and will provide directions to truck parking spaces with electrical hookups. The hookups will provide

power for refrigerated trailers that need to be parked on-sight for more than fifteen (15) minutes.

83. **Final Planning Inspection.** The permittee shall obtain final occupancy sign-off from the Planning Division for each Building Permit issued by scheduling a final Community Development Department inspection prior to the final sign-off from the Building Department. Community Development staff shall verify that all pertinent conditions of approval have been met, including compliance with the approved elevations, site plan, parking lot layout, etc. The permittee shall have all required paving, parking, walls, site lighting, landscaping and automatic irrigation installed and in good condition.

LANDSCAPING

The Community Development Director shall have the ability to modify or defer the installation of the landscaping as noted below, but may require performance securities and additional deposits to cover administrative costs. Under no circumstance shall landscaping be deferred if 80% of the units has been issued permits.

The installation of landscaping within open space area that will be maintained by the Community Facilities District (CFD) can be modified or deferred by the Engineering and Public Works Department.

84. **Soil Management Plan.** The permittee shall submit a Soil Management Plan (Report) to the Community Development Department before the Landscape Installation Inspection. The report can be sent in electronically. Information on the contents of the report can be found in the County of Riverside Guide to California Friendly Landscaping page 16, #7, "What is required in a Soil Management Plan?"
85. **Landscape/Irrigation Install Inspection.** The permittee landscape architect responsible for preparing the Landscaping and Irrigation Plans shall arrange for a Pre-Landscape installation inspection and a Landscape Completion Installation Inspection with the Community Development Department. The pre-landscape inspection shall be arranged at least fifteen (15) working days prior to installation of landscaping. The landscape completion inspection shall be arranged at least fifteen (15) working days prior to final inspection of the structure or issuance of occupancy permit, whichever occurs first. A One Year Post-Establishment Inspection will also be required. The Community Development Department will require a deposit in order to conduct the landscape inspections.
86. **Landscape Installation.** All required landscape planting and irrigation shall have been installed in accordance with approved Landscaping, Irrigation, and Shading Plans, Menifee Municipal Code, Eastern Municipal Water District requirements and the Riverside County Guide to California Landscaping. All landscape and irrigation components shall be in a condition acceptable to the Community Development Department. The plants shall be healthy and free of weeds, disease or pests. The irrigation system shall be properly constructed and determined to be in good working order.

87. **Final Landscape Approval.** The final landscape approval following installation shall be subject to the review and approval of the City's Landscape Architectural Consultant and the Community Development Director. The Community Development Director may require additional trees, shrubs and/or groundcover as necessary, if site inspections reveal landscape deficiencies that were not apparent during the plan review process.

FEES

88. **Resolution No. 22-1169 (DIF).** Prior to certificate of occupancy (for any of the residential dwelling units), the applicant shall comply with the provisions of Resolution No. 22-1169, which requires the payment of the appropriate fee set forth in the Resolution. Resolution No. 22-1169 has been established to set forth policies, regulations and fees related to the funding and construction of facilities necessary to address the direct and cumulative environmental effects generated by new development projects described and defined in this Resolution, and it establishes the authorized uses of the fees collected.

In the event Resolution No. 22-1169 is rescinded, this condition will no longer be applicable. However, should Resolution No. 22-1169 be rescinded and superseded by a subsequent City mitigation fee ordinance or resolution, payment of the appropriate fee set forth in that ordinance or resolution shall be required.

89. **Quimby Fees.** Quimby fees shall be paid directly to the City prior to the issuance of the first certificate of occupancy of any dwelling unit in the subdivision. The amount of Quimby fees paid shall be consistent with the amount determined by the City Manager, or their designee, prior to issuance of a building permit.
90. **Fees.** Prior to issuance of occupancy/final inspections, the Community Development Department shall determine if the deposit-based fees for project are in a negative balance. If so, any outstanding fees shall be paid by the permittee.

Prior to Issuance of Given Building Permit or Occupancy

CENTRAL AMENITIES and OPEN SPACE CONDITIONS

The Community Development Director shall have the ability to defer the installation of the landscaping and central amenities as noted below, but may require performance securities and additional deposits to cover administrative costs. Under no circumstance shall landscaping be deferred if 80% of the units has been issued permits.

The installation of landscaping within open space area that will be maintained by the Community Facilities District (CFD) can be modified or deferred by the Engineering and Public Works Department. As some open space areas noted below may contain water quality basins, the installation of landscaping and completion of those lots may be required at an earlier time than what is noted in the conditions by the Engineering and Public Works Department in order to mitigate water quality impacts of the development.

91. **Design Plans for Clubhouse and Recreational Area.** Prior to issuance of the 1st building permit within the multi-family portion of the project, the applicant or applicant-in-successor shall submit and obtain approval of detailed (working

drawing) plans (minor plot plan submittal) from the Community Development Department.

92. **Installation of Clubhouse and Recreational Area.** Prior to release of occupancy of any building permit within the multi-family portion of the project, all landscaping, irrigation, and structures shall be installed, inspections completed and passed, performance securities posted and the clubhouse and recreational area shall be open to the residents of the multi-family portion of the project.

