

## **EXHIBIT A**

### **CONDITIONS OF APPROVAL**

**Planning Application No.:** **Major Modification No. PLN21-0199 and Zoning Code Amendment No. PLN21-0201** for Tentative Tract Map No. 31194 - "Golden Meadows"

**Project Description:** **Major Modification No. PLN21-0199** proposes a Major Modification to Phase 4 of approved Tentative Tract Map No. 31194 to increase the number of residential lots from 156 residential lots to 259 residential lots within the previously approved project development area of Phase 4 (on approximately 46.5-acres). The residential lots will range in size from 3,780 sq. ft. to 10,525 sq. ft. with an average lot size of 4,877 sq. ft. The project proposes eight (8) open space lots including a 3.23-acre park and a 0.61-acre recreation area.

**Zoning Code Amendment (ZCA) No. PLN21-0201** proposes text revisions to Planned Development Districts - Section 9.155.030(E) (PD-5: Golden Meadows {TR 31194}) of the City of Menifee Municipal Code for purposes of establishing new minimum development standards to support the increase in residential density within Phase 4 of Tentative Tract Map No. 31194.

**Location:** The project site is located north of Wickerd Road, south of Garbani Road, west of Sherman Road and east of Evans Road.

**Background:** Tentative Tract Map No. 31194 was originally approved by the County of Riverside on April 10, 2007. The map was approved for a Schedule "A" subdivision of 206.8 gross acres into 474 single family residential lots with a minimum lot size of 6,000 square feet and an average lot size of 8,439 square feet. The project consisted of three (3) detention basin lots, six (6) open space lots including drainage easements, water quality basins and landscaped open space areas and three (3) parks (7.4 acres).

**Assessor's Parcel No.:** 360-300-002 through 360-300-006, 360-300-009 and 360-350-001

**MSHCP Category:** Residential, density less than 8.0 dwelling units per acre (fee per dwelling unit)

**DIF Category:** Residential-Single Family

**TUMF Category:** Residential-Single Family

**Quimby Category:** Single Family DU (see conditions)

**Approval Date:** February 8, 2023

**Expiration Date:** **October 10, 2024 (consistent with underlying TTM)**

### **Within 48 Hours of the Approval of This Project**

1. **Filing Notice of Determination (EIR Addendum).** The applicant/developer shall deliver to the Planning Division a cashier's check or money order made payable to the City in the amount of Fifty Dollars (\$50.00) for the County administrative fee, to enable the City to file the Notice of Determination as provided under Public Resources Code Section 21152 and California Code of Regulations Section 15063 and 15162. 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 VII: Community Services Department Conditions of Approval**

**Section I:**  
**Conditions Applicable to all**  
**Departments**

## **General Conditions**

1. **Definitions.** The words identified in the following list that appear in all capitals in the attached conditions of Tentative Tract Map No. 31194 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 No. 31194 for Major Modification No. PLN21-0199 (Phase 4), dated January 11, 2023

APPROVED EXHIBIT B = Updated Development Standards Table (9.155.030E) for Change of Zone No. PLN21-0201, dated January 11, 2023

APPROVED EXHIBIT F = Updated Fuel Mod Plan for Tentative Tract Map No. 31194, dated February 22, 2022

APPROVED EXHIBIT L = Maintenance Exhibit for Tentative Tract Map No. 31194 and Major Modification No. PLN21-0199, dated January 26, 2023

UNIT PHASING MAP = Phasing Plan for Tentative Tract Map No. 31194, dated October 20, 2020

TENTATIVE MAP = Tentative Tract Map No. 31194, Exhibit P, dated 2/2/07

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

2. **Previous Conditions of Approval.** These Conditions of Approval supersede previous conditions of approval placed on Tentative Tract Map No. 31194 (including subsequent time extensions) and the previous conditions of approval are rendered null and void (with exception of approved phasing map and finance map conditions of approval).
3. **Phased Construction.** Unit Phasing Map (UPH) No. 2017-399 was approved on April 29, 2021, and approved construction of the map into four separate phases. All improvements and conditions regarding the phasing plan shall be met during the required phases and timetables as described in the phasing plan conditions of approval.
4. **Ninety (90) Days to Protest.** The land divider 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 the approval or conditional approval of this project.
5. **Expiration Date.** The City of Menifee Planning Commission approved the first one-year extension of time (EOT No. 2017-031) for Tentative Tract Map No. 31194 on August 23, 2017. The city subsequently approved the second one-year extension of time on November 28, 2018. The third and fourth extension of time (EOT No. 2019-

060 and PLN19-0056) were approved on December 12, 2019, which extended the life of the map until April 10, 2021. On September 28, 2020, the Governor of California signed into law Assembly Bill 1561 authorizing housing entitlement extensions in response to delays caused by COVID-19; AB 1561 granted an automatic 18-month extension and gave the project a new expiration date of October 10, 2022. The city approved a fifth and sixth one-year extension (PLN22-0144 and PLN23-0023) extending the expiration date until October 10, 2024. All city extensions have been exhausted; the project does not qualify for additional time extensions under the current City Ordinance.

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**  
**Department**  
**Conditions of Approval**

### **General Conditions**

7. **Map Act Compliance.** This land division shall comply with the State of California Subdivision Map Act and to all requirements of the City of Menifee Municipal Code, unless modified by the conditions listed herein.
8. **Subsequent Submittals and Fees.** 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). Each submittal shall be accompanied with a letter clearly indicating which condition or conditions the submittal is intended to comply with.
9. **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 the individual homeowners, a homeowner's association, or any other successor-in-interest.
10. **Landscaping.** All plant materials within landscaped common areas shall be maintained in a viable growth condition throughout the life of this permit. To ensure that this occurs, the Community Development Department shall require inspections in accordance with the Community Development Department's landscaping installed and inspected conditions.
11. **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).
12. **Front and Side Yard Landscaping Maintenance Responsibility.** The owners of each individual lot shall be responsible for maintaining all landscaping between the curb of the street and the proposed sidewalk and side yard landscaping between the curb of the street and proposed fencing, unless the landscaping is included within a separate common lot maintained by an HOA or other entity acceptable to the City of Menifee.
13. **Park Plans.** Park plans must be consistent with the City of Menifee Municipal Code Chapter 9.195, Menifee Municipal Code Chapter 15.04 "Landscape Water Use Efficiency Requirements" and Eastern Municipal Water District requirements.
14. **No Offsite Signage.** No offsite subdivision signs advertising this land division/development are permitted, other than those allowed under the Menifee Municipal Code. 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.
15. **Permitted Uses.** The uses permitted in this PDO shall be the same as those allowed in the LDR-2 zone for those lots within the area indicated as Phase 1-3 and LMDR



zone for those lots within the area indicated as Phase 4 as listed in Table 9.130.030-1.

- 16. Jurisdictional Waters.** PDB# 3087 - Jurisdictional delineation; prepared by L & L Environmental, Inc. 7/28/04; received 8/30/04. A total of 0.86 acres are of federal jurisdiction and 0.67 acres are of state jurisdiction.

**Updated March 2022.** The jurisdictional areas identified on the property include 18,814 sq. ft. (0.43 acre) of ephemeral unvegetated CDFW state waters/streambed (which is also MSHCP Riverine habitat) and 40,451 sq. ft. (0.93 acres) of CDFW state wetland (which is also MSHCP Riparian habitat). Construction of the proposed project will impact 9,541 sq. ft. (0.22 acre) of CDFW state water/streambed (which is also MSHCP Riverine habitat) and 5,702 sq. ft. (0.13 acre) of CDFW state wetland (which is also MSHCP Riparian habitat). The survey also identified 4,397 sq. ft. (0.10 acre) of USACE Waters of the U.S., none of which is USACE federal wetland. The development plan indicates impacts to 1,301 sq. ft. (0.03 acre) of USACE Waters of the U.S. Remaining jurisdictional areas on the site will be incorporated into a Compatible Use Area. Regulatory permits from the USACE, Regional Water Quality Control Board, and CDFW will be required for impacts to jurisdictional areas.

