

EXHIBIT “A”
CONDITIONS OF APPROVAL

Planning Application No.: Tentative Tract Map No. 37671 (PLN19-007)

Project Description: Tentative Tract Map No. 37671 PLN 19-007 proposes a subdivision consisting of 182 detached single-family homes with a minimum lot size of 6,000 square feet on a 64-acre site with a density of 2.8 dwelling units per acre. The tract will include 7.5 acres of open space/landscape parcels, and a 2.9-acre public park.

The project site is located on the south side of Domenigoni Parkway and west of Briggs Road within the Menifee Village Specific Plan.

SP Planning Area: Menifee Village Specific Plan PA 4-6

MSHCP Category: Residential (between 0 to 8 du/ac)

DIF Category: Single-Family Residential

TUMF Category: Single-Family Residential (contact WRCOG)

Quimby Category: Single-family residential for detached dwelling units

Approval Date: December 14, 2022

Expiration Date: December 14, 2025

Within 48 Hours of the Approval of This Project

1. **Filing Notice of Exemption.** The applicant/developer shall deliver to the Planning Division a cashier's check or money order made payable to the City of Menifee in the amount of Two Thousand Five Hundred and Ninety-eight Dollars (\$2,598) which includes the Two Thousand Four Hundred and Forty-eight Dollars (\$2,548) fee, required by Fish and Wildlife Code Section 711.4(d)(3) plus the Fifty Dollars (\$50.00) County administrative fee, to enable the City to file the Notice of Determination (ND) for the Mitigated or Negative Declaration (MND) 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 No. PLN 21-0057 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 = Tentative Tract Map and Conceptual Grading Plan for TTM No. 37671 PLN 19-007.

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. **Expiration Date.** This approval shall be used within three (3) years of the approval date; otherwise, it shall become null and void and of no effect whatsoever. By use is meant the beginning of substantial construction contemplated by this approval within 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.
6. **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

7. **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.
8. **Map Act Compliance.** This land division shall comply with the State of California Subdivision Map Act and to all requirements of Ordinance No. 460, unless modified by the conditions listed herein.
9. **Specific Plan.** The applicant shall comply with the Menifee Village Specific Plan standards and regulations.
10. **MMRP.** The applicant shall comply with the MMRP adopted for Tract 32101.
11. **No Offsite Subdivision Signage.** No offsite subdivision signs advertising this land division/development are permitted, other than those allowed under the Menifee Municipal Code Section. Violation of this condition of approval may result in no further permits of any type being issued for this subdivision until the unpermitted signage is removed
12. **Design Guidelines.** The land divider shall comply with the City-wide design guidelines.
13. **Phased Construction.** If construction is phased, a phasing plan for construction and landscaping installation shall be approved by the Community Development Director.
14. **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.
15. **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.

ARCHEOLOGY

16. **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.
17. **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).
18. **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.”

19. 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.

20. **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

21. **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).
22. **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.
23. **Landscape Submittals.** All on-site landscape plans shall be submitted to Community Development Department and all off-site landscape plans shall be submitted to Public Works Department.
24. **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.

25. **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.
26. **Landscape Maintenance.** The land divider, or any successor-in-interest to the land divider, shall be responsible for maintenance and upkeep of all slopes, landscaped areas and irrigation systems within the land division until such time as those operations are the responsibility of a property owner's association, or any other successor-in-interest.

FEES

27. **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 Final Map

28. **Final Map Required.** After the approval of the TENTATIVE MAP and prior to the expiration of said map, the land divider shall cause the real property included within the TENTATIVE MAP, or any part thereof, to be surveyed and a FINAL MAP thereof prepared in accordance with the current Engineering Department - Survey Division requirements, the conditionally approved TENTATIVE MAP, and in accordance with Article IX of Ordinance No. 460.
29. **Licensed Surveyor.** The FINAL MAP shall be prepared by a licensed land surveyor or registered civil engineer.
30. **Surveyor Checklist.** The City Engineering Department - Survey Division shall review any FINAL MAP and ensure compliance with the following:
- A. All lots on the FINAL MAP shall be in substantial conformance with the approved TENTATIVE MAP relative to size and configuration.
 - B. All lot sizes and dimensions on the FINAL MAP shall be in conformance with the development standards of the Menifee Municipal Code, Menifee Village Specific Plan and General Plan
 - C. The common open space areas shall be shown as a numbered lot on the FINAL MAP.
31. **ECS.** The land divider shall prepare an Environmental Constraints Sheet (ECS) in accordance with Menifee Municipal Code, which shall be submitted as part of the plan check review of the FINAL MAP. A note shall be placed on the FINAL

MAP "Environmental Constraint Sheet affecting this map is on file at the City of Menifee Public Works and Engineering Department, in E.C.S Book ___, Page ___.

32. **Maintenance Exhibit.** Prior to map recordation, the developer shall prepare an exhibit that shows all open space lots within the tract and the maintenance entity for each lot. The exhibit shall be reviewed and approved by the Community Development Department and Public Works and Engineering Department.
33. **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.

Prior to Issuance of Grading Permit

34. **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.
 - a. 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.
 - b. 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.
 - c. 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:
 - d. Project grading and development scheduling;
 - i. 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

- ii. 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.

35. Native American Monitoring (Pechanga). Tribal monitor(s) shall be required on-site during all ground-disturbing activities, including grading, stockpiling of materials, engineered fill, rock crushing, etc. The land divider/permit holder shall retain a qualified tribal monitor(s) from the Pechanga Band of Luiseno Indians. Prior to issuance of a grading permit, the developer shall submit a copy of a signed contract between the above-mentioned Tribe and the land divider/permit holder for the monitoring of the project to the Community Development Department and to the Engineering Department. The 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.

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

37. 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:

- a. 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 which exceeds 5 feet in depth in native sedimentary.
- b. The project paleontologist retained shall review the approved Tentative Tract Map 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.

c. 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:

- i. 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.
- ii. 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.
- iii. 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.
- iv. 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.
- v. 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.
- vi. 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.

- vii. The City of Menifee must be consulted on the repository/museum to receive the fossil material prior to being curated.
 - viii. 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.
 - ix. 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.
38. **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 for this project which must be satisfied prior to issuance of grading permits. The Community Development Director may require inspection or other monitoring to ensure such compliance.
39. **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 and the conditions of approval.
40. **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.

41. **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.

Prior to Issuance of Building Permit

42. **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 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.

43. **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.
44. **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.
45. **Roof Mounted Equipment.** Roof-mounted mechanical equipment shall not be permitted within the subdivision, however, solar equipment or any other energy-saving devices shall be permitted with Community Development Department approval.
46. **Utilities Underground.** All utility extensions within a lot shall be placed underground.

MINOR PLANS REQUIRED

47. **Landscaping Plans.** The land divider/permit holder shall file electronic Landscaping and Irrigation Plan to the Community Development Department for review and approval. Said plan shall be submitted to the Department in the form of a plot plan application pursuant to Menifee Municipal Code, along with the current fee. The plan shall be in compliance with the Menifee Municipal Code and the TENTATIVE MAP conditions of approval.

The plan shall address all areas and conditions of the tract requiring landscaping and irrigation to be installed including, but not limited to, open space lots including slope planting, common area, and individual front yard landscaping. Emphasis shall be placed on using plant species that are drought tolerant and low water using.

The plans shall provide for the following:

- 1) Permanent automatic irrigation systems shall be installed on all landscaped areas requiring irrigation. Low water use systems are encouraged.
- 2) All utility service areas and enclosures shall be screened from view with landscaping and decorative barriers or baffle treatments, as approved by the Community Development Department. Utilities shall be placed underground.
- 3) Any required landscape screening shall be designed to be opaque up to a minimum height of six (6) feet at maturity.