Section III:
Engineering/Transportation/
Grading Conditions of Approval

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

A. GENERAL ENGINEERING CONDITIONS

93. **Subdivision Map Act** - The developer / property owner shall comply with the State of California Subdivision Map Act.
94. **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.
95. **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.
96. **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.
97. **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.

98. **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.
99. **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.
100. **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.
101. **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.

- 102. **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.
- 103. **Transfer of APN 358-090-049** – The proposed project site includes Lot 108 of Parcel Map 31393 (APN 358-090-049), an open space lot on the north side of Normandy Road. Lot 108 is owned by the Audie Murphy Ranch Community Association. The lot shall be acquired by the project and maintained by the property owner. Acquisition of the property shall occur prior to issuance of a grading permit.
- 104. Access to the parcel east of the project site shall be provided through the interior roadway along the northern side of the project. A removable railing or other designs acceptable to the Public Works / Engineering Department shall be installed to limit access until the parcel to the east is developed. Design of the access shall be included on the project plans submitted to the City for review and approval during Final Engineering.

B. GRADING AND DRAINAGE

- 105. **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.
- 106. **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.
- 107. **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.

108. **Grading Permit for Disturbed Soil** – City ordinance on grading requires a grading permit prior to clearing, grubbing or any top soil disturbances related to construction grading.
109. **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.
110. **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.
111. **Slope Setbacks** – Observe slope setbacks from buildings and property lines per the California Building Code and City ordinance on grading.
112. **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.
113. **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.
114. **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.
115. **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.

116. **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.
117. **Drainage Grade** - Minimum drainage design grade shall be 1% except on Portland cement concrete surfaces where 0.5% shall be the minimum. The engineer of record must submit a variance request for design grades less than 1% with a justification for a lesser grade.
118. **Finish Grade** – Shall be sloped to provide proper drainage away from all exterior foundation walls in accordance with City of Menifee Standard Plan 300.
119. **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.
120. **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.
121. **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.
122. **Licensed Geotech** - A licensed geotechnical engineer shall perform final determination of the foundation characteristics of soils within on-site development areas, per the approved geotechnical report reviewed and approved by the City.
123. **10 Year Curb – 100 Year ROW** - The 10 year storm flow shall be contained within the 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.
124. **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.

125. **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.
126. **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.
127. **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 shall be conveyed to the existing Dorval Court Lateral storm water channel along the northern side of the project and shall not flow over the proposed parkway or within the driveway approach. The channel is maintained by Riverside County Flood Control and Water Conservation District. Prior to initiation of final construction drawings, the developer / property owner shall contact the Riverside County Flood Control and Water Conservation District to ascertain the terms and conditions of the design, construction, inspection which may apply to the channel connection. Detention basins and outlet sizing will ensure that storm events do not have a higher peak discharge in the post-development condition than in the pre-development condition. The developer shall apply for an encroachment permit from Riverside County Flood Control and Water Conservation District prior to connection.
128. **Retaining Walls** – Sections, which propose retaining walls, will require separate permits. They shall be obtained prior to issuance of any other building permits – unless otherwise approved by the Building Official and/or the Public Works Director / City Engineer. The walls shall be designed by a registered civil engineer and conform to City Standards.

Prior to Grading Permit Issuance:

129. **Geotechnical Report** – The following documentation was reviewed and approved by the City:
- a. *Update to Preliminary Geotechnical Investigation & Assumption of Responsibility, Proposed Multi-Family Residential Development, APN: 339-200-080, 9.92-Acres, NE Corner of Berea and Normandy Roads, City of Menifee, Riverside County, California, Work Order No. 4722001.00UA, prepared by South Shore Testing & Environmental, dated September 20, 2021.*

Two copies of City-approved geotechnical/soils report, no more than three (3) years from date of application for a grading permit, shall be provided to the City Public Works / Engineering Department with initial submittal of a grading plan. If there is no approved report and/or said report is past the three (3) years from date of application, a new geotechnical/soils report and/or update letter, respectively, shall be prepared and submitted to City for review and approval. The geotechnical/soils, compaction and inspection reports will be reviewed in

conformance with the latest edition of the Riverside County Technical Guidelines for Review of Geotechnical and Geologic Reports. A fee for review of the geotechnical/soils report and/or update letter shall be paid to the City, the amount of which shall be determined by the City at the first submittal of the report.

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.

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

a. *Drainage Report for Boulders Menifee Mixed Use Development, APN # 339-200-080-5*, prepared by Kolibrien, dated October 22, 2020.

Prior to approval of the precise grading plan, an updated drainage report with changes from the Major Modification to the Plot Plan shall be reviewed and approved by the Public Works / Engineering Department. The project shall comply with all mitigation recommended by the approved drainage study and any updates for the Major Modification.

131. **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.

132. **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.

133. **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.

134. **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.