- 17. Section 1602/1603 Permit.** Should any grading or construction be proposed within or along the banks of any natural watercourse or wetland located either on-site or on any required off-site improvement areas, the land divider/permit holder shall provide written notification to the Community Development Department that the appropriate California Department of Fish and Game notification pursuant to Sections 1601/1603 of the California Fish and Game Code has taken place, or, the land divider shall obtain an "Agreement Regarding Proposed Stream or Lake Alteration" (Section 1601/1603 Permit). Copies of any agreement shall be submitted with the notification.

**Copies of the 1602/1603 permits were received and are valid through June 8, 2026.**

- 18. Section 401/404 Permits.** Should any grading or construction be proposed within or alongside the banks of the watercourse or wetland, the land divider/permit holder shall provide written notification to the Community Development Department that the alteration of any watercourse or wetland, located either on-site or on any required off-site improvement areas, complies with the U.S. Army Corp of Engineers Nationwide Permit Conditions, or, the land divider shall obtain a permit under Section 404 of the Clean Water Act. Copies of any agreements shall be submitted along with the notification.

**Copies of the 401 and 404 permits were received and are valid through October 21, 2026.**

- 19. Slope Stability Report No. 675.** County Slope Stability Report (SSR) No. 675 was prepared for this project (TR31194) by Leighton and Associates and is entitled: "Preliminary Geotechnical Evaluation, Proposed Residential Development, Evans Road and Garbani Road, Menifee Area, Riverside County, California", dated June 27, 2002. In addition, Leighton and Associates submitted the following documents for this project:

- a) "Geotechnical Review of Rough Grading Plans, Tract 31194, Menifee, County of Riverside, California", dated January 30, 2004.
- b) "Geotechnical Review Update, Tentative Tract No. 31194, Menifee Area, County of Riverside, California", dated November 2, 2004.
- c) "Preliminary Rock Rippability Investigation, Tract 31194, Menifee, Riverside County, California", dated November 11, 2004.
- d) "Response to County of Riverside Review Comments, Tentative Tract Map No. 31194, Menifee Area, County of Riverside, California", dated February 8, 2005.

These documents are herein incorporated as a part of SSR No. 675.

SSR No. 675 concluded:

- a) The proposed 110 foot 2:1 cut slopes are anticipated to be grossly stable from static and pseudostatic cases.
- b) Oversize rock is expected to be generated as a part of site grading. It is anticipated that the proposed fills are not generally deep enough to accommodate a significant volume of oversize rock burial below the required depth of 10 feet below finish grade.
- c) The potential for rockfall due to either erosion or seismic ground shaking is significant along the steep, south and west-sloping hillsides on the eastern portion of the site.
- d) No active or inactive fault traces are known to traverse the site and no evidence of onsite faulting was observed during this investigation.
- e) The potential for liquefaction due to the design earthquake event to affect structures at this site is low.
- f) The potential total seismic densification of the onsite dry to damp alluvial soils due to the design earthquake event may be on the order of .5 inch. The potential differential seismic densification may be on the order of .5 inch in 40 feet laterally.
- g) The nearest known active fault and source of the design earthquake is considered to be the Elsinore Fault Zone, which is located approximately 6.6 miles south of the subject site.

SSR No. 675 recommended:

- a) Cut slopes should be observed during grading for unfavorable conditions, which may require remediation.
- b) Nonstructural areas, such as the proposed park, may be overexcavated and used for burial of oversized rock. Oversized rock should be placed at least 3 feet below finish grade in nonstructural areas.
- c) The potential hazard from individual rocks should be assessed during grading. Where possible, rockfall hazards should be removed during grading. In the event that potentially unstable rock cannot be removed, remedial measures such as catchment areas, rock fences, or setbacks may be required.

SSR No. 675 satisfies the requirement for a slope stability assessment for planning purposes. Final approved of SSR No. 675 is hereby granted for planning purposes. Engineering and other Uniform Building Code parameters were not included as a part of this review or approval and this approval is not intended, and should not be misconstrued as approval for grading permit. Additional fieldwork, analysis and reporting may be required as part of the grading plan application process. Engineering and other building code parameters will be reviewed and additional comments and/or conditions may be imposed by the Building and Safety Department upon application for grading and/or building permits.

20. **Design Guidelines.** The land divider shall comply with the Citywide Design Standards and Guidelines, originally adopted on April 15, 2020, and any subsequent updates.
21. **Reclaimed Water.** The permittee shall install purple pipes and connect to a reclaimed water supply for landscape watering purposes when secondary or reclaimed water is made available to the site as required by Eastern Municipal Water District.
22. **Lighting Hooded/Directed.** Any outside lighting shall be hooded and directed so as not to shine directly upon adjoining property or public rights-of-way.
23. **Off Highway Vehicle Use.** No off-highway vehicle use shall be allowed on any parcel or open space area located within the boundaries of this land division map.
24. **Human Remains.** If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resource Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within the period specified by law (24 hours). Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.
25. **Non-Disclosure of Location Reburials.** It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r), parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).
26. **Inadvertent Archeological Find.** If during ground disturbance activities, unique cultural resources are discovered that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. Unique cultural resources are defined, for this condition only, as being multiple artifacts in close association with each other,

but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance as determined in consultation with the Native American Tribe(s).

- a) All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the archaeologist, the tribal representative(s) and the Community Development Director to discuss the significance of the find.
- b) At the meeting, the significance of the discoveries shall be discussed and after consultation with the tribal representative(s) and the archaeologist, a decision shall be made, with the concurrence of the Community Development Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources.
- c) Grading of further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional Tribal monitors if needed.
- d) Treatment and avoidance of the newly discovered resources shall be consistent with the Cultural Resources Management Plan and Monitoring Agreements entered into with the appropriate tribes. This may include avoidance of the cultural resources through project design, in-place preservation of cultural resources located in native soils and/or re-burial on the Project property so they are not subject to further disturbance in perpetuity as identified in Non-Disclosure of Reburial Condition.
- e) If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the project archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.
- f) Pursuant to Calif. Pub. Res. Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be presented to the City Community Development Director for decision. The City Community Development Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, recommendations of the project archeologist and shall take into account the cultural and religious principles and practices of the Tribe. Notwithstanding any other rights available under the law, the decision of the City Community Development Director shall be appealable to the City Planning Commission and/or City Council."

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

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

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

- a) All site earthmoving shall be ceased in the area of where the fossil remains are encountered. Earthmoving activities may be diverted to other areas of the site.
- b) The applicant shall retain a qualified paleontologist approved by the County of Riverside.
- c) The paleontologist shall determine the significance of the encountered fossil remains.
- d) Paleontological monitoring of earthmoving activities will continue thereafter on an as-needed basis by the paleontologist during all earthmoving activities that may expose sensitive strata. Earthmoving activities in areas of the project area where previously undisturbed strata will be buried but not otherwise disturbed will not be monitored. The supervising paleontologist will have the authority to

reduce monitoring once he/she determines the probability of encountering any additional fossils has dropped below an acceptable level.