- 4) Parkways and landscaped building setbacks shall be landscaped to provide visual screening or a transition into the primary use area of the site. Landscape elements shall include earth berming, ground cover, shrubs, and specimen trees in conjunction with meandering sidewalks, benches, and other pedestrian amenities where appropriate as approved by the Community Development Department.
- 5) Landscaping plans shall incorporate the use of specimen accent trees at key visual focal points within the project.
- 6) Landscaping plans shall incorporate native and drought tolerant plants where appropriate.
- 7) Turf shall be eliminated in areas unless provided for active uses.
- 8) All basins for drainage and/or water quality shall be screened from view with landscaping.
- 9) All specimen trees and significant rock outcroppings on the subject property intended for retention shall be shown on the project's grading plans. Replacement trees for those to be removed shall also be shown.
- 10) All trees shall be minimum double-staked. Weaker and/or slow-growing trees shall be steel-staked.
- 11) Multi-programmable irrigation controllers which have enough programs to break up all irrigation stations into hydro zones shall be used. If practical and feasible, rain shutoff devices shall be employed to prevent irrigation after significant precipitation. Irrigation systems shall be designed so areas which have different water use requirements are not mixed on the same station (hydro zones). Assistance in implementing a schedule based on plant water needs is available from CIMIS or Mobile Lab. The use of drip irrigation should be considered for all planter areas that have a shrub density that will cause excessive spray interference of an overhead irrigation system. Use flow reducers to mitigate broken heads next to sidewalks, streets, and driveways.
- 12) Plants with similar water requirements shall be grouped together in order to reduce excessive irrigation runoff and promote surface filtration, where possible.

The landscaping and irrigation plans for the park shall be consistent with the Tentative Map.

NOTES: The Landscape plot plan may include the requirements of any other minor plot plan required by the subdivision conditions of approval. However, minor plot plan conditions of approval shall be cleared individually. Landscaping plans for areas that are totally within the road right-of-way shall be submitted to the Engineering Department ONLY.

48. Entry Monument Plans. The land divider/permit holder shall file electronic Entry

Monument plot plan to the Community Development Department for review and approval. Said plan shall be submitted to the Department in the form of a plot plan application pursuant to Menifee Municipal Code along with the current fee. The plan shall be in compliance with Menifee Municipal Code, and the TENTATIVE MAP conditions of approval.

The plot plan shall contain the following elements:

- 1) A color rendering of a frontal view of all/the entry monument(s) with landscaping.
- 2) A plot plan of the entry monuments with landscaping drawn to an engineer's scale. If lighting is planned, the location of lights, their intended direction, and proposed power shall be indicated.
- 3) An irrigation plan for the entry monument(s).

NOTE: The requirements of this plot plan may be incorporated with any minor plot plan required by the conditions of approval for this subdivision. However, this ENTRY MONUMENT condition of approval shall be cleared individually.

49. Model Home Complex. A plot plan application shall be submitted to the Community Development Department pursuant to Menifee Municipal Code along with the current fee.

The Model Home Complex plot plan shall contain the following elements:

- 1) An engineer's scaled plan showing the model home lots, lot numbers, tract number, and north arrow.
- 2) Show front, side and rear yard setbacks.
- 3) Provide two dimensioned off street parking spaces per model and one parking space for office use. The plan must have one accessible parking space.
- 4) Show detailed fencing plan including height and location.
- 5) Show typical model tour sign locations and elevation.
- 6) Electronic colored elevations shall be submitted for permanent filing and agency distribution after the Community Development Department has reviewed and approved the sample board and colored elevations in accordance with the approved Design Manual and other applicable standards. All writing must be legible. Three (3) matrix sheets showing structure colors and texture schemes shall be submitted.
- 7) Provide a Model Home Complex landscape and irrigation plan.

NOTES: The Model Home Complex plot plan shall not be approved without Final Site Development Plan approval, or concurrent approval of both. See

the Community Development Department Model Home Complex application for detailed requirements.

The requirements of this plot plan may be incorporated with any minor plot plan required by the subdivision's conditions of approval. However, this MODEL HOME COMPLEX condition of approval shall be cleared individually.

The applicant will be required to enter into a model home complex agreement with the City of Menifee. The agreement stipulates terms for removal of the complex.

The model home complex plan shall be approved prior to issuance of a Building Permit.

50. **Final Site of Development Plan.** A plot plan application shall be submitted to the Community Development Department pursuant to Menifee Municipal Code, along with the current fee.

Subdivision development shall conform to the approved plot plan and shall conform to the City of Menifee Design Guidelines.

The plot plan shall be approved by the Community Development Director prior to issuance of Building Permits for lots included within that plot plan.

The plot plan shall contain the following elements:

- 1) A final site plan (40' scale precise grading plan) showing all lots, building footprints, setbacks, mechanical equipment and model assignments on individual lots.
- 2) Each model floor plan and elevations (all sides).
- 3) Electronic colored elevations shall be submitted for permanent filing and agency distribution after the Community Development Department has reviewed and approved the sample board and colored elevations in accordance with the approved Design Manual and other applicable standards. All writing must be legible. Three (3) matrix sheets showing structure colors and texture schemes shall be submitted.
- 4) The number of floor plans for each Area shall be in accordance with the Design Guidelines. For development projects that are to be constructed in phases, a phasing plan shall be submitted to assure that the requirements for the number of floor plans is being met.
- 5) Homes and garages shall be placed at varying distances from the street and have varying entry locations.
- 6) The colors and materials on adjacent residential structures should be varied to establish a separate identity for the dwellings. A variety of colors

and textures of building materials is encouraged, while maintaining overall design continuity in the neighborhood. Color sample boards shall be submitted as a part of the application and review process.

- 7) All new residences with garages shall be provided with roll-up (i.e. on tracks) garage doors (either sectional wood or steel). At least twenty-five percent (25%) of the garage doors in any project should have windows.
- 8) Additional retaining walls may be required to meet setbacks and other development standards of the zone depending on the type of product utilized.

NOTE: The requirements of this plot plan may be incorporated with any minor plot plan required by this subdivision's conditions of approval. However, this FINAL SITE DEVELOPMENT plot plan condition of approval shall be cleared individually.

LANDSCAPING

51. **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.
52. **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

53. **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.
54. **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.

55. **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.
56. **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 64 acres (gross) in accordance with APPROVED EXHIBIT NO. A of TTM 37671 PLN 19-007. 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.
57. **Perris Union School District.** Impacts to the Perris Union High School District shall be mitigated in accordance with California State law.
58. **Meniffee Union School District.** Impacts to the Meniffee Union School District shall be mitigated in accordance with California State law.

Open Space Lot Timing

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 have 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.

59. **Park Plans Required.** Prior to issuance of the 35th building permit in the tract, the applicant shall submit a park plan to the City of Menifee Community Services Department and/or Community Development Department for review and approval. The plan shall be prepared consistent with the park plan requirements detailed in Menifee Municipal Code Chapter 9.86 and Park Design Guidelines, and with Menifee Municipal Code Chapter 15.04 for water efficient landscaping. If the park plan has been approved, this condition shall become null and void.
60. **Park Construction.** The park and amenities shall be installed and open to the public prior to issuance of the 135th building permit in the tract. The park and amenities shall be installed per City approved park plans. The park and amenities will be inspected by City staff to verify that this has occurred. Failure to comply with any deadline for the development of the improvements and/or amenities shall halt the issuance of building permits and suspension of all building inspections for residential dwelling units within the subdivision. If the park is under construction or is completed and has passed final inspection, this condition shall become null and void.