135. **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.
136. **Import/Export** – In instances where a grading plan involves import or export, prior to obtaining a grading permit, the developer/property owner shall have obtained approval for the import/export location from the Public Works / Engineering Department. If an Environmental Assessment did not previously approve either location or the quantity being moved, a Grading Environmental Assessment shall be submitted to the Planning Director for review and comment and to the Public Works Director / City Engineer for approval. Additionally, if the movement of import/export occurs using City roads, review and approval of the haul routes by the Public Works / Engineering Department will be required. Import or export materials shall conform to the requirements of Chapter 8.26.
137. **Offsite Grading** – Prior to the issuance of a grading permit, the developer/property owner shall obtain all proposed or required easements and/or permissions necessary to perform offsite grading, from affected landowners; including any off-site grading on the parcel east of the project. Notarized and recorded agreement or documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department, prior to grading permit issuance.

Prior to Building Permit Issuance:

138. **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.
139. **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.
140. **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.
141. **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.

142. **Conformance to Elevations/Geotechnical Compaction** - Rough grade elevations for all building pads and structure pads submitted for grading plan check approval shall be in substantial conformance with the elevations shown on approved grading plans. Compaction test certification shall be in compliance with the approved project geotechnical/soils report.

Prior to Issuance of Any Certificate of Occupancy:

143. **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.

144. **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.

145. **Plant & Irrigate Slopes** – All manufactured slopes shall be irrigated and landscaped with grass or approved ground cover, and shall have some type of drainage swale at the toe of the slope to collect runoff. Slopes greater than or equal to 3' in vertical height shall have erosion control measures provided. Slopes that exceed 15' in vertical height are to be planted with additional shrubs and trees as approved by the Public Works / Engineering Department. Drip irrigation shall be provided for all irrigated slopes.

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

146. **Common Area Maintenance** – Any common areas identified in the Plot Plan shall be owned and maintained as follows:

- a. A permanent master maintenance organization shall be established for the project 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 issuance of any building permit.

147. **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)
148. **CC&R Content, Submittal Process and Timing** – Prior to issuance of any building permit, the developer/property owner shall submit to the Public Works / Engineering Department for review and approval CC&R documents consisting of the following:
1. One hard copy and an electronic version of the CC&R's. A completed application form to review the CC&Rs, available at the Public Works / Engineering front counter. There is a fee associated with the application and required backup documents to review. The declaration of CC&R's shall:
 - i. provide for the establishment of a property owner's association,
 - ii. provide for the ownership of the common area by the property owner's association,
 - iii. contain provisions approved by the Public Works / Engineering Department, Community Development Department and the City Attorney,
 - iv. Contain provisions with regards to the implementation of post development Water Quality Best Management Practices identified in the project's approved WQMP.
 - v. Contain provisions notifying initial occupants, or tenants of the project of their receipt of educational materials on good housekeeping practices which contribute to the protection of storm water quality. These educational materials shall be distributed by the property owners' association and/or the developer.
 - vi. Contain provisions for allowing the City a Right of Entry to maintain BMPs that are otherwise not maintained by responsible property owners. If a separate Right of Entry Agreement has been executed, this provision is not necessary to be in the CC&Rs.
 2. As part of the CC&R document submittal, exhibit(s) identifying the areas or improvements that will be maintained by the POA, the CFD or other entities shall be provided. The exhibit shall be reviewed and approved by the City.
 3. Once approved, the developer / property owner shall provide a hard copy of the CC&R's wet-signed and notarized to the Public Works / Engineering Department. The Public Works / Engineering Department shall record the original declaration of CC&R's prior to or issuance of any building permit.
 4. A deposit to pay for the review of the CC&Rs pursuant to the City's current fee schedule at the time the above-referenced documents are submitted to the Public Works / Engineering Department.

D. STREETS AND DEDICATIONS

149. **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 Normandy Road and Berea Road along the project frontage. Vehicular access to the project as shown on the Plot Plan will be provided via three driveways. Driveway #1 is located along Berea Road just south of the existing flood control channel. Driveway #2 is located along Berea Road north of Normandy Road and across from the Driveway to the existing self-storage facility. Driveway #3 is located along Normandy Road across from the driveway into Spirit Park.

- a) **Normandy Road** – Normandy Road has previously been improved to an Enhanced Local designation with an ultimate half width Right of Way of 33 feet, 22 feet paved curb to centerline, a 6 foot sidewalk adjacent to curb and a 5 foot wide parkway. Prior to plan approval or as determined by the Public Works Director / City Engineer, the developer shall guarantee the construction of the public street improvements such that Normandy Road fronting the property to the centerline plus an additional 12 feet past centerline meets minimum City standards at the time of project construction 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) **Berea Road** – Berea Road shall be improved to a modified Collector designation with an ultimate half width Right of Way of 37 feet, 22 feet paved curb to centerline, and with a 6-foot meandering sidewalk. Prior to plan approval or as determined by the Public Works Director / City Engineer, the developer shall guarantee the construction of the public street improvements within Berea Road fronting the property to the centerline plus an additional 12 feet past centerline, 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.
- c) **Reconstruction or Resurfacing of Normandy Road and Berea Road** – The Public Works Director / City Engineer may consider reconstruction or resurfacing of existing Normandy Road, Berea Road paving fronting the development to meet existing conditions with acceptable overlays, provided the road is found to meet the minimum City standards for pavement conditions at the time of project construction. If it is determined

during project construction that the existing road is found to be substandard, then the Public Works Director / City Engineer will require the developer / property owner to provide full reconstruction as provided for in these conditions of approval. At the discretion of the City Engineer, the developer may core the existing pavement during project design to confirm the adequate section, 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.