- e) If fossil remains are encountered by earthmoving activities when the paleontologist is not onsite, these activities will be diverted around the fossil site and the paleontologist called to the site immediately to recover the remains.
- f) Any recovered fossil remains will be prepared to the point of identification and identified to the lowest taxonomic level possible by knowledgeable paleontologists. The remains then will be curated (assigned and labeled with museum\* repository fossil specimen numbers and corresponding fossil site numbers, as appropriate; places in specimen trays and, if necessary, vials with completed specimen data cards) and catalogued, an associated specimen data and corresponding geologic and geographic site data will be archived (specimen and site numbers and corresponding data entered into appropriate museum repository catalogs and computerized data bases) at the museum repository by a laboratory technician. The remains will then be accessioned into the museum\* repository fossil collection, where they will be permanently stored, maintained, and, along with associated specimen and site data, made available for future study by qualified scientific investigators.

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

- 29. **Maintenance of Parks and Landscaping.** All parks, landscaping and similar improvements not maintained by a property owner's association or individual property owner must be annexed into a Lighting and Landscape Maintenance District, or other mechanism as determined by the City of Menifee (City).
- 30. **Park Dedication.** All Quimby or other park fees or dedication for parkland and park improvements shall be made or paid to the City of Menifee.

### **Fees**

- 31. **Subsequent Submittals and Fees.** 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). Each submittal shall be accompanied with a letter clearly indicating which condition or conditions the submittal is intended to comply with.

### **Prior to Phasing**

- 32. **Lot Access/Unit Plans.** Any proposed division into units or phasing of the TENTATIVE MAP shall provide for adequate vehicular access to all lots in each unit or phase and shall substantially conform to the intent and purpose of the land division approval. No approval for any number of units or phases is given by this TENTATIVE MAP and its conditions of approval, except as provided by the City of Menifee Municipal Code.

**Unit Phasing Map No. 2017-399 was approved on April 29, 2021.**

**Prior to Final Map**

- 33. Final Map Required.** After the approval of the TENTATIVE MAP and prior to the expiration of said map, the land divider shall cause the real property included within the TENTATIVE MAP, or any part thereof, to be surveyed and a FINAL MAP thereof prepared in accordance with the current Engineering Department - Survey Division requirements, the conditionally approved TENTATIVE MAP, and in accordance with Menifee Municipal Code.
- 34. Licensed Surveyor.** The FINAL MAP shall be prepared by a licensed land surveyor or registered civil engineer.
- 35. 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 lots on the FINAL MAP shall comply with the minimum lot size of 6,000 sq. ft. (Phases 1-3) and 3,780 sq. ft. (Phase 4).
  - c) All lot sizes and dimensions on the FINAL MAP shall be in conformance with the development standards of Chapter 9.155, PD-5 of the Menifee Municipal Code and with the General Plan.
  - d) All knuckle or cul-de-sac lots shall have a minimum of thirty-five (35) feet of frontage measured at the front lot line or as otherwise defined in Chapter 9.155, PD-5 of the Menifee Municipal Code.
  - e) The common open space areas shall be shown as a lettered lot on the FINAL MAP.
  - f) All existing and proposed easements shall be identified on the FINAL MAP.
- 36. ECS.** The land divider shall prepare an Environmental Constraints Sheet (ECS) in accordance with the 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 \_\_\_\_.
- 37. ECS Note on Dark Sky Lighting.** The following Environmental Constraints Note shall be placed on the ECS:
- "This property is subject to lighting restrictions as required by Menifee Municipal Code Chapter 6 (Ordinance No. 2009-024), which are intended to reduce the effects of night lighting on the Mount Palomar Observatory. All proposed outdoor lighting systems shall be in conformance with Menifee Municipal Code Chapter 6."

38. **ECS Note Rock Fall.** An environmental constraints sheet (ECS) shall be prepared for this project. The ECS shall indicate the area of the project site that is subject to potential rockfall. In addition, a note shall be placed on the ECS as follows:

"Portions of this site, as delineated on the ECS map and as indicated in County Slope Stability Report (SSR) No. 675, contain areas of potential rockfall hazards. These areas must be assessed by the project engineering geologist and/or geotechnical engineer and appropriately mitigated during site grading. All slopes must be maintained by the property owner to protect against erosion and future potential rockfall."

39. **ECS Note Oversized Rock.** An environmental constraints sheet (ECS) shall be prepared for this project. The ECS shall include a note as follows:

"The proposed grading of this site is anticipated to generate a significant amount of oversize rock that must be managed as part of site grading. Disposal of oversized rock must be done in accordance with the Uniform Building Code (UBC) and California Building Code (CBC)."

40. **ECS Note on MMRP.** The following Environmental Constraints Note shall be placed on the ECS:

"This property is subject to the Mitigation Monitoring and Reporting Plan adopted as part of the EIR or EIR Addendum for the Project on file with the Community Development Department."

41. **Fee Balance.** Prior to recordation, the Community Development Department shall determine if the deposit-based fees for the TENTATIVE MAP are in a negative balance. If so, any unpaid fees shall be paid by the land divider and/or the land divider's successor-in-interest.

42. **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.

#### **Prior to Issuance of Grading Permits**

43. **Slope Grading Techniques.** The land divider/permit holder shall cause grading plans to be prepared which show all cut slopes located adjacent to ungraded natural terrain and exceed ten (10) feet in vertical height to be contour-graded incorporating the following grading techniques: 1. The angle of the graded slope shall be gradually adjusted to the angle of the natural terrain. 2. Angular forms shall be discouraged. The graded form shall reflect the natural rounded terrain. 3. The toes and tops of slopes shall be rounded with curves with radii designed in proportion to the total height of the slopes where drainage and stability permit such rounding. 4. Where cut and/or fill slopes exceed 300 feet in horizontal length, the horizontal contours of the slope shall be curved in a continuous, undulating fashion.

44. **2:1 Slopes.** Grading of the slopes located directly behind Lot Nos. 4-23, as shown on the latest tentative tract map, shall be exempt from the slope grading techniques



identified in Condition of Approval No. 47. However, the slopes located behind Lots 4-23 shall be graded at a maximum steepness ratio of 2:1 (horizontal to vertical).

45. **Stephens' Kangaroo Rat (SKR) Fees.** Prior to the issuance of a grading permit, the land divider/permit holder shall comply with the provisions of Riverside County 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 Riverside County Ordinance No. 663. Said fee shall be calculated on the approved development project which is anticipated to be 206.8 acres (gross) in accordance with the TENTATIVE MAP. 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 Riverside County Ordinance No. 663 is rescinded, this condition will no longer be applicable. However, should Riverside County 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.
46. **Nesting Bird Survey.** Birds and their nests are protected by the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Wildlife (CDFW) Codes. Since the project supports suitable nesting bird habitat, removal of vegetation or any other potential nesting bird habitat disturbances, shall be conducted outside of the avian nesting season (February 1st through August 31st). If habitat must be cleared during the nesting season, a preconstruction nesting bird survey shall be conducted. The preconstruction nesting bird survey must be conducted by a biologist who holds a current MOU with the County of Riverside. Surveys shall cover all potential nesting habitat areas that could be disturbed by each phase of construction. Surveys shall also include areas within 500 feet of the boundaries of the active construction areas. The biologist shall prepare and submit a report, documenting the results of the survey, to the City of Menifee Community Development Department for review and approval. If nesting activity is observed, appropriate avoidance measures shall be adopted to avoid any potential impacts to nesting birds.
47. **Fee Balance.** Prior to issuance of grading permits, the Community Development Department shall determine if the deposit based fees are in a negative balance. If so, any outstanding fees shall be paid by the applicant/developer.
48. **Grading Plan Review.** The Community Development Department shall review the grading plan for consistency with the approved tentative map and the conditions of approval for the tentative map.
49. **Retain Boulders.** Boulders from onsite excavation/grading shall be retained for entry monumentation and front yard landscaping and not removed off site, used as fill, or destroyed wherever possible.
50. **Mitigation Monitoring.** The permittee shall prepare and submit a written report to the Community Development Director demonstrating compliance with those conditions of approval and mitigation measures of this tract map which must be satisfied prior to the issuance of a grading permit for review and approval. The

Community Development Director may require inspection or other monitoring to ensure such compliance.