Prior to Final Inspection

61. **Impact Fees.** Prior to the occupancy of a building permit the applicant shall comply with the provisions of Ordinance No. 17-232, which requires the payment of the appropriate fee set forth in the Ordinance. Ordinance No. 17-232 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 Ordinance, and it establishes the authorized uses of the fees collected.

In the event Ordinance No. 17-232 is rescinded, this condition will no longer be applicable. However, should Ordinance No. 17-232 be rescinded and superseded by a subsequent City mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

62. **Archeology Report - Phase III and IV.** Prior to final inspection, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).

LANDSCAPING

63. **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?"
64. **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.
65. **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.
66. **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.

Section III-A:

Engineering/Public Works

Department

Conditions of Approval

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

A. GENERAL CONDITIONS

67. **Subdivision Map Act** - The developer / property owner shall comply with the State of California Subdivision Map Act.
68. **Entitlement.** Approval of this tentative map does not indicate approval of grading, drainage lines, or appurtenant facilities shown, or any variations from city ordinance, standard, and policy requirements which have neither been requested nor specifically approved.
69. **Guarantee for Required Improvements** Prior to grading permit issuance, or construction permit issuance, financial security shall be provided to guarantee the construction of all required improvements associated with each phase of construction. The Public Works Director may require the dedication and construction of necessary utilities, streets, or other improvements outside the area of any particular map phase if the improvements are needed for circulation, parking, and access or for the welfare and safety of future occupants of the development.
70. **Bond Agreements 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, streetlights, 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.
71. **Bond Replacement, Reduction, and Releases** - All requests for bond replacements (such as changes of property ownerships), reductions (such as partial completion of improvements), releases (such as 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.

72. **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.
73. **Engineered Plans** - All improvement plans, and grading plans shall be drawn on twenty-four (24) inches by thirty-six (36) inch Mylar and signed by a registered civil engineer or other registered/licensed professional as required.
74. **Map Phasing** – If the map is to be constructed in phases, then each phase shall be protected from the developed 100-year tributary storm flows. The necessary water quality features to mitigate the impacts due to each phase shall be constructed in accordance with the approved final water quality management plan (WQMP). The construction and bonding of all necessary improvements along with easements and/or permission from affected property owners to safely collect and discharge the concentrated or diverted 100-year tributary flows of the phase shall be required prior to the recordation of the final map.
75. **Infrastructure Phasing** – Each phase shall complete the following infrastructure as outlined in these Conditions and as shown on the approved Tentative Tract Map:
- a. Rough grading and installation of erosion control.
 - b. Construct the associated WQMP basin. WQMP basin shall be operation al and functional prior to the first certificate of occupancy. The developer/ property owner shall reserve “Biorentention Basin A” as WQMP basin on the Final Map along with the correlating bonds.
 - c. Construct the internal and any off-site street improvements in accordance with “Section D – Street Improvements and Dedications” of these conditions.
 - d. Construct the internal and any off-site storm drain improvements. Provide easements if proposed storm drain improvements are located outside of the phase boundaries and existing right-of-way/ easements. Prior to 1st Certificate of Occupancy, construct the storm drain lines along in-tract circulation road to the outlet points at WQMP Basin.
 - e. Install any traffic signals and construct any intersection improvement in accordance with “Section D – Street Improvements and Dedications” of these conditions.
 - f. Construct sanitary sewer, water, and reclaimed water improvements essential to the needs for residential development. The extent and scope of sewer, water, and reclaimed water improvements shall be as required by Eastern Municipal Water District. Provide easements if proposed sewer, water, and reclaimed water improvements are located outside the phase boundaries and existing right-of-way/easements.
76. **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.

77. **Final Map Submittal Process** – Appropriate final map plan check submittal forms shall be completed and appropriate fees or deposits paid. Prior to approval of the final map by the City Council, the developer/ property owner shall provide along with the final map mylars, electronic files of the final map, in one of the following formats: (a) AutoCAD DXF, (b) GIS shapefiles or (c) Geodatabase. CAD files created with the latest version shall be accepted if approved by the Public Works Director / City Engineer.
78. **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.
79. **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.
80. **Construction Times of Operation.** The developer / property owner shall monitor, supervise, and control all construction and construction related activities to prevent them from causing a public nuisance including, but not limited to, strict adherence to the following:
- a. Construction activities shall comply with City of Menifee ordinances relating to construction noise. Any construction within the City limits located 1/4 of a mile from an occupied residence shall be permitted Monday through Saturday, except on nationally recognized holidays, 6:30 a.m. to 7:00 p.m. in accordance with Municipal Code Section 8.01.020. There shall be no construction permitted on Sunday or nationally recognized holidays unless prior approval is obtained from the City Building Official or City Engineer.
 - b. Removal of spoils, debris, or other construction materials deposited on any public street no later than the end of each working day.

- c. The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site. Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant to remedies as set forth in the City Municipal Code. In addition, the Public Works Director / City Engineer or the Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such a time it has been determined that all operations and activities are in conformance with these conditions.
- d. A Pre-Construction meeting is mandatory with the City's Public Works Inspection team prior to start of any construction activities for this site.

B. GRADING AND DRAINAGE

- 81. **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.
- 82. **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.
- 83. **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.
- 84. **Grading Permit for Disturbed Soil** – City ordinance on grading requires a grading permit prior to clearing, grubbing or any topsoil disturbances related to construction grading.
- 85. **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.
- 86. **2:1 Max Slope Ratio** – Grade slopes shall be limited to a maximum steepness ration of 2:1 (horizontal to vertical) unless otherwise recommended in the geotechnical report and approved by the Public Works / Engineering Department. A slop stability report shall be submitted for all proposed cut and fill slopes steeper than 2:1 slopes or over 10 feet in vertical height..

87. **Drainage and Terracing** – Provide drainage facilities and terracing in conformance with California Building Code’s chapter on “Excavation and Grading. “And applicable City Ordinances on grading.
88. **Slope Setbacks** – Observe slope setbacks from buildings and property lines per the California Building Code – as amended by City Ordinance regarding grading.
89. **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.
90. **Water Quality Management Plan** - All grading plans shall require an approved copy of the Water Quality Management Plan sheet per the approved WQMP report. The developer / property owner shall comply with the requirements of the WQMP report, and City standards and specifications.
91. **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 .
92. **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.
93. **Finish Grade** – Shall be sloped to provide proper drainage away from all exterior foundation walls in accordance with City of Menifee Standard Plan 300.
94. **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.
95. **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.

96. **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.
97. **Licensed Geotech** - A licensed geotechnical engineer shall perform final determination of the foundation characteristics of soils within on-site development areas.
98. **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. All lots shall be graded to drain to adjacent street or an adequate outlet.
99. **100 Year Design Criteria** – All grading and drainage shall be designed in accordance with City standards and Riverside County Flood Control & Water Conservation District's conditions of approval regarding this application. If not specifically addressed in RCFCD's conditions, drainage shall be designed to accommodate 100-year storm flows.
- Additionally, the PW Engineering Department's conditional approval of this application includes an expectation that the conceptual grading plan reviewed and approved for it complies or can comply with the latest requirement of the WQMP (Water Quality Management Plan) for the Santa Ana River Watershed as required by the City of Menifee.
100. **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.
101. **Emergency Escape** – An emergency escape path shall be provided for the storm water runoff at all inlets for the proposed underground facilities in the event that the inlets become blocked with debris. To prevent flood damage to the proposed structures, all proposed structures in the vicinity of the inlets and along the emergency escape path shall be protected from flooding by either properly elevating the finished floor in relation to the inlets and flow path or by making sure the structures are set back from the inlets to provide adequate flow through area in the event the emergency escape of the storm water runoff is necessary.
102. **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 not flow over the proposed parkway or within the driveway approach.