150. **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.
151. **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.
152. **Acceptance of Public Roadway Dedication and Improvements** – Easements and right-of way for public roadways shall be granted to the City through an acceptable recordable instrument.
153. **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.
154. **Paving or Paving Repairs** – The applicant shall be responsible for obtaining the paving inspections required by City of Menifee standards and ordinances. Paving and/or paving repairs for utility street cuts shall be per City of Menifee Standards and Specifications and as approved by the Public Works Director / City Engineer.
155. **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.
156. **Signing and Striping** – A signing and striping plan for Normandy Road and Berea Road is required for this project. The applicant shall be responsible for any additional paving and/or striping removal caused by the striping plan.
157. **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.

158. **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:

159. **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.
160. **Improvement Bonds** – Prior to issuance of any construction permit for all required onsite and offsite public improvements the developer/project owner shall post acceptable bonds or security to guarantee the construction of all required improvements. The bonds shall be in accordance with all applicable City ordinances, resolutions and municipal codes (*See also bond agreement condition under General Condition*).
161. **Berea Road Dedication.** The developer / property owner shall construct or guarantee the construction of Berea Road 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 Berea Road right of way fronting the development through and acceptable recordable instrument prior to issuance of any building permit. A dedication of 22 feet is required along the project frontage.

Prior to Issuance of Any Certificate of Occupancy:

162. **Normandy Road Improvements** – Improvements on Normandy Road fronting the development shall be completed to an Enhance Local designation with an ultimate half width Right of Way of 33 feet and 22 feet paved curb to centerline prior to issuance of Certificate of Occupancy. 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.
163. **Berea Road Improvements** – Improvements on Berea 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 prior to issuance of Certificate of Occupancy. 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.
164. **Berea Road Improvement Extension** – The improvements along Berea Road shall extend north of the project frontage in front of the existing storm drain channel and tie into the existing curb and gutter and sidewalk. The design for the

improvements shall be submitted on the street improvement plans for review and approval by the City.

165. **Driveways and Driveway Approaches** – Driveways and Driveway Approaches as shown on the approved Plot Plan 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.

E. TRAFFIC ENGINEERING

166. **Traffic Study** – The following report was reviewed and approved by the City:

Traffic Study, Boulders Mixed-Use Project, prepared by LSA Associates, Inc., dated July 2020.

The Traffic Study was updated for the Major Modification to the Plot Plan with the following memorandum:

Boulders Mixed Use Project Daycare Modification Trip Generation Analysis, prepared by LSA Associates, Inc., dated May 24, 2022.

The development shall comply with all the improvements and mitigation measures identified to be constructed or provided in the traffic study approved by the Public Works / Engineering Department. 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.

Prior to Issuance of Construction Permit:

167. **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.
168. **Signing and Striping Plan** – Prior to issuance of a construction permit, any necessary signing and striping plan for Normandy Road and Berea Road shall be approved by the City Traffic Engineer in accordance with City ordinances, standards and specifications, and with the latest edition of the CAMUTCD.
169. **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.
170. **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.

Prior to Issuance of Any Certificate of Occupancy:

171. **Construction of Roadway Improvements** – The developer / property owner shall design and construct the following roadway improvements:

- a. **Berea Road Frontage Improvements** - Construct Berea Road to its ultimate half section width as a modified Collector designation along the project frontage. Appropriate transitions shall be provided as approved by the City Traffic Engineer. The design shall be finalized during review of final construction drawings.
- b. **Normandy Road Frontage Improvements** - Construct Normandy Road to its ultimate half section as an Enhance local designation along the project frontage. Appropriate transitions shall be provided as approved by the City Traffic Engineer. The design shall be finalized during review of final construction drawings.
- c. **Berea Road Driveway #1** – Construct the following improvements at the northern Berea 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 lane and left turn lane
- d. **Berea Road Driveway #2** – Construct the following improvements at the southern Berea Road driveway intersection:
 - i. Northbound: one shared through / right turn lane
 - ii. Southbound: one shared through / left turn lane
 - ii. Westbound: one shared right turn lane and left turn lane
- e. **Normandy Road Driveway #3** – Construct the following improvements at the Normandy Road driveway intersection:
 - i. Eastbound: One shared through / left turn lane

- ii. Westbound: One shared through / right turn lane
- iii. Southbound: One shared left turn / right turn lane

172. **Intersection Geometrics** – The following street intersections shall be improved with the following geometrics:

- a. Normandy Road and Berea Road Intersection Improvements
 - i. Southbound: Existing geometrics to be retained
 - ii. Northbound: Existing geometrics to be retained
 - iii. Westbound: Existing geometrics to be retained
 - iv. Eastbound: Existing geometrics to be retained

173. **Fair Share Cost Participation for Off-site Improvements** – the developer / property owner shall pay fair share costs for off-site improvements as detailed below prior to issuance of a certificate of occupancy. The fair share cost estimates shall be based on conceptual exhibits prepared by the developer, reviewed and approved by the Public Works Director / City Engineer. The conceptual exhibits shall show the proposed improvements overlain onto the existing roadway in order to determine the cost of said improvement. These fair shares are determined as follows:

- k. **Newport Road at Bradley Road Traffic Signal Optimization** – The developer / property owner shall contribute a fair share construction cost of 7.5% toward the optimization of the traffic signal at Newport Road and Bradley Road.

F. NPDES and WQMP

174. **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.

175. **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.

176. **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. The existing catch basin on the east side of Berea Road, between the northern project boundary and Dorval Court shall be retrofitted with a catch basin insert device selected from the list of approved devices by the Santa Ana Regional Water Quality Control Board.

Prior to Grading Permit Issuance:

177. **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, Boulders Menifee Mixed Use Development, WQ20-0243, prepared by Kolibrien, dated June 30, 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. Prior to approval of the precise grading plan, an updated Final WQMP with changes from the Major Modification to the Plot Plan 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*

178. **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.

179. **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 A Certificate of Occupancy:

180. **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.

181. **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.
182. **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.

G. WATER, SEWER, AND RECYCLED WATER

183. **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.
184. **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.
185. **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 approval of improvement plans.
186. **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.

187. **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.

H. CITYWIDE COMMUNITY FACILITIES MAINTENANCE DISTRICT (CFD)

Prior to Building Permit Issuance:

188. **Annexation to the Citywide Community Facilities District (CFD)** –Prior to issuance of any building permit, the developer / property owner shall complete the annexation of the proposed development, into the boundaries of the City of Menifee citywide Community Facilities Maintenance District (Services). The citywide CFD shall be responsible for:

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

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

189. **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 certificate of occupancy. The developer shall be responsible for all costs associated with the preparation of the CFD annexation agreement. The agreement shall be approved by the City Council prior to issuance of a building permit.

190. **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.

191. **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.

192. **Landscaping on Normandy Road and Berea Road** – The parkway areas behind the sidewalk within the public right-of-way fronting the entire property along Normandy Road and Berea Road shall be landscaped and irrigated per City standards and guidelines. These areas shall be maintained by the CFD.

193. **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.

I. WASTE MANAGEMENT

194. **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

195. **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:

196. **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.

197. **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

198. **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.

J. FEES, DEPOSITS AND DEVELOPMENT IMPACT FEES

199. **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), any applicable Traffic Signal Mitigation Fees, Development Impact Fees (DIF), Road and Bridge Benefit District (RBBB) Fee, and any applicable regional fees. 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.

200. **Road Bridge Benefit District (RBBB)** – This project is within the Menifee Valley Zone B Road Bridge and Benefit District (RBBB). The applicant shall pay the RBBB fees based on the designated land use and areas, prior to issuance of a building permit. Should the project proponent choose to defer the time of payment, a written request shall be submitted to the City, deferring said payment from the time of issuance of a building permit to issuance of a certificate of occupancy. Fees which are deferred shall be based upon the fee schedule in effect at the time of issuance of the permit of each parcel.
201. **TUMF Fees** – Prior to the issuance of an occupancy permit, the developer / property owner shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance, pursuant to adopted City Ordinance governing the TUMF program.

Section IV:
Building and Safety Department
Conditions of Approval

General Requirements

202. Final Building & Safety Conditions. Final Building & Safety Conditions will be addressed when building construction plans are submitted to Building & Safety for review. These conditions will be based on occupancy, use, the California Building Code (CBC), and related codes which are enforced at the time of building plan submittal.
203. Compliance with Code. All Design components shall comply with applicable provisions of the 2019 edition of the California Building, Plumbing and Mechanical Codes; 2019 California Electrical Code; California Administrative Code, 2019 California Energy Codes, 2019 California Green Building Standards, California Title 24 Disabled Access Regulations, and City of Menifee Municipal Code.
204. ADA Access. Applicant shall provide details of all applicable disabled access provisions and building setbacks on plans to include:
- a. Disabled access from the public way to the main entrance of the building.
 - b. Van accessible parking located as close as possible to the main entrance of the building.
 - c. Accessible path of travel from parking to the furthest point of improvement.
 - d. Path of accessibility from parking to furthest point of improvement.
 - e. Accessible path of travel from public right of way to all public areas on site, such as enclosures, clubhouses and picnic areas.
205. County of Riverside Mount Palomar Ordinance. Applicant shall submit, at the time of plan review, a complete exterior site lighting plan with a “photometric study” showing compliance with County of Riverside Mount Palomar Ordinance Number 655 for the regulation of light pollution. All streetlights and other outdoor lighting shall be shown on electrical plans submitted to the Building & Safety Department. Any outside lighting shall be hooded and aimed not to shine directly upon adjoining property or public rights-of-way. All exterior LED light fixtures shall be 3,000 kelvin and below.
206. Street Name Addressing. Applicant must obtain street name addressing for all proposed buildings by requesting street name addressing and submitting a site plan for commercial, residential/tract, or multi-family residential projects.
207. Obtain Approvals Prior to Construction. Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.
208. Obtaining Separate Approvals and Permits. Trash Enclosures, patio covers, light standards, and any block walls will require separate approvals and permits. Solid covers are required over new and existing trash enclosures.
209. Demolition. (If applicable) Demolition permits require separate approvals and permits. AQMD notification and approval may be required.