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

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

If construction and/or disturbance of the site is suspended for a period of days (30) days or more, a new survey shall be required.

- 52. 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 weepers) and watered at least twice daily. Site wetting must occur often enough to maintain a ten (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 fifty percent (50%).
- b) Water active grading/excavation sites and unpaved surfaces at least three (3) times daily;
- c) All paved roads, parking and staging areas must be watered at least once every two (2) hours of active operations
- d) Site access points must be swept/washed within thirty (30) 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 twenty-five (25) mph;
- l) Suspend excavation and grading activity when winds (instantaneous gusts) exceed fifteen (15) miles per hour over a thirty (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;
- m) All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust;
- n) Traffic speeds on unpaved roads must be limited to fifteen (15) miles per hour;
- o) Provide daily clean-up of mud and dirt carried onto paved streets from the site;
- p) Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site;
- q) All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust;
- r) Operations on any unpaved surfaces must be suspended during first and second stage smog alerts; and,
- s) 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 twenty-four (24) hours of their receipt.

**53. Paleontologist Required.** This site is mapped in the County's General Plan as having a high potential for paleontological resources (fossils). Therefore, PRIOR TO ISSUANCE OF GRADING PERMITS:

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

The project paleontologist retained shall review the approved development plan and shall conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements as appropriate. These requirements shall be documented by the project paleontologist in a Paleontological Resource Impact Mitigation Program (PRIMP). This PRIMP shall be submitted to the Planning Department for review and approval prior to issuance of a Grading Permit.

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

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

and, along with associated specimen and site data, made available for future study by qualified scientific investigators.

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

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

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

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

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

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

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

- a) Project grading and development scheduling;
- b) The Project archeologist and the Consulting Tribes(s) shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to

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

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

**55. Native American Monitoring .** 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.

**56. COA Relocation.** Prior to any grading in the associated areas, the Project Applicant shall meet with the Project archaeologist and the Consulting Tribe(s) in order to assess CA-RIV 11905 to determine the suitability for relocation to a permanent open space area and also to assess the area for possible unidentified cultural resources. The Consulting Tribe(s) shall work with the Project archaeologist, Project Applicant, and the grading contractor or appropriate personnel to ensure that every effort is made to relocate the Features safely and to discuss the most appropriate methods for relocation. Before construction activities may resume in the affected area, any visible artifacts shall be recovered and recorded, and the features recorded using professional archaeological methods. The current Department of Parks and Recreation (DPR) Forms shall be updated, detailing which features were relocated, the process taken, and updated maps providing documentation of the Features' new location. The site record should clearly indicate that the Features are not in their original location and why they were relocated.

COA Control Grade. Site CA-RIV-11905 will be impacted during grading and construction activities and the soils surrounding them will be disturbed. The Applicant, the Pechanga Tribe, and the City will formalize a written agreement to identify the area that will be subject to "Controlled Grading" during construction of the Project. The Pechanga Tribe, the Applicant, and the City will develop an exhibit that outlines the area subject to controlled grading, and that area will be highlighted on the rough grading plans, precise grading plans or other off-site improvement plans that may impact this site. "Controlled Grading" shall include, without limitation, the

slow and deliberate excavation and removal of soils employing the smallest reasonable cuts in certain areas using light scrapers (for example Caterpillar 623 or 627), dozers (for example D6-D8), front end loaders, excavators, skip loaders, dump trucks, and motor graders. A controlled grading plan will be monitored by the Project archeologist and Pechanga Tribal Monitor(s) to ensure the systematic removal of the ground surface surrounding these features are monitored to allow for the identification of resources.

Results of all controlled grading activities shall be included in the Phase IV monitoring report.

COA – Phase III Report: If significant resources are found inadvertently during the project.

If the project will require a Phase III Data Recovery, the data recovery plan shall be prepared in consultation with Pechanga prior to City approving the said plan.

**57. Environmental Permits.** In order to prevent unauthorized impacts to jurisdictional features or riparian/riverine areas, the following permits shall be issued and/or reports approved (or exemptions issued) by the respective resource agency, and any associated conditions of approval shall be agreed upon, prior to the initiation of any ground disturbing activities associated with the proposed development:

- a) Clean Water Act Section 404 Permit from the Army Corps of Engineers;
- b) Streambed Alteration Agreement of the Fish and Game Code from the CDFG;
- c) Clean Water Act Section 401 Water Quality Certification from the Regional Water Quality Control Board (RWQB);
- d) City approval of Determination of Biologically Superior Preservation (DBESP) for riparian/riverine areas.
- e) Avoided riparian/riverine habitat shall be deed restricted or placed in a conservation easement that provides for habitat protection measures (including a mechanism for permanent preservation of the area supporting the replacement habitat). The agency or organization responsible for managing the area shall also be identified.

#### **Prior to Issuance of Building Permit**

- 58. Mitigation Monitoring.** The permittee shall prepare and submit a written report to the Community Development Director demonstrating compliance with those conditions of approval and mitigation measures of this tract map which must be satisfied prior to the issuance of a Building Permit. The Community Development Director may require inspection or other monitoring to ensure such compliance.
- 59. Submit Building Plans.** The land divider/permit holder shall cause building plans to be submitted to the Building Department for review by the Community Development Department. Said plans shall be in conformance with the TENTATIVE MAP.

60. **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.
61. **Front Yard Landscaping.** All front yards shall be provided with landscaping and automatic irrigation as defined by City of Menifee Municipal Code. Landscaping and Irrigation shall comply with the Menifee Municipal Code Chapter 15.04, Riverside County Guide to California Friendly Landscaping, and City of Menifee Municipal Code Chapter 9 (as adopted and any amendments thereto) provided that said ordinance has been amended to address residential tracts. The front yard landscaping must be installed prior to final occupancy release.
62. **Utilities Underground.** All utility extensions within a lot shall be placed underground.
63. **Conform Final Site Plan.** The building plans shall be consistent with the approved elevations of the final site of development plans. The building plans shall be reviewed for consistency with the final site of development plans prior to Building Permit issuance.
64. **School Mitigation.** Impacts to the Menifee Union School District and Perris Union High School District shall be mitigated in accordance with California State law.
65. **Fee Balance.** Prior to issuance of building permits, the Community Development Department shall determine if the deposit-based fees are in a negative balance. If so, any outstanding fees shall be paid by the applicant/developer.
66. **Building Separation.** Building separation between all buildings shall not be less than ten (10) feet. Additional encroachments are only allowed as permitted by the City of Menifee Municipal Code.
67. **Acoustical Study.** The land divider/permit holder shall cause an acoustical study to be performed by an acoustical engineer to establish appropriate mitigation measures that shall be applied to individual dwelling units within the subdivision to reduce the first and second story ambient interior and exterior levels to 45 Ldn and 65 Ldn, respectively. The study shall be submitted, along with the appropriate fee, to the County Environmental Health Department - Industrial Hygiene Division for review and approval. The approved recommendations/requirements, if any, shall be forwarded from the Environmental Health Department to the City of Menifee Building and Safety Department and the Community Development Department for implementation into the final building plans.
68. **Landscape Construction Drawings.** The land divider/permit holder shall file three (3) sets of a Final Landscaping and Irrigation Plan and/or an electronic equivalent to the Community Development Department for review and approval of the open space lots shown on the tentative map.