103. **BMP Energy Dissipator** – Energy Dissipators, such as rip-rap, shall be installed at the outlet of a storm drain system that discharges runoff flows into a natural channel or an unmaintained facility. The dissipators shall be designed to minimize the amount of erosion downstream of the storm drain outlet.
104. **BMP Trash Racks** – Trash Racks shall be installed at all inlet structures that collect runoff from open areas with potential for large, floatable debris.

Prior to Map Recordation

105. **Submit Plans and Reports** – A copy of the project specific WQMP, improvement plans, grading plans, BMP improvement plans and any other necessary documentation along with supporting hydrologic and hydraulic calculations (drainage report) shall be submitted to PW Engineering Department for review and approval. The plans must receive PW Engineering approval prior to map recordation. Storm drain plans or improvement plans for facilities proposed for ownership by RCFCDD shall meet conditions required by the District.
106. **On-Site Easements** – Onsite drainage facilities located outside of public right-of-way shall be contained within drainage easements shown on the final map. A note shall be added to the final map stating, "Drainage easements shall be kept free of buildings and obstructions".
107. **Off-site Easements** – Off site drainage facilities shall be located within dedicated drainage easements obtained from the affected property owner(s). Document(s) shall be recorded and a copy submitted to the PW Engineering Department prior to recordation of the final map. If the developer cannot obtain such rights, the map should be redesigned to eliminate the need for the easement.
108. **Written Permission to Grade** – Written permission shall be obtained from the affected property owners allowing the proposed grading and/or facilities to be installed outside of the tract boundaries. A copy of the written authorization shall be submitted to the PW Engineering Department for review and approval.
109. **BMP Maintenance and Inspection** – The developer shall identify a viable maintenance entity that will inspect and maintain all structural BMP's within the project boundaries. The maintenance entity shall also be responsible for all catch basins proposed to be built by this project.

Prior to Grading Permit Issuance

110. **Geotechnical Report** – Geotechnical soils reports, required to obtain a grading permit, shall be submitted to the PW Engineering Department for review and approval prior to issuance of the grading permit. Two copies of City-approved geotechnical/soils report, no more than three (3) years from date of application for grading permit, shall be provided to the City Public Works / Engineering Department with initial submittal of a grading plan. If there is no approved report and/or said report is past three (3) years from date of application, a new geotechnical/soils report and/or update letter, respectively, shall be prepared and submitted to City for review and approval.

The geotechnical/soils, compaction and inspection reports will be reviewed in conformance with the latest edition of the RIVERSIDE COUNTY GEOTECHNICAL GUIDELINES FOR REVIEW OF GEOTECHNICAL AND GEOLOGICAL 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.

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

a. *Preliminary Drainage Report for Menifee Village – TTM 37671, Prepared by K & A Engineering, Dated June 2019*

Two copies of a final drainage study (also referred to as Hydrology/Hydraulics Report) shall be submitted to the City for review and approval. The study shall analyze at a minimum the following: project site drainage flow; all future improvements drainage flow; Q10, Q100, pre- and post- condition flow rates; anticipated total drainage flow into existing storm drain; and existing storm drain capacity. The project shall comply with all mitigation recommended by the approved drainage study. A fee for review of the Drainage Study shall be paid to the City, the amount of which shall be determined by City at first submittal of report.

112. **Compliance with NPDES General Construction Permit** – The developer/property owner shall comply with the National Pollutant Discharge Elimination System (NPDES) General Construction Permit (GCP) from the State Water Resource Control Board (SWRCB).

Prior to approval of the grading plans or issuance of any grading permit or construction permits, the developer/property owner shall obtain a GCP from the SWRCB. Proof of filing a Notice of Intent (NOI) and monitoring plan, shall be submitted to the City; and the WDID number issued by the SWRCB shall be reflected on all grading plans prior to approval of the plans. For additional information on how to obtain a GCP, contact the SWRCB.

113. **SWPPP** - Prior to approval of the grading plans, the developer/property owner shall prepare a Storm Water Pollution Prevention Plan (SWPPP) for the development. The developer/property owner shall be responsible for uploading the SWPPP into the State's SMARTS database system and shall ensure that the SWPPP is updated to constantly reflect the actual construction status of the site. A copy of the SWPPP shall be made available at the construction site at all times until construction is completed. The SWRCB considers a construction project complete once a Notice of Termination has been issued by SWRCB. The City will require submittal of NOTs for requests to fully release associated grading bonds.

114. **SWPPP for Inactive Sites** – The developer/property owner shall be responsible for ensuring that any graded area that is left inactive for a long period of time has

appropriate SWPPP BMPs in place and in good working conditions at all times until construction is completed and the Regional Board has issued a Notice of Termination (NOT) for the development.

115. **Grading Bonds** – Grading in excess of 199 cubic yards will require performance security to be posted with the Public Works Engineering Department. Single Family Dwelling units grading one lot per permit and proposing to grade less than 5,000 cubic yards are exempt.
116. **Import/Export** – In instances where a grading plan involves import or export, prior to obtaining a grading permit, the developer/property owner shall have obtained approval for the import/export location from the Public Works / Engineering Department. If an Environmental Assessment did not previously approve either location, a Grading Environmental Assessment shall be submitted to the Planning Director for review and comment and to the Public Works Director / City Engineer for approval. Additionally, if the movement of import/export occurs using City roads, review, and approval of the haul routes by the Public Works / Engineering Department will be required. Import or export materials shall conform to the requirements of Chapter 8.26.
117. **Slope Erosion** – Erosion control – landscape plans, required for manufactured slopes greater than 3 feet in vertical height, are to be signed by a registered landscape architect and bonded per the requirements of applicable City ordinances.
118. **Offsite Grading Easements** - Prior to the issuance of a grading permit, it shall be the sole responsibility of the developer/property owner to obtain all proposed or required easements and/or permissions necessary to perform offsite grading, from affected landowners; including any off-site grading to construct the necessary transitions. Notarized and recorded agreement or documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.
119. **Cross Lot Drainage** – Prior to grading permit issuance, a recorded drainage easement is required for any proposed lot to lot drainage or cross lot drainage.
120. **Perpetual Drainage Patterns (Easements)** - Grading shall be designed in a manner that perpetuates the existing natural drainage patterns and conditions with respect to tributary drainage areas and outlet points. Where these conditions are not preserved, necessary drainage easements shall be obtained from all affected property owners for the release onto their properties of concentrated or diverted storm flows. A copy of the recorded drainage easement shall be submitted to the PW Engineering Department for review. A recorded drainage easement is required for any proposed lot to lot drainage or cross lot drainage.
121. **Protection of Downstream Properties** - The developer/property owner shall protect downstream properties from damages that can be caused by alteration of natural drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities including enlarging existing facilities and securing necessary drainage easements.
122. **Emergency Overflow** – Subsurface drainage, flowing in easements adjacent to or in lots for homes shall provide emergency overflow facilities – in case the subsurface drainage is blocked to prevent inundation of residential lots.

123. **Encroachment Permit Required** – An Encroachment Permit may be required for any work within RCFCFCD right-of-way or within District facilities. The Encroachment Permit application shall be processed and approved concurrently with the improvement plans.
124. **Erosion Control After Grading** – Temporary erosion control measures shall be implemented immediately following any grading to prevent deposition of debris onto downstream properties or drainage facilities. Plans showing these measures shall be submitted to the PW Engineering Department for review and approval.
125. **BMP Filtration** – Impervious areas shall be graded or constructed to drain to appropriate BMPs identified in the project's approved WQMP.