210. Sanitary Sewer and Domestic Water Plan Approvals. On-site sanitary sewer and domestic water plans will require separate approvals and permits from Building and Safety. A total of 6 sets shall be submitted.
211. Hours of Construction. Signage shall be prominently posted at the entrance of the project indicating the hours or construction, as allowed by the City of Menifee Municipal Ordinance 8.01.010, for any site within one-quarter mile of an occupied residence. The permitted hours of construction are Monday through Saturday 6:30am to 7:00pm. No work is permitted on Sundays and nationally recognized holidays unless approval is obtained from the City Building Official or City Engineer.
212. House Electrical Meter. Provide a house electrical meter to provide power for the operation of exterior lighting, irrigation pedestals and fire alarm systems for each building on the site. Developments with single user buildings shall clearly show on the plans how the operation of exterior lighting and fire alarm systems when a house meter is not specifically proposed.
213. Roof Drains. Drainage water collected from a roof, awning, canopy or marquee, and condensate from mechanical equipment shall not flow over a public walking surface.
214. Protection and penetration. Protection of joints and penetrations in fire resistance-rated assemblies shall not be concealed from view until inspected for all designed fire protection. Required fire seals/fire barriers in fire assemblies at fire resistant penetrations shall be installed by individuals with classification or certification covering the installation of these systems. Provide certification for the installation of each area and certification of compliance for Building Officials/Fire Marshal's approval.

At Plan Review Submittal

215. Submitting Plans and Calculations. Applicant must submit to Building & Safety seven (7) complete sets of plans and two (2) sets of supporting documents, two (2) sets of calculations or, one set of each required document for electronic submittals for review and approval including:
 - a. An electrical plan including load calculations and panel schedule, plumbing schematic, and mechanical plan applicable to scope of work.
 - b. A precise grading plan to verify accessibility for persons with disabilities.
 - c. Truss calculations that have been stamped by the engineer of record of the building and the truss manufacturer engineer. Maybe a deferred submittal.
 - d. Eastern Municipal Water District (EMWD) First Release Required.

Prior to Issuance of Grading Permits

216. Onsite Domestic Water and Sanitary Sewer Plans. Onsite domestic water and sanitary sewer plans, submitted separately from the building plans, shall be submitted to Building & Safety for review and approval.

217. Demolition Permits. (If applicable) A demolition permit shall be obtained if there is an existing structure to be removed as part of the project. AQMD shall be notified and a Permit/Release shall be submitted to Building and Safety, Prior to Permit Issuance.

Prior to Issuance of Building Permits

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

Prior to Start of Construction

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

Prior to Temporary Certificate of Occupancy

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

Prior to Certificate of Occupancy

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

Prior to Final Inspection

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

Section V:
Riverside County Fire Department
Conditions of Approval

General Requirements

It is the responsibility of the recipient of these Fire Department conditions to forward then to all interested parties. The permit number (PLN20-0167) is required on all correspondence.

Additional information is available at our website: www.rvcfire.org

Questions should be directed to the Riverside County Fire Department, Office of the Fire Marshal at City of Menifee 29844 Haun Rd., Menifee, CA 92586. Phone (951)723-3767

With respect to the conditions of approval for the referenced project, the Fire Department requires the following fire protection measures be provided in accordance with Riverside County Ordinances and/or recognized fire protection standards:

224. **BLUE DOT REFLECTORS** - Blue retro-reflective pavement markers shall be mounted on private streets, public streets and driveways to indicate location of fire hydrants. Prior to installation, placement of markers must be approved by the Riverside County Fire Department.
225. **HYDRANT SPACING** - Fire protection approved standard fire hydrants, (6"x 4"x 2 1/2") locate one at each street intersection and space no more than 500 feet apart in any direction, with no portion of any lot frontage more than 250 feet from hydrant. Minimum fire flow shall be 1000 GPM for 2 hours duration at 20 PSI. Shall include perimeter streets at each intersection and spaced 660 feet apart.
226. **HYDRANT FIRE FLOW**- Fire Hydrant(s) shall be capable of delivering fire flow as required by the California Fire Code and Riverside County Fire Department standards.
227. **FIRE HYDRANT** - As required by the California Fire Code, when any portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Prior to Issuance of Grading Permit(s)

228. **Turning Radius** - Minimum outside turning radius on any cul-de-sac shall be 37-feet for single family dwelling tracts and 45 feet for commercial and multi-family dwelling tracts.
229. **Cul-de-sac**. -Maximum cul-de-sac shall not exceed 1,320 feet.
230. **All Weather Access Roads**. Fire apparatus access roads and driveways shall be designed and maintained to support the imposed loads of fire apparatus and shall be with a surface to provide all-weather driving capabilities. Access roads shall be 75,000 lbs. GVW with a minimum of AC thickness of .25 feet.
231. **Access Road Widths**. Fire Department vehicle access roads shall have a clear unobstructed width of not less than 24 feet for commercial, multifamily and

track home roads with an unobstructed vertical clearance of not less than 13 feet 6 inches. Nothing can impede this clear width for fire department access.