The plan shall address all areas and conditions of the tract requiring landscaping and irrigation to be installed including, but not limited to, slope planting, common area,



parks 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:

- a) Permanent automatic irrigation systems shall be installed on all landscaped areas requiring irrigation. Low water use systems are encouraged.
- b) 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.
- c) Any required landscape screening shall be designed to be opaque up to a minimum height of six (6) feet at maturity.
- d) 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.
- e) Landscaping plans shall incorporate the use of specimen accent trees at key visual focal points within the project.
- f) Landscaping plans shall incorporate native and drought tolerant plants where appropriate.
- g) Turf shall be eliminated in areas unless provided for active uses.
- h) All basins for drainage and/or water quality shall be screened from view with landscaping.
- i) 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.
- j) All trees shall be minimum double-staked. Weaker and/or slow-growing trees shall be steel-staked.
- k) 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.

- l) Plants with similar water requirements shall be grouped together in order to reduce excessive irrigation runoff and promote surface filtration, where possible.
- m) The plan shall include conceptual plans for the parks (and recreation center) located at Lots 110 (TR31194-1), Lot 96 (TR31194-3), and Lot B (TR31194-4/-F) (anticipated to be HOA maintained).
- n) The plan shall include open space lot slopes for all lots anticipated to be HOA maintained.
- o) If not maintained by the CFD, expanded parkways/streetscapes shall also be included in the landscaping plans submitted for the Community Development Department.

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

Landscaping plans for areas that are totally within the road right-of-way or proposed for CFD maintenance (working drawings, but excluding conceptual park plans) shall be submitted to the Engineering and Public Works Department ONLY.

Landscaping plans for areas proposed to be maintained by the City Community Facilities District shall be submitted to the Engineering and Public Works Department. Conceptual plans are required in addition to working plans.

- 69. Entry Monument Plans.** The land divider/permit holder shall file three (3) sets and/or an electronic equivalent of an Entry Monument plot plan to the Community Development Department for review and approval.

The plot plan shall contain the following elements:

- a) A color rendering of a frontal view of all/the entry monument(s) with landscaping.
- b) 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.
- c) An irrigation plan for the entry monument(s).
- d) The primary entry statements shall be located between "Z" Street (formerly Lots 218 and 292), and "AA" Street (south) (formerly Lots 1 and 85). Secondary entry statements (corner cutbacks) shall be located between "AA" Street (north) (formerly Lots 53 and 54), and "Y" Street (formerly Lots 162 and 239). All entry statements shall conform to the Citywide Design Guidelines.
- e) Boulders from onsite excavation/grading shall be integrated into monumentation landscaping whenever possible.

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.

- 70. Model Home Complex.** A plot plan application shall be submitted to the Community Development Department pursuant to the MMC (Plot Plans not subject to the California Environmental Quality Act), along with the current fee.

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

- a) An engineer's scaled plan showing the model home lots, lot numbers, tract number, and north arrow.
- b) Show front, side and rear yard setbacks.
- c) Provide two dimensioned off-street parking spaces per model and one parking space for office use. The plan must have one accessible parking space.
- d) Show detailed fencing plan including height and location.
- e) Show typical model tour sign locations and elevation.
- f) Three (3) sets and/or an electronic equivalent of photographic or color laser prints (8" X 10") of the sample board and 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.
- g) 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.

- 71. Final Site of Development Plan.** A plot plan application shall be submitted to the Community Development Department pursuant to the MMC (Plot Plans not subject to the California Environmental Quality Act), along with the current fee. Subdivision development shall conform to the approved plot plan and shall conform to the Citywide 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:

- a) A final site plan (40' scale precise grading plan) showing all lots, building footprints, setbacks, mechanical equipment and model assignments on individual lots.
- b) Each model floor plan and elevations (all sides).
- c) Three (3) sets and/or an electronic equivalent of photographic or color laser prints (8" x 10") of the sample board and 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.
- d) 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.
- e) Homes and garages shall be placed at varying distances from the street and have varying entry locations.
- f) 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.
- g) 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.

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.

**72. Wall and Fence Plan.** A plot plan application shall be submitted to the Community Development Department pursuant to the MMC (Plot Plans not subject to the California Environmental Quality Act), along with the current fee.

- a) The plan shall show all project fencing including, but not limited to, perimeter fencing, side and rear yard fencing, retaining walls and open space or park fencing. A typical frontal view of all fences shall be shown on the fencing plan.

- b) All utility service areas and enclosures shall be screened from view with landscaping or decorative barriers or baffle treatments, as approved by the Community Development Department.
- c) All wood fencing shall be treated with heavy oil stain to match the natural shade to prevent bleaching from irrigation spray.
- d) Front yard return walls shall be constructed of masonry slump stone or material of similar appearance, maintenance, and structural durability) and shall be a minimum of five feet in height.
- e) Side yard gates are required on one side of the home and shall be constructed of wrought iron, tubular steel, vinyl or slump stone or masonry with tubular steel combination. Chain-link fencing is not permitted. All construction must be of good quality and sufficient durability with an approved stain and/or sealant to minimize water staining. (Applicants shall provide specifications that shall be approved by the Community Development Department).
- f) All lots having rear and/or side yards facing local streets or otherwise open to public view shall have fences or walls constructed of decorative block.
- g) Corner lots shall be constructed with wrap-around decorative block wall returns. (Note: exceptions for the desert area discussed above.)
- h) Wrought iron or tubular steel fence sections may be included within tracts where view opportunities and/or terrain warrant its use. Where privacy of views is not an issue, tubular steel or wrought iron sections should be constructed in perimeter walls in order to take advantage of casual view opportunities.
- i) The plan shall show the location of all retaining walls. Retaining walls shall be constructed with split-faced block (were exposed/one-sided) and a masonry cap. Where retaining wall exceeds 3 feet in height and extends the length of a property line, an opening/access area at least 3 feet in width, shall be provided to ensure the slope above the retaining wall can be accessed and maintained by the property owner. View fencing (tubular steel or opaque) or a combination of block and view fencing shall be utilized above retaining walls exceeding 3 feet in height so that the maximum height of block walls, including retaining, does not exceed 6 feet.
- j) Wall construction and heights shall conform with applicable noise mitigation.
- k) Seven-foot high (noise barriers) masonry block walls or combination berm and block/privacy wall shall be constructed along Wickerd Road.
- l) These walls shall be erected so that the top of each wall extends at least 7 feet (depending on location) above the pad elevation of the shielded lot. In cases where the road is elevated above the pad, the wall shall extend at least 7 feet (depending on location) above the highest point between homes and the road.
- m) Conceptual perimeter wall plan, Exhibit W, is to ensure fire protection for the lots shown on the plan. Walls on this exhibit shall be included in the Minor Plot Plan

for walls and fencing and shall not be considered a complete wall plan for this tract.

n) The plan shall show the location of all retaining walls which shall also be approved by the Community Development Department. Retaining walls shall be constructed with split-faced block (were exposed/one-sided) and shall include a masonry cap.

o) The Wall and Fence plans shall be consistent with Approved Exhibit W, dated 6/2/06.

- 73. Conceptual Park Plans.** Prior to building permit issuance, a minor plot plan application shall be submitted to and approved by the Community Development Department showing the conceptual park plans and recreation center if the parks are to be maintained by a Homeowner's Association or other private entity. Conceptual plans shall contain overall site map or tract map showing locations of all parks, trails, channels, basins and/or open spaces; vicinity map; street names; north arrow; adjacent land use; proposed park layout including but not limited to parking lot and concrete layout, all proposed amenities, (including, but not limited to gazebos, tot lots, picnic areas, lighting, decomposed granite trails, etc.); turf and planter layout; tree locations; and plant palette. The plans shall be approved by The City or other entity acceptable to the City of Menifee.
- 74. Final Archaeological Report.** A final report of findings shall be prepared by the archaeologist for submission to the Eastern Information Center and the County of Riverside. The report shall describe parcel history, summarize field and laboratory methods used, if applicable, and include any testing or special analysis information conducted to support the findings.
- 75. Performance Securities.** Performance securities, in amounts to be determined by the Community Development Director to guarantee the installation of plantings, irrigation system, parks, walls and/or fences, in accordance with the approved plan, shall be filed with the Community Development Department. Securities may require review by the 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 Six Month and 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. Security deposits are only required for common area landscaped areas.
- 76. Landscape Inspection Deposit.** Prior to issuance of Building Permits, the permit holder shall open a Landscape Deposit Based Fee case and deposit the prevailing deposit amount to cover the pre-installation inspections, installation inspections, Six Month Post Establishment and One Year Post Establishment 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.