Prior to Building Permit

126. **Submit Plans** – A copy of the improvement plans, grading plans, and 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 appropriated plan check fee or deposit.
127. **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.
128. **No Building Permit without Grading Permit** - Prior to issuance of any building permit, the developer/property owner shall obtain a grading permit and/or approval to construct from the Public Works Engineering Department.
129. **Final Rough Grading Conditions** – Prior to issuance of each building permit, the developer/property owner shall cause the Civil Engineer of Record and Soils Engineer of Record for the approved grading plans, to submit signed and wet stamped rough grade certification and compaction test reports with 90% or better compaction. The certifications shall use City approved forms and shall be submitted to the Public Works Engineering Department for verification and acceptance.
130. **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 Certificate of Occupancy

131. **Final Grade Certification** – The developer/property owner shall cause the Civil Engineer of Record for approved grading plans, to submit signed and wet stamped final grade certification on City approved form, for each building requesting a

certificate of occupancy. The certification shall be submitted to the Public Works Engineering Department for verification and acceptance.

132. **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.
133. **Finish Grade** – Finish grade shall be sloped to provide proper drainage away from all exterior foundation walls. The slope shall not be less than 2% for not less than 3 feet from any point of exterior foundation. Drainage swales shall not be less than 1 ½ inches deeper than the adjacent finish grade at the foundation.
134. **Plant & Irrigate Slopes** – All manufactured slopes steeper than a 4:1 (horizontal to vertical) ratio or 3 feet or greater in vertical height 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.
135. **Public and Private Infrastructure** - All required public and private infrastructure (streets and wet utility) improvements must be constructed and accepted by the City prior to the first final building inspection and the first certificate of occupancy.

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

136. **Common Area Maintenance** – Any common areas identified in the approved Plot Plan shall be owned and maintained as follows:
 - a. A permanent master maintenance organization shall be established for the project, to assume maintenance responsibility for all common areas. The organization may be public (City CFD, or another agency) or private (e.g., property owners' association). Merger with an area-wide or regional organization shall satisfy this condition provided that such organization is legally and financially capable of assuming the responsibilities for maintenance. When necessary, property dedication or easement dedications shall be granted to the maintenance organization through 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 a Certificate of Occupancy.
137. **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 Homeowner association (HOA) 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)

138. **CC&R Content, Submittal Process and Timing** – Prior to issuance of Certificate of Occupancy, the developer/property owner shall submit to the Public Works / Engineering Department for review and approval CC&R documents consisting of the following:

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

D. STREET IMPROVEMENTS AND DEDICATIONS

139. **Introduction** – Prior to grading permit issuance, the project development shall provide a new/updated Traffic Study to be reviewed and approved by the City of Menifee. The development shall comply with the traffic mitigation measures and fair

share contributions identified in the approved Traffic Study. The TS shall be formally approved prior to Final Engineering plans.

140. **Street Improvements** – The developer/ property owner shall be responsible for implementing the following street improvements (Implementation shall include construction or payment of a fair share amount for the street improvements as determined in future traffic study):

- a. **Domenigoni Parkway** – Domenigoni shall be improved to its ultimate roadway classification, which is an urban arterial roadway, 6 lanes divided with raised median, consistent with city of menifee standard 95. The majority of Domenigoni improvements along the project's frontage have already been constructed. Therefore, this project is responsible for constructing any improvements that have not already been implemented.
- b. **Briggs Road** – Briggs shall be improved to its ultimate roadway classification, which is a major roadway, 4 lanes divided with raised median, consistent with city of menifee standard 110. Improvements shall be required from Domenigoni to the southerly tract boundary. Transition back to existing Briggs Road south of the project shall be done in conformance with MUTCD Guidelines and Caltrans Highway Design Standard.
- c. **Intersection of Briggs Road/ Domenigoni Parkway** – Project is responsible for traffic signal improvement of the existing signal at Briggs Road and Domenigoni Parkway. Shall also require removal of existing median on Domenigoni Parkway to provide access across Briggs Road.
 - i. Southbound will be required to have three through lanes, a left turn lane, right turn lane
 - ii. Northbound will need three through lanes, a right turn access to project site, left turn lane.
 - iii. Eastbound will be required to have two through lanes, two left turn lanes, right turn lane.
 - iv. Westbound will be required to have two through lanes, two left turn lanes, right turn lane.

Developer/ property owner shall submit design for geometrics at and in the vicinity of the intersection of Briggs Road/ Domenigoni Road for review and approval by the Public Works Director/ City Engineer.

- d. **Intersection of Lindenberger Road/ Domenigoni Parkway** – Project is responsible for traffic signal modification of the existing signal and medians at Lindenberger Road and Domenigoni Parkway.
 - i. Southbound will be required to have three through lanes, a left turn lane, a right turn lane.
 - ii. Northbound will be required to have three through lanes, two left turn lanes, a right turn access to project site.
 - iii. Eastbound will be required to have a through lane, two left turn lanes, a right turn lane

- iv. Westbound entrance will be required to have a shared through/right turn lane, a left turn lane.

Developer/ property owner shall submit design for geometrics at and in the vicinity of the intersection of Lindemberger Road/ Domenigoni Road for review and approval by the Public Works Director/ City Engineer.

Where credit is eligible, the developer/ property owner shall contact the Public Works Department for all DIF eligible or other reimbursement eligible improvements to confirm eligibility and request reimbursement. All work shall be pre-approved by the Public Works Director/ City Engineer and shall comply with the requirements of the Public Works Director/ City Engineer.

- 141. **Domenigoni Parkway / Briggs Road Striping** – The developer/ property owner shall design and improve striping on Domenigoni Parkway and Briggs Road, including the associated stripping modifications at the intersection of Domenigoni Parkway/Briggs Road and Domenigoni Parkway/Lindemberger Road in accordance with the recommendations of the future Traffic Study for the project. The developer/ property owner shall submit striping design to the Public Works Director/ City Engineer for review and approval.
- 142. **City and County Street Improvement Standards** – Street improvements shall conform to all applicable City Design Standards and Specifications, the City General Plan, City adopted Riverside County Ordinance 461, and all other relevant laws, rules and regulations governing street construction in the City.
- 143. **Tentative Tract Map** – It is understood that the tentative tract map correctly shows acceptable centerline elevations, all existing easements, traveled ways, and drainage courses with appropriate Q's, and that their omission or unacceptability may require the map to be resubmitted for further consideration.
- 144. **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.
- 145. **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.
- 146. **Acceptance of Public Roadway Dedication and Improvements** – Easements and right-of way for public roadways shall be granted to the City through acceptable recordable instrument.
- 147. **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.

148. **Paving or Paving Repairs** – The applicant shall be responsible for obtaining the paving inspections required by Ordinance 461. Paving and/or paving repairs for utility street cuts shall be per City of Menifee Standards and Specifications and as approved by the Public Works Director / City Engineer.
149. **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.
150. **Signing and Striping** – A signing and striping plan for Briggs Road, Lindenberger Road and Domenigoni Parkway is required for this project. The applicant shall be responsible for any additional paving and/or striping removal caused by the striping plan.
151. **Traffic Signal Plan** – The applicant shall be responsible for modification of the traffic signal at Lindenberger Road and Domenigoni Parkway. The traffic signal plan shall be approved by the Public Works Director / City Engineer.
152. **Traffic Signal Plan 2**– The applicant shall be responsible for construction of the traffic signal at Briggs Road and Domenigoni Parkway. The traffic signal plan shall be approved by the Public Works Director / City Engineer.
153. **Street Light Plan** – Street lights requiring relocations, or any required new streetlights shall be designed in accordance with current City Standards for LS-3 type streetlights. Street light construction plans shall be prepared as separate plans or combined with the public street improvement plans as approved by the Public Works Director / City Engineer.
154. **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.
155. **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 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.