232. Gradient of Access Roads. The gradient for fire apparatus access roads shall not exceed 15 percent.
233. Two Point Access. This development shall maintain two points of access, via all-weather surface roads, as approved by the Fire Prevention Department.
234. Dead Ends. Dead end roadways and streets in excess of 150 feet which have not been completed shall have a turnaround capable of accommodating fire apparatus.

Prior to Map Recordation

235. DRIVEWAY REQUIREMENTS- ECS map must be stamped by the Riverside County Surveyor with the following note: Access will not have an up, or downgrade of more than 15%. Access will not be less than 24 feet in width per the 2019 CFC and will have a vertical clearance of 15'. Access will be designed to withstand the weight of 75 thousand pounds over 2 axles. Access will have a turning radius of 38 feet capable of accommodating fire apparatus.
236. GATE ENTRANCES- ESC map must be stamped by the Riverside County Surveyor with the following note: Gate entrances shall be at least two feet wider than the width of the traffic lanes) serving that gate. Any gate providing access from a road to a driveway shall be located at least 35 feet setback from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. here a one-way road with a single traffic lane provides access to a gate entrance, 38 feet turning radius shall be used.
237. FIRE EMERGENCY GATE- Gates serving as Fire Truck Access and second means of egress and ingress shall have gates free swinging gate access. Gates shall be operable from both directions.
238. WATER PLANS- The applicant or developer shall furnish one copy of the water system plans to the Fire Department for review. Plans shall be signed by a registered civil engineer, containing a Fire Department approval signature block, and shall conform to hydrant type, location, spacing and minimum fire flow. Once plans are signed by the local water company, the originals shall be presented to the Fire Department for signature.
239. ECS Water-Combustible. ECS map must be stamped by the Riverside County Surveyor with the following note: The required water system, including fire hydrants, shall be installed and accepted by the appropriate water agency prior to any combustible building material placed on an individual lot.
240. HYDRANT WATER- ECS map must be stamped by the Riverside County Surveyor with the following note: Prior to the issuance of a building permit, a water system for fire protection must be provided, either: 1) a domestic water system with an approved fire hydrant within 500' of the driveway entrance, or 2) a private well

system with a water storage tank of sufficient size, as approved by the Riverside County Fire Department.

241. SECONDARY ACCESS- In the interest of Public Safety, the project shall provide an Alternate or Secondary Access(s). Said Alternate or Secondary Access(s) shall have concurrence and approval of both the Transportation Department and the Riverside County Fire Department.

Prior to Building Permit Issuance

242. TRACT WATER VERIFICATION- The required water system, including all fire hydrant(s), shall be installed and accepted by the appropriate water agency and the Riverside County Fire Department prior to any combustible building material placed on an individual lot. Contact the Riverside County Fire Department to inspect the required fire flow, street signs, all weather surface, and all access and/or secondary. Approved water plans must be at the job site.
243. HYDRANT SYSTEM- Prior to the release of your installation, site prep and/or building permits from Building and Safety. Written certification from the appropriate water district that the required fire hydrant(s) are either existing or that financial arrangements have been made to provide them. Also, a map or APN page showing the location of the fire hydrant and access to the property.
244. SECONDARY/ALTER ACCESS- In the interest of Public Safety, the project shall provide An Alternate or Secondary Access(s). Said Alternate or Secondary Access(s) shall have concurrence and approval of both the Transportation Department and the Riverside County Fire Department. Alternate and/or Secondary Access(s) shall be completed and inspected per the approved plans.
245. REQUIRED SUBMITTALS (FIRE SPRINKLERS)- Fire sprinkler plans shall be submitted to the Fire Prevention Department for approval. Three sets of sprinkler plans must be submitted by the installing C-16 contractor to the Fire Prevention Department. If plans are done by a licensed Fire Protection Engineer, then the installing (C-16) contractor will be added to the permit prior to installation of the sprinkler system. These plans must be submitted prior to the issuance of building permit.
246. REQUIRED SUBMITTALS (FIRE ALARM) - Fire alarm plans shall be submitted to the Fire Prevention Department for approval. Three sets of alarm plans must be submitted by the installing (C-10) contractor to the Fire Prevention Department. If plans are done by a licensed Fire Protection Engineer, then the installing (C-10) contractor will be added to the permit prior to installation of the alarm system. The fire alarm system is required to have a dedicated circuit from the house panel. These plans must be submitted prior to the issuance of building permit.
247. FIRE SPRINKLER RISER ROOM-Each structure, with the exception of single-family dwelling units and duplexers, will require a fire sprinkler riser room with direct exterior access. This fire sprinkler riser room will house the fire sprinkler riser and the fire alarm control panel. It will not share with any other equipment.