**Prior to Issuance of Given Building Permit**

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

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

If at the time of map recordation, the maintenance entity is a Homeowner's Association or other private entity, conceptual park plans, and final park plans shall be submitted to the Community Development Department for review and approval. The construction of the parks shall be as follows:

- 77. First Park Plan Required (TR31194-1).** Prior to the issuance of the 60<sup>th</sup> building permit in the tract, the applicant shall submit a Final Park plan to the City of Menifee Community Development Department for review and approval of the park site located within Lot 110 as shown on the latest approved tentative map (PLN21-0300). The plan shall be prepared consistent with the park plan requirements detailed in Menifee Municipal Code Chapter 9.195 and with Menifee Municipal Code Chapter 15.04 for water efficient landscaping.
- 78. First Park Construction (TR31194-1).** The park and amenities located within the first park shall be installed and open to the public prior to issuance of the 120<sup>th</sup> building permit (all phases). 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. The Community Development Director shall have the ability to defer the installation of the park landscaping and amenities as noted below but may require performance securities and additional deposits to cover administrative costs.
- 79. Second Park Plan Required (TR31194-3).** Prior to the issuance of the 180<sup>th</sup> building permit, the applicant shall submit a Final Park plan to the City of Menifee Community Development Department for review and approval review and approval of the park site located within Lot 96 as shown on the approved tentative map. The plan shall be prepared consistent with the park plan requirements detailed in Menifee Municipal Code Chapter 9.195 and with Menifee Municipal Code Chapter 15.04 for water efficient landscaping.
- 80. Second Park Construction (TR31194-3).** The park and amenities located within the second park shall be installed and open to the public prior to issuance of the 240<sup>th</sup> building permit (all phases). 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. The Community Development Director shall have the ability to defer the installation of the park landscaping and amenities as noted below but may require performance securities and additional deposits to cover administrative costs.

81. **Third Park Plan Required (Phase IV) (TR31194-F).** Prior to the issuance of the 300<sup>th</sup> building permit, the applicant shall submit a Final Park plan to the City of Menifee Community Development Department for review and approval review and approval of the park site located within Lot A as shown on the approved tentative map. The plan shall be prepared consistent with the park plan requirements detailed in Menifee Municipal Code Chapter 9.195 and with Menifee Municipal Code Chapter 15.04 for water efficient landscaping.
82. **Third Park Construction (Phase IV) (TR31194-F).** The park and amenities located within the third park shall be installed and open to the public prior to issuance of the 360<sup>th</sup> building permit (all phases) or 48<sup>th</sup> building permit within Phase 4. 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. The Community Development Director shall have the ability to defer the installation of the park landscaping and amenities as noted below but may require performance securities and additional deposits to cover administrative costs.
83. **Recreation Center Required (TR31194-F).** Prior to the issuance of the 300<sup>th</sup> building permit, the applicant shall submit a final recreation center plan to the City of Menifee Community Development Department for review and approval review and approval of the park site located within Lot B as shown on the approved tentative map. The plan shall be prepared consistent with the plan requirements detailed in Menifee Municipal Code Chapter 9.195 and with Menifee Municipal Code Chapter 15.04 for water efficient landscaping.
84. **Recreation Center Required (TR31194-F).** The recreation center shall be installed and open to the public prior to issuance of the 442<sup>nd</sup> building permit (all phases) or 129<sup>th</sup> within Phase 4. The amenities shall be installed per City approved plot plan. The 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. The Community Development Director shall have the ability to defer the installation of the park landscaping and amenities as noted below but may require performance securities and additional deposits to cover administrative costs.

**Prior to Final Inspection**

85. **Mitigation Monitoring.** The permittee shall prepare and submit a written report to the Community Development Director demonstrating compliance with those conditions of approval and mitigation measures of this tract map which must be satisfied prior to the issuance of final occupancy. The Community Development Director may require inspection or other monitoring to ensure such compliance.
86. **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).

87. **Block Wall Anti-Graffiti Coating.** An anti-graffiti coating shall be provided on all block walls, and written verification from the developer shall be provided to the Community Development Department.
88. **Fencing and Wall Compliance.** Fencing shall be provided throughout the subdivision in accordance with the approved final site development plans and/or walls and fencing plan.
89. **Entry Monuments.** Prior to the first occupancy within the tract, entry monuments shall be installed in accordance with the approved entry monument plans.
90. **Elevations.** Elevations of all buildings and structures shall be in substantial conformance with the elevations approved as part of the final site of development plan.
91. **Driveways.** The land divider/permit holder shall cause all driveways to be constructed of cement concrete.
92. **Roll Up Garage Doors.** All residences shall have automatic roll-up garage doors.
93. **Front Yard Landscaping.** All front yards shall be provided with landscaping and automatic irrigation as defined by City of Menifee Municipal Code 9.195 and Chapter 15.04, and the Riverside County Guide to California Friendly Landscaping, provided that said ordinance has been amended to address residential tracts. The front yard landscaping must be installed prior to final occupancy release.
94. **Final Planning Inspection.** The permittee shall obtain final occupancy sign-off from the Planning Division for each Building Permit issued by scheduling a final Planning inspection prior to the final sign-off from the Building Department. Planning staff shall verify that all pertinent conditions of approval have been met, including compliance with the approved elevations, site plan, walls and fencing and landscaping.
95. **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?"

96. **Open Space Lots.** Prior to the final occupancy of any lot adjacent to an open space lot, as shown on the approved tentative map, the landscaping of the adjacent open space lot shall be installed per the approved landscape and irrigation plan and pass final inspection unless an alternative timing is provided in the following conditions or installation is deferred by the Community Development Director. More specific timing for the installation of open space lot landscaping may be determined during the review and conditioning of the final landscaping and irrigation plans for the open space lots (HOA maintained only).
97. **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. Six Month and One Year Post-Establishment Inspection will also be required. The Community Development Department will require a deposit in order to conduct the landscape inspections.
98. **Landscape Installation.** All required landscape planting and irrigation shall have been installed in accordance with approved Landscaping, Irrigation, and Shading Plans, Menifee Municipal Code Chapter 15.04 and 9.195 (as adopted and any amendments thereto), Eastern Municipal Water District requirements and the Riverside County Guide to California Landscaping. All landscape and irrigation components shall be in a condition acceptable to the Community Development Department. The plants shall be healthy and free of weeds, disease or pests. The irrigation system shall be properly constructed and determined to be in good working order.
99. **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.
100. **Development Impact Fees (DIF).** Prior to the issuance of either a certificate of occupancy or prior to Building Permit final inspection, the applicant shall comply with the provisions of Resolution No. 22-1264, which requires the payment of the appropriate fee set forth in the Resolution. Resolution No. 22-1264 has been established to set forth policies, regulations and fees related to the funding and construction of facilities necessary to address the direct and cumulative environmental effects generated by new development projects described and defined in this Resolution, and it establishes the authorized uses of the fees collected.

In the event Resolution No. 22-1264 is rescinded, this condition will no longer be applicable. However, should Resolution No. 22-1264 be rescinded and superseded by a subsequent City mitigation fee ordinance/resolution, payment of the appropriate fee set forth in that ordinance/resolution shall be required.