Prior to Recordation of Final Map:

156. **Offsite Public Street Lights Ownership and Maintenance** – All proposed public street lights shall be designed in accordance with City approved standards and specifications, as determined and approved by the Public Works Director/ City

Engineer. Unless determined otherwise by the Public Works Director/ City Engineer, the City shall have ownership and maintenance of all proposed public street lights and associated appurtenances, and therefore shall be provided within adequate service points for power. The design shall be incorporated in the project's street improvement plans or in a separate street light plan as determined and approved by the Public Works Director/ City Engineer.

157. **Public Street Light Service Point Addressing** – The developer shall coordinate with the Building and Safety Department and Southern California Edison for the assignment of addresses to public street light service points. These service points shall also be owned by the City and shall be located within the public right of way or within duly dedicated public easements.

158. **Acceptance of Public Roadway Dedication and Improvements** – Easements and right-of-way for public roadways shall be granted to the City of Menifee through final map, or other acceptable recordable instrument.

159. **Improvement Bonds** - Prior to recordation of the final map, 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).

Prior to Issuance of Building Permit:

160. **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.

Prior to Issuance of Any Certificate of Occupancy:

161. **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.

162. **Street Improvement:** The developer/ property owner shall construct or for the following street improvements in accordance with "Section D: Street Improvements and Dedications" and "Section E: Traffic Engineering" of these conditions:

- a. **Domenigoni Parkway along Project Frontage**
- b. **Briggs Road within project Site**
- c. **Intersection of Briggs Road/ Domenigoni Parkway**
- d. **Intersection of Lindemberger Road/ Domenigoni Parkway**

163. **Completion of Street Improvements** – Prior to issuance of a Certificate of Occupancy, the following street components shall be completed:

- a) Primary and Alternate (secondary) access roads shall be completed and paved to finish grade according to the limits indicated in the improvement plans and as noted elsewhere in these conditions.
- b) Interior roads shall be completed and paved to finish grade according to the limits indicated in the improvement plans and as noted elsewhere in these conditions. All curbs, gutters, sidewalks, and driveway approaches shall be installed
- c) Storm drains and flood control facilities shall be completed according to the improvement plans and as noted elsewhere in these conditions. Written confirmation of acceptance by the Flood Control District, if applicable, is required.
- d) Water system, including fire hydrants, shall be installed and operational, according to the improvement plans and as noted elsewhere in these conditions. All water valves shall be raised to pavement finished grade. Written confirmation of acceptance from water purveyor is required.
- e) Sewer system shall be installed and operational, according to the improvement plans and as noted elsewhere in these conditions. All sewer manholes shall be raised to pavement finished grade. Written confirmation of acceptance from sewer purveyor is required.
- f) Landscaping and irrigation, water and electrical systems shall be installed and operational in accordance with City adopted County Ordinance 461.

E. TRAFFIC ENGINEERING

Prior to Recordation of Final Map

- 164. **Design of Traffic Signals** – Developer/ Property Owner shall be responsible for the design of traffic signals at the intersection of:
 - a. Briggs Road/Domenigoni Parkway
 - b. Modification of Lindenberger Road and Domenigoni Parkway
- 165. **Traffic Signal Geometrics – Briggs Road/Domenigoni Parkway.** - The intersection of Briggs Road/ Domenigoni Parkway – Project Driveway shall be improved to provide the following geometrics:

Northbound: Three through lanes, two left turn lanes, one right turn lane

Southbound: Three through lanes, one Left turn lane, one right turn lane

Eastbound: Two through lanes, Two left turn lanes, One Right turn lane

Westbound: Two through lanes, Two left turn lanes, One Right turn lane
- 166. **Traffic Signal Geometrics – Lindenberger Road/ Domenigoni Parkway** - The intersection of Lindenberger Road/ Domenigoni Parkway shall be improved to provide the following geometrics:

Northbound: Three through lanes, Two left turn lanes, One right turn lane.

Southbound: Three through lanes, One left turn lane, One right turn lane

Eastbound: One through lane, Two left turn lanes, One right turn lane

Westbound: One shared through/right turn lane, One left turn lane

Prior to Issuance of Construction Permit

167. **Signal Modification Deposit** - The developer/property owner shall be responsible for the necessary signal modifications at the intersection Domenigoni Parkway and Lindenberger Road. Necessary modifications shall include but not be limited to traffic lane stripping, signage, detection system and signal operations. Necessary modifications shall be in conformance with the recommendations of the project's traffic impact study. Additional improvements may be required to address public safety and welfare, as determined by the Public Works Director/ City Traffic Engineer.
168. **Signing and Striping Plan** – Prior to issuance of a construction permit, any necessary signing and striping plan for Briggs Road, Lindenberger Road and Domenigoni Parkway 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. **Traffic Signal Plan** – Prior to issuance of a construction permit, the traffic signal plan for the traffic signal at Briggs Road and Domenigoni Parkway and installation of traffic signal at Briggs Road and Domenigoni Parkway shall be approved by the City Traffic Engineer in accordance with City standards and specifications.
170. **Streetlight Plan** – Street light construction plans shall be prepared as separate plans or combined with the public street improvement plans as approved by the PW Director / City Engineer.
171. **Streetlight Design as LS-3 Rate Lights** – All streetlights, other than traffic signal safety lights, shall be designed as LS-3 rate lights in accordance with approved City standards and specifications, and as determined by the PW Director.
172. **Public Streetlights Service Points** – All proposed public streetlights shall be provided with necessary appurtenances and service points for power, separate from privately owned streetlights. The developer/property owner shall coordinate with the PW Department and with Southern California Edison the assignment of addresses to streetlight service points. Service points for proposed public streetlights shall become public and shall be located within public right of way or within duly dedicated public easements.
173. **Street Name Sign** - The developer/property owner shall install street name sign(s) in accordance with applicable City Standards or as directed by the PW Engineering Department.

174. **Driveway Geometrics**- Final driveway geometrics may be modified in final engineering as approved by the Public Works Director. Driveways shall meet current standard radii on all existing and proposed commercial drive approaches used as access to the proposed development. The developer shall adhere to all City standards and regulations for access and ADA guidelines.
175. **Improvement Bonds** - Prior to issuance of any construction permit for all required onsite and offsite public improvements, the developer/project owner shall enter into a bond agreement and post acceptable bonds or security, to guarantee the completion of all required improvements. The bonds shall be in accordance with all applicable City ordinances, resolutions, and municipal codes (*See also bond agreement condition under General Conditions*).
176. **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 mitigation measures to address the following:
- a) Dust and dirt fallout from truck loads and 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 Building Permit Issuance

177. **Acceptance of Public Roadway Dedication and Improvements** – Onsite easements and right-of way for public roadways shall be granted to the City of Menifee through the final map, or other acceptable recordable instrument. Any off-site rights-of-way required for access road(s) shall be accepted to vest title in the name of the public if not already accepted. Any shared access roads necessary for the adequate circulation of the proposed project, shall be dedicated for reciprocal access by acceptable recordable instrument prior to any permit issuance.
178. **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.