Prior to Final Inspection

248. VERIFICATION INSPECTION - PRIOR TO MOVING INTO THE RESIDENCE YOU SHALL CONTACT THE RIVERSIDE COUNTY FIRE DEPARTMENT TO SCHEDULE AN INSPECTION FOR THE ITEMS THAT WERE SHOWN AT THE BUILDING PERMIT ISSUANCE IE: ACCESS, ADDRESSING, WATER SYSTEM AND/OR FUEL MODIFICATION.
249. RESIDENTIAL SPRINKLERS - Residential fire sprinklers are required in all one- and two-family dwellings per the California Residential code, California Building Code and the California Fire Code. Install Fire Sprinkler Systems per NFPA 13, 13D, 13R, 2019 Edition. Plans must be submitted to the Fire Dept. for review and approval prior to installation.
250. HYDRANT VERIFICATION - Hydrant locations shall be identified by the installation of reflective markers (blue dots).
251. ADDRESSING - New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Commercial, multi-family residential and industrial buildings shall have a minimum of 12-inch numbers with suite numbers being a minimum of six inches in size. All suites shall have a minimum of 6-inch-high letters and/or numbers on both the front and rear doors. Single family residences and multi-family residential units shall have 4-inch letters and/or numbers, as approved by the Fire Prevention Department.
252. ADDRESS DIRECTORY (MULTI FAMILY) - A directory display monument sign shall be required for apartment, condominium, townhouse or mobile home parks. Each complex shall have an illuminated diagrammatic layout of the complex which indicates the name of the complex, all streets, building identification, unit numbers, and fire hydrant locations within the complex. Location of the sign and design specifications shall be submitted to and be approved by the Fire Prevention Department prior to installation.
253. KNOX BOX- A "Knox-Box" shall be provided. The Knox-Box shall be installed a minimum of six feet in height and be located to the right side of the fire riser sprinkler room. Knox applications can be obtained from the Fire Prevention Department.
254. GATES & ACCESS- All manual and electronic gates on required Fire Department access roads or gates obstructing Fire Department building access shall be provided with the Knox Rapid entry system AND Opticom Strobe for emergency access by firefighting personnel.
255. SITE PLAN (FIRE LANES)- The applicant shall prepare and submit to the Fire Prevention Department for approval, a site plan designating fire lanes with appropriate lane painting and/or signs.

Section VI:
Riverside County Environmental
Health Conditions of Approval

General Conditions

256. **Riverside County Department of Environmental Health.** The project shall comply with the Riverside County Department of Environmental Health letter dated October 12, 2021 (attached at end of Conditions of Approval document).



County of Riverside
DEPARTMENT OF ENVIRONMENTAL HEALTH

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

October 12, 2021

City of Menifee, Planning Department
Attn: Ryan Fowler
29714 Haun Road
Menifee, CA 92586

**SUBJECT: PLN21-0167 and CUP PLN20-0168 THE BOULDERS
(ASSESSORS PARCEL NO. 339-200-080)**

Dear Mr. Fowler,

The project listed in the subject heading of this letter proposes development of a mixed-use commercial and multiple family residential project consisting of office building, a day care building with outdoor play area, and a 234-unit apartment complex with a clubhouse on 10.14 gross acres. The project is located at the northeast corner of Normandy Road and Berea Road, in the City of Menifee.

In accordance with the agreement between the County of Riverside, Department of Environmental Health (DEH) and the City of Menifee, DEH has reviewed the planning case referenced in the subject heading of this letter and provides the following recommendations:

POTABLE WATER AND SANITARY SEWER SERVICE:

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

Prior to building permit issuance, provide documentation that establishes water and service for the project from EMWD.

REMOVAL/ABANDONMENT OF ANY EXISTING OWTS AND WELLS:

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

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

HAZARDOUS MATERIALS MANAGEMENT BRANCH

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

ENVIRONMENTAL CLEANUP PROGRAMS

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

For this project, the City of Menifee is taking on the responsibility to review the above aspects of the project.

DISTRICT ENVIRONMENTAL SERVICES (DES)

Prior to issuance of a building permit, the applicant shall be required to contact DES to determine the appropriate pool and spa plan check and permitting requirements per California Health and Safety Code.

Prior to issuance of Building and Safety permit, the applicant shall be required to contact DES to determine the appropriate food plan check and permitting requirements per California Health and Safety Code/California Retail Food Code.

For further information, please call (951) 766-2824.

County of Riverside, Department of Environmental Health
District Environmental Services – Hemet Office
800 S. Sanderson Ave
Hemet CA 92545

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

Sincerely,
Kristine Kim, Supervising REHS
Environmental Cleanup Program

City of Menifee PLN21-0167

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)