- 101. MSHCP Fees.** 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.

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

**Section III:**  
**Engineering/Grading/Transportation**  
**Conditions of Approval**

The following are the Public Works / Engineering Department Conditions of Approval for this development 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.

### **General Conditions**

- 103. Entitlement.** Approval of this Major Modification 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.
- 104. Subdivision Map Act.** The developer / property owner shall comply with the State of California Subdivision Map Act.
- 105. Mylars.** All improvement plans and grading plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch Mylar and signed by a registered civil engineer or other registered / licensed professional as required.
- 106. Current Title Report.** Prior to final map approval, a current title report not older than 90 days, shall be submitted to the Public Works / Engineering Department. The title report shall be in a format that includes embedded hyperlinks to pertinent documents referenced in the title report.
- 107. Plan Check Submittal Forms.** 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.
- 108. Plan Submittal and Approval.** Improvement plans, grading plans, final map, environmental constraint sheet, BMP improvement 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. The plans must receive Public Works / Engineering Department approval prior to final map recordation; or issuance of any construction permit, grading permit, or building permits as applicable and as 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 (Flood Control District), improvement plans must receive Flood Control District approval prior to final map recordation or as determined by the Flood Control District.

- 109. 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). If the required files are unavailable, the developer / property owner shall pay a scanning fee to cover the cost of scanning the as-built plans. The timing for submitting the as-built plans shall be as determined by the Public Works Director / City Engineer.
- 110. 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) Any construction within the City located within one-fourth mile from an occupied residence shall be permitted Monday through Saturday, except on nationally recognized holidays, 6:30 a.m. to 7:00 p.m. There shall be no construction permitted on Sunday or nationally recognized holidays unless approval is obtained from the City Building Official or City Engineer.
  - b) Removal of spoils, debris, or other construction materials deposited on any public street no later than the end of each working day.
  - c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site. Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant to remedies as set forth in the City Municipal Code. In addition, the Public Works Director / City Engineer or the Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such a time it has been determined that all operations and activities are in conformance with these conditions.
  - d) A Pre-Construction meeting is mandatory with the City's Public Works Inspector prior to start of any construction activities.
- 111. Bond Agreements, Grading and Improvement Security.** The developer / property owner shall enter into bond agreements and post security in forms acceptable to the City, guaranteeing the construction of all required grading and improvements in accordance with applicable City policies and ordinances, and as determined by the Public Works Director / City Engineer. The grading and improvements shall include, but not be limited to: onsite / offsite grading, street improvements, street lights, traffic signals, signing and striping, landscaping within right of way or dedicated easements, water quality BMPs, and storm drainage facilities.
- 112. Map Phasing.** The tract map is approved for development into four separate phases. All conditions regarding the Tentative Map phasing plan, planning application 2017-399, must be met during the required phases and timetables. Phased final maps shall be in substantial conformance with approved tentative map. Prior to

recordation, financial security shall be provided for all required improvements with each map phase. The Public Works Director / City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular tract map phase if the improvements are needed for circulation, parking and access or for the welfare or safety of future occupants of the development.

- 113. Existing And Proposed Easements.** The submitted tentative tract map shall correctly show all existing easements, traveled ways, and drainage courses with appropriate flows. Any omission or misrepresentation of these documents may require said tentative tract map to be resubmitted for further consideration.
- 114. 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 (kV) or below along the project frontage and within the project boundaries. In cases where 33.6kV or below lines are collocated with high voltage lines (for example, 115kV), the low voltage lines shall still be placed underground even when the high voltage lines are exempt from relocation or undergrounding in accordance with City standards and ordinances. Exemption from undergrounding low voltage lines shall only be by the Public Works Director / City Engineer or as directed by the City Council.

## **GRADING**

### **General Conditions**

- 115. Introduction.** TR31194-4 proposes two channels behind lots 5-23, and 24-33, 216-228 with a capacity of approximately 30 cubic feet per second. This is too large a quantity to be allowed behind residential lots. At final design, the Public Works / Engineering Department will require additional outlets along these lots - if such is not already required by the Flood Control District. Additionally, 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.
- 116. Obey All Grading Regulations.** All grading shall conform to the latest edition of the California Building Code, applicable City ordinances, and all other relevant laws, rules and regulations governing grading in Riverside County. Prior to commencing any grading involving 50 or more cubic yards of dirt, the applicant shall obtain a grading permit from the Public Works / Engineering Department. City ordinance on grading requires a grading permit prior to clearing, grubbing or any top soil disturbances related to construction grading. Construction a private road required a grading permit.
- 117. Lot To Lot Drainage Easement.** A recorded drainage easement is required for lot-to-lot drainage.
- 118. 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.

- 119. 2:1 Max Slope Ratio.** Graded slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise recommended in the geotechnical report and approved by the Public Works / Engineering Department. A slope stability report shall be submitted for all proposed cut and fill slopes steeper than 2:1 slopes or over 10 feet in vertical height.
- 120. Erosion Control Plans.** AFTER GRADING: 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. Additional erosion and sediment control Best Management Practices (BMPs) are required year round in compliance with the State Water Resources Control Board (SWRCB) General Construction Permit. Additional erosion protection may be required during the rainy season.
- 121. Minimum Drainage Grade.** Minimum drainage grade shall be 1% except on Portland cement concrete where 0.5% shall be the minimum.
- 122. 100 Year Drainage Facilities.** All drainage facilities shall be designed to accommodate 100-year storm flows or as approved by the Public Works / Engineering Department and shall be contained within the top of curb.
- 123. Slope Setbacks.** Observe slope setbacks from buildings and property lines per the California Building Code and applicable City ordinance regarding grading.
- 124. Drainage And Terracing.** Provide drainage facilities and terracing in conformance with the California Building Code's chapter on "Grading."
- 125. Archaeology.** ARCHAEOLOGY: Given the element of uncertainty of any archaeological survey due to the "underground" dimension, it is required that should archaeological materials be found during grading activities, a qualified archaeologist shall be retained for their evaluation.
- 126. No Grading & Subdividing.** If mass grading is proposed - under a previously approved subdivision, at the same time that application for further subdivision for that parcel is being made, an exception to City-adopted Ordinance 460 section 4.4.b is required. Obtain the exception from the Community Development / Planning Department Director.
- 127. Slope Stability Report.** A slope stability report shall be submitted to the Public Works / Engineering Department for all proposed cut and fill slopes steeper than 2:1 (horizontal to vertical) or over 10 feet in vertical height.
- 128. Grading Drainage Site.** 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 in a common area and discharged, protection of the native soils shall be provided by planting erosion resistant vegetation, as the native soil susceptible to erosion by running water.



## **Prior to Grading Permit Issuance**

- 129. NPDES / SWPPP.** Prior to approval of the grading plans applicant shall obtain a General Construction Activity Storm Water Permit from the State Water Resources Control Board (SWRCB) in compliance with the National Pollutant Discharge Elimination System (NPDES) requirements. Proof of filing a Notice of Intent (NOI) to construct shall be provided by the developer, and the State issued Waste Discharge ID number (WDID#) shall be shown on the title sheet of the grading plans prior to approval. The developer / property owner shall prepare and upload a Storm Water Pollution Prevention Plan (SWPPP) into the State's SMARTS database system. The developer / property owner shall also be responsible for updating the SWPPP 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 and the Regional Board has issued a Notice of Termination (NOT) for the development.
- 130. SWPPP For Inactive Sites.** The developer / property owner shall be responsible for ensuring that any graded area 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.
- 131. Grading Permit.** Prior to issuance of any building permit, the property owner shall obtain a grading permit and approval to construct from the Public Works Department.
- 132. Grading Bonds.** Grading in excess of 199 cubic yards will require performance security to be posted with the Public Works / Engineering Department.
- 133. Slope Erosion Control Plan.** Erosion control and / or landscape plans, required for manufactured slopes greater than 3 feet in vertical height, are to be signed by a registered landscape architect and bonded.
- 134. Geotechnical / Soils Reports.** Geotechnical soils reports, required in order to obtain a grading permit, shall be submitted to the Public Works / Engineering Department for review and approval prior to issuance of a grading permit.