Prior to Issuance of Certificate of Occupancy

179. **Cost participation through Payment of TUMF and DIF for Offsite Improvements-** The developer/property owner's TUMF and DIF payment obligations shall be considered as cost participation for Project's required offsite improvements only when the offsite improvements for which credits are claimed, are eligible TUMF and/or DIF facilities at time of TUMF and DIF payments. Determination for TUMF credits shall be at the discretion of the Western Riverside Council of Governments (WRCOG), the governing authority, which shall include entering a three party TUMF Credit Agreement with the developer, WRCOG and the City of Menifee.
180. **Construction of Right-of-Way Improvements** - The developer/property owner shall design and construct Right-of-Way Improvements as described in "Section D. Street Improvements and Dedications" and "Section E. Traffic Engineering."
181. **Traffic Signal Installation.** Developer/ Property Owner shall be responsible for the construction and installation of traffic signals at the following locations:
- a. **Briggs Road / Domenigoni Parkway** with fee credit eligibility.
 - b. **Modification of Lindenberger Road / Domenigoni Parkway**

Where credit is eligible, the developer/ property owner shall contact the Public Works Department and enter into an agreement for signal mitigation fee credit or reimbursement prior to start of construction of the signals. All work shall be pre-approved by the Public Works Director/ City Engineer and shall comply with the requirements of the Public Works Director/ City Engineer.

182. **Street Light Installation** Install streetlights along the streets associated with this development in accordance with the approved street lighting plan or improvement plans, and City standards, conditions of approval for street lights, as approved by the Public Works Director/ City Engineer.

F. NPDES AND WQMP

183. **Stormwater Management** - All City of Menifee requirements for NPDES and Water Quality Management Plans (WQMP) shall be met per City of Menifee Municipal Code Chapter 15.01 for Stormwater/Urban Runoff Management Program unless otherwise approved by the Public Works Director/City Engineer. This project is required to submit a project specific WQMP prepared in accordance with the latest WQMP guidelines approved by the Regional Water Quality Control Board.
184. **SWRCB, Trash Amendments** - The State Water Resources Control Board (State Board) adopted amendments to the Water Quality Control Plan for Ocean Waters of California and the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries – collectively referred to as the "Trash Amendments." Applicable requirements per these amendments shall be adhered to with implementation measures, prior to building permit issuance. Projects determined to be within Priority Land Uses as defined in the Trash Amendments, shall provide trash full capture devices to remove trash from all Priority Land Use

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

Prior to Issuance of Grading Permit

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

a. *Preliminary Project Specific Water Quality Management Plan Menifee Village TTM37671*, prepared by K&A Engineering Inc., dated June 28, 2020.

186. Prior to issuance of a grading permit, a FINAL project specific WQMP in substantial conformance with the approved PRELIMINARY WQMP, shall be reviewed and approved by the Public Works Engineering Department. Final construction plans shall incorporate all the structural BMPs identified in the approved FINAL WQMP. The final developed project shall implement all structural and non-structural BMPs specified in the approved FINAL WQMP. One copy of the approved FINAL WQMP on a CD-ROM in pdf format shall be submitted to the Public Works Engineering Department. The FINAL WQMP submittal shall include at the minimum the following reports/studies:

- a) Hydrology/hydraulics report
- b) Soils Report that includes soil infiltration capacity
- c) Limited Phase II Environmental Site Assessment Report, as may be required by an approved Phase I ESA Report

Final construction plans shall incorporate all the structural BMPs identified in the approved FINAL WQMP. The final developed project shall implement all structural and non-structural BMPs specified in the approved FINAL WQMP. One copy of the approved FINAL WQMP on a CD-ROM in pdf format shall be submitted to the Public Works Engineering Department.

187. **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.

188. **WQMP Maintenance Agreement** - All water quality features or BMPs shall be located within the property limits, and the maintenance shall be the full responsibility of the developer / project owner. Prior to, or concurrent with the approval of the FINAL WQMP, the developer / property owner shall record Covenants, Conditions and Restrictions (CC&R's) that addresses the implementation and maintenance of proposed WQMP BMPs, or enter into an acceptable maintenance agreement with the City to inform future property owners of the requirement to perpetually implement the approved FINAL WQMP.

Prior to Issuance of Any Certificate of Occupancy

189. **Implement Project Specific 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.
190. **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.
191. **WQMP/BMP Education** - 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 project's approved Water Quality Management Plan (WQMP). The PW Engineering Department Must also receive the original notarized affidavit with the plan check submittal to clear the appropriate condition. Placing a copy of the affidavit without submitting the original will not guarantee clearance of the condition.

G. WATER, SEWER, AND RECYCLED WATER

192. **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.
193. **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.
194. **Onsite and Offsite Sewer, Water and Recycled Water Improvements** – All public onsite and offsite sewer, water and recycled water improvements shall be guaranteed for construction prior to approval of improvement plans.
195. **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.
196. **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

197. **Annexation to the Citywide Community Facilities District (CFD)** - Prior to the issuance of a Building Permit, the developer/property owner shall complete the annexation of the proposed development, into the boundaries of the City of Menifee citywide Community Facilities Maintenance District (Services) CFD. The citywide CFD shall be responsible for:

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

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

198. **CFD Annexation Agreement** - In the event timing for this development's schedule prevents the developer/property owner from complying with condition of approval for CFD annexation, the developer shall enter into a CFD annexation agreement to allow the annexation to complete after the issuance of a building permit but prior to issuance of a Certificate of Occupancy. The developer shall be responsible for

all costs associated with the preparation of the CFD annexation agreement. The agreement shall be approved by the City Council prior to issuance of a building permit.

199. **Landscape Improvement Plans for CFD Maintenance** – Landscape improvements within public ROW and/or areas dedicated to the City for the citywide CFD to maintain shall be prepared on a separate City CFD plans for review and approval by the PW Engineering Department. The plans may be prepared as one plan for the entire development as determined by the PW Director. When necessary, as determined by the PW Director, a separate WQMP construction plan on City title block maybe required for review and approval by the PW Engineering Department prior to issuance of a grading permit.
200. **Parkway Landscaping Design Standards** - The parkway areas behind the street curb within the public's right-of-way, shall be landscaped and irrigated per City standards and guidelines.
201. **CFD Landscape Guidelines and Improvement Plans** – All landscape improvements for maintenance by the CFD shall be designed and installed in accordance with City CFD Landscape Guidelines, and shall be drawn on a separate improvement plan on City title block. The landscape improvement plans shall be reviewed and approved by the PW Engineering Department prior to issuance of a construction permit.
202. **Landscaping on Bradley Road** - The parkway areas behind the sidewalk within the public right-of-way fronting the entire property along Bradley Road, shall be landscaped, and irrigated per City standards and guidelines. These areas shall be maintained by the CFD.
203. **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

204. **AB 341** - AB 341 focuses on increased commercial waste recycling as a method to reduce greenhouse gas (GHG) emissions. The regulation requires businesses and organizations that generate four or more cubic yards of waste per week and multifamily units of 5 or more, to recycle. A business shall take at least one of the following actions to reuse, recycle, compost, or otherwise divert commercial solid waste from disposal:
 - a) Source separate recyclable and/or compostable material from solid waste and donate or self-haul the material to recycling facilities.
 - b) Subscribe to a recycling service with their waste hauler.
 - c) Provide recycling service to their tenants (if commercial or multi-family complex).

- d) Demonstrate compliance with the requirements of California Code of Regulations Title 14.

For more information please visit:

www.rivcowm.org/opencms/recycling/recycling_and_compost_business.html#mandatory

205. **AB 1826** - AB 1826 (effective April 1, 2016) requires businesses that generate eight (8) cubic yards or more of organic waste per week to arrange for organic waste recycling services. The threshold amount of organic waste generated requiring compliance by businesses is reduced in subsequent years. Businesses subject to AB 1826 shall take at least one of the following actions in order to divert organic waste from disposal:

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

Enter into a contract or work agreement with gardening or landscaping service provider or refuse hauler to ensure the waste generated from those services meet the requirements of AB 1826.

Consider xeriscaping and using drought tolerant/low maintenance vegetation in all landscaped areas of the project.

As of January 1, 2019, the above requirements are now applicable to businesses that generate four (4) or more cubic yards of solid waste per week and one (1) or more cubic yards of organic waste per week. Additionally, as of January 1, 2019, a third trash bin is now required for organics recycling, which will require a larger trash enclosure to accommodate three (3) trash bins. This development is subject to this requirement.

Prior to Building Permit Issuance:

206. **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.

207. **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:

208. **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

209. **Fees and Deposits** – Prior to approval of final maps, grading plans, improvement plans, issuance of building permits, and/or issuance of certificate of occupancy, the developer/property owner shall pay all fees, deposits as applicable. These shall include the regional Transportation Uniform Mitigation Fee (TUMF), any applicable Traffic Signal Mitigation Fees, Development Impact Fees (DIF), and any applicable Road and Bridge Benefit District (RBBD) Fee. Said fees and deposits shall be collected at the rate in effect at the time of collection as specified in current City resolutions and ordinances.

Prior to Building Permit Issuance

210. **Road Bridge Benefit District** – This project is within the Menifee Valley Zone D Road Bridge and Benefit District (RBBD). The applicant shall pay the RBBD fees based on the designated land use and areas, prior to the issuance of a building permit. Should the project proponent choose to defer the time of payment, a written request shall be submitted to the City, deferring said payment from the time of issuance of a building permit to issuance of a certificate of occupancy. Fees which are deferred shall be based upon the fee schedule in effect at the time of issuance of the permit of each parcel.

Prior to Issuance of Certificate of Occupancy

211. **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

212. 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.
213. 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.
214. 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.
215. 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.
216. 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.
217. Obtain Approvals Prior to Construction. Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.
218. 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.
219. Demolition. (If applicable) Demolition permits require separate approvals and permits. AQMD notification and approval may be required.

220. 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.

221. Hours of Construction. Signage shall be prominently posted at the entrance of the project indicating the hours of construction, as allowed by the City of Menifee Municipal Ordinance 8.01.010, for any site within one-quarter mile of an occupied residence. The permitted hours of construction are Monday through Saturday 6:30am to 7:00pm. No work is permitted on Sundays and nationally recognized holidays unless approval is obtained from the City Building Official or City Engineer.

222. 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.

223. High Fire Requirements. The applicant is required to comply with the 7A requirements of the building code for the lots identified for lots 25 through 47.

Prior to Issuance of Building Permits

224. All associated Building Fees to be paid.

225. Each Department is **required** to Approve, with a signature.

Prior to Start of Construction

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

Prior to Certificate of Occupancy

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

Prior to Final Inspection

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

Section V:
Riverside County Fire Department
Conditions of Approval

GENERAL CONDITIONS

227. **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.
228. **HYDRANT/SPACING** - Schedule A fire protection approved standard fire hydrants, (6"x 4"x 2 1/2") locate one at each street intersection and space no more than 330 feet apart in any direction. Shall include perimeter streets at each intersection and spaced 660 feet apart.
229. **POTENTIAL FIRE FLOW**-The water system shall be capable of providing a fire flow of 1,500 GPM for 2 hours duration at a minimum of 20 PSI operating pressure from each fire hydrant.

PRIOR TO MAP RECORDATION

230. **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 local water company, the originals shall be presented to the Fire Department for signature.
231. **ECS- HAZ FIRE AREA**- Ecs map must be stamped by the Riverside County Surveyor with the following note: The land division is located in the "VERY HIGH FIRE SEVERITY ZONE- LRA" of Riverside County as shown on a map on file with the Clerk of the Board of Supervisors & CAL FIRE FRAP MAP. Any building constructed on lots created by this land division shall comply with the special construction provisions contained in Riverside County Ordinance 787, California Building Code Chapter 7A, California Residential Code R337, California Fire Code & City of Menifee Ordinance.
232. **ECS -ROOFING MATERIAL**- Ecs map must be stamped by the Riverside County Surveyor with the following note: All buildings shall be constructed with class A material as per the California Building Code.
233. ECS map must be stamped by the Riverside County Surveyor with the following Note: Driveways exceeding 150' in length, but less than 800' in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800', turnouts shall be provided no more than 400' apart. Turnouts shall be a minimum of 10' wide and 30' on length, with a minimum 25' taper on each end. An approved turnaround shall be provided at all building sites on driveways over 150 feet in length and shall be within 50' of the building.

234. ECS FUEL MODIFICATION- ECS map must be stamped by the Riverside County Surveyor with the following Note: Prior to the issuance of a grading permit, the developer shall prepare and submit to the fire department for approval a fire protection/vegetation management that should include but not limited to the following items: a) Fuel modification to reduce fire loading. b) Appropriate fire breaks according to fuel load, slope and terrain. c) Non flammable walls along common boundaries between rear yards and open space areas shall be provided at intervals not to exceed 1500'. e) A homeowner's association or appropriate district shall be responsible for maintenance of all fire protection measures within the open space areas. **ANY HABITAT CONSERVATION ISSUE AFFECTING THE FIRE DEPARTMENT FUEL MODIFICATION REQUIREMENTS SHALL HAVE CONCURRENCE WITH THE RESPONSIBLE WILDLIFE AND/OR OTHER CONSERVATION AGENCY.**
235. MAPS- 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 local water company, the originals shall be presented to the Fire Department for signature.
236. ECS-WTR PRIOR TO COMBUSTIBLES- The following note to be added to the ECS map: 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.
237. 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.
238. FIRE ACCESS ROADWAY- Fire Department emergency vehicular access road shall be (all weather surface) capable of sustaining an imposed load of 75,000lbs GVW, based on the street standards approved by the City of Menifee Public Works and the Office of the Fire Marshal.

PRIOR TO INSURANCE OF GRADING PERMIT

239. MAP-ECS FUEL MOD - ECS map must be stamped by the Riverside County Surveyor with the following Note: Prior to the issuance of a grading permit, the developer shall prepare and submit to the fire department for approval a fire protection/vegetation management that should include but not limited to the following items:
- a) Fuel modification to reduce fire loading. b) Appropriate fire breaks according to fuel load, slope and terrain. c) Non-flammable walls along common boundaries between rear yards and open space areas shall be provided at intervals not to exceed 1500'. e) A homeowner's association or appropriate district shall be responsible for maintenance of all fire protection measures within the open space areas.

ANY HABITAT CONSERVATION ISSUE AFFECTING THE FIRE DEPARTMENT FUEL MODIFICATION REQUIREMENTS SHALL HAVE CONCURRENCE WITH THE RESPONSIBLE WILDLIFE AND/OR OTHER CONSERVATION AGENCY.

240. MAP- HFA REVIEW & REVIEW - Fire Department shall review and approve building setbacks, water and access for new single-family dwellings that are in a hazardous fire area.

PRIOR TO BUILDING PERMIT

241. 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.

242. 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.

243. HFA REVIEW & APPROVAL- Fire department shall review and approve setbacks, water and access for all single-family dwellings, additions and projections that are in a hazardous fire area.

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.

PRIOR TO FINAL INSPECTION

245. 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.

246. RESIDENTIAL FIRE SPRINKLER - 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 13D, 2019 Edition. Plans must be submitted to the Fire Dept. for review and approval prior to installation.

Section VI:
Riverside County Environmental
Health Conditions of Approval

247. The project is required to receive portable water and sewer services from Eastern Municipal Water District. It is the responsibility of this facility to ensure that all requirements to obtain potable water and sanitary sewer service are met with EMWD, as well as, all other applicable agencies.

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

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)