All grading shall be in conformance with the recommendations of the geotechnical / soils reports as approved by Public Works / Engineering Department.\*

\*The geotechnical / soils, compaction and inspection reports will be reviewed in accordance with the RIVERSIDE COUNTY GEOTECHNICAL GUIDELINES FOR REVIEW OF GEOTECHNICAL AND GEOLOGICAL REPORTS.

Technical reports previously submitted and approved by the Riverside County shall be updated and submitted to the Public Works / Engineering Department for review and approval prior to issuance of a grading permit. If no technical report has been previously submitted a new report shall be submitted for review and approval by the Public Works / Engineering Department.

- 135. DRAINAGE DESIGN Q100.** All drainage shall be designed in accordance with Riverside County Flood Control & Water Conservation District's conditions of approval regarding this application. If not specifically addressed in their conditions, drainage shall be designed to accommodate 100-year storm flows.

Additionally, the conceptual drainage and grading plan reviewed and approved for this project, shall comply with the project's approved WQMP (Water Quality Management Plan).

- 136. Offsite Grading.** Prior to the issuance of a grading permit, it shall be the sole responsibility of the owner / applicant to obtain any and all proposed or required easements and / or permissions necessary to perform the grading herein proposed.
- 137. Import / Export.** In instances where a grading plans involves import or export, prior to obtaining a grading permit, the applicant 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 Department will be required.

#### **Prior to Building Permit Issuance**

- 138. Grading Permit Prior To Building.** Prior to issuance of any building permit, the property owner shall obtain a grading permit and / or approval to construct from the Public Works / Engineering Department.
- 139. Map Submit Plans.** A copy of the improvement plans, grading plans, BMP improvement plans and any other necessary documentation along with supporting hydrologic and hydraulic calculations shall be submitted to the City Public Works / Engineering Department for review. The plans must receive District approval prior to the issuance of building permits. All submittals shall be date stamped by the engineer and include a completed Deposit Based Fee Worksheet and the appropriate plan check fee deposit.

#### **Prior to Issuance of Certificate of Occupancy**

- 140. Manufactured Slopes 4:1 Or Steeper.** Plant and irrigate all manufactured slopes steeper than a 4:1 (horizontal to vertical) ratio and 3 feet or greater in vertical height with grass or ground cover; slopes 15 feet or greater in vertical height shall be planted with additional shrubs or trees as approved by the Public Works / Engineering Department.

#### **DRAINAGE**

##### **General Conditions**

- 141. MAP FLOOD HAZARD REPORT.** Tract 31194 is a proposal to subdivide 205-acres into residential lots, open space lots, five detention basins and a park, in the Winchester/Antelope Valley area. The project is located north of Scott Road, east of Murrieta Road, south of Garbani Road, and west of Bradley Road.

The project site is subject to several small watersheds to the southwest and northeast. Inlet facilities have been proposed to collect the flows from these watersheds. There is one major watercourse that traverses the property from south to north. Approximately 16 acres of the proposed developed site drains to the southeast. The rest drains to the northwest. There are five detention basins proposed.

Prior to City incorporation, the project was reviewed by the Riverside County Flood Control and Water Conservation District, who provided the following opinion:

A HEC-RAS analysis for the major watercourse running south to north was received on March 14, 2006. 4:1 side slopes, maintenance roads and rip-rap protection where velocities are greater than 6 fps are shown on grading plans received on April 10, 2006. The offsite hydrology and flow rates may be construed as final. The HEC-RAS hydraulic analysis for the main channel was only reviewed at the proof-of-concept level of detail. Final hydraulics will need to be submitted with the final engineering plans. Preliminary sizing for the proposed basins have been submitted in an addendum to the Hydrology Study for TR 31194 that was received on April 18, 2006. The proposed footprints appear to be sufficient for increased runoff and water quality mitigation. A "Drainage Exhibit" for Tentative Tract 31194 was received on April 18, 2006. It shall be noted that the grading plans and drainage exhibit mentioned above show design elements that vary from the Amended No. 2 exhibit circulated by the County Planning Department. The new exhibits display alternate storm drain alignments, additional grading and revised lot numbering resulting from the eliminations of lots.

The following issues shall be resolved during final engineering:

- a) The main channel bisecting the site shall be designed in substantial conformance with the design concept depicted on the April 10, 2006 grading plans and April 18, 2006 drainage exhibit.
- b) The development proposes to convey the main watercourse in a storm drain underneath the proposed side slopes for the central detention basin (Basin A-1). Embankment proposed over storm drain shall have a top width equal to the required easement or put another way, the District policy of no side slopes in storm drain easements must be respected.
- c) The down drains serving the 60 to 100-foot tall cut slopes behind the northeastern tier of lots present a significant design challenge. Safely engineering these down drains may require measures including but not limited to velocity reduction rings, use of pressure pipe, cut-off collars, thrust blocks and slope anchors. These down drains would be the responsibility of the HOA.

- 142. 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 the adjacent street or an adequate outlet.

- 143. 100 Year Sump Outlet.** Drainage facilities out letting sump conditions shall be designed to convey the tributary 100 year storm flows. Additional emergency escape shall also be provided.
- 144. Perpetuate Drainage Patterns (Easement).** The property's street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area, outlet points and outlet conditions; otherwise, a drainage easement shall be obtained from the affected property owners for the release of concentrated or diverted storm flows. A copy of the recorded drainage easement shall be submitted to City Public Works / Engineering Department for review.
- 145. Major Flood Control Facilities.** Major flood control facilities are being proposed. These shall be designed and constructed to City and / or Flood Control District standards including those related to alignment and access to both inlets and outlets. The applicant shall consult the City and / or Flood Control District early in the design process regarding materials, hydraulic design and transfer of rights of way.
- 146. Map Greenbelt Facility Maintenance.** The developer has proposed an onsite green belt channel to convey storm flows. This channel shall be designed to convey the approved tributary flowrate. The proposed greenbelt facilities would be an amenity serving the development. The Flood Control District has indicated that it would be willing to maintain the lines and grade and structural aspects of the channel but cannot be responsible for the landscaping. Maintenance expenses for the greenbelt park drainage system are expected to be high. The City and the District must ensure that the public is not unduly burdened for future costs. Prior to the issuance of any grading permit, the developer shall enter into an agreement with the City and the Flood Control District to guarantee the perpetual maintenance of the drainage facilities proposed by the developer. Said agreement shall be acceptable to the Flood Control District and City. The maintenance mechanism may include participation in a City administered maintenance district that can assess special taxes sufficient to pay for the maintenance of the greenbelt, a Property Owners Association or a combination of both acceptable to both the City and the Flood Control District.
- 147. Map Greenbelt Channel Design Criteria.** The developer has proposed incorporating a greenbelt or 'soft-bottom' channel into the project. The following criteria shall be used to design the channel: If velocities are erosive (i.e. greater than 6 fps) revetment for side slopes shall be proposed and 15-foot maintenance roads shall be shown on both sides of the conveyance area. Where soft bottoms and revetted side slopes are proposed, provisions for maintenance of the buried portion of the revetment shall be incorporated into the channel design and also into any required environmental mitigation/conservation plan. The channel design shall be developed using hydraulic runs that consider both the maximum depth and the maximum velocity. The following criteria shall be used for selecting Manning's n value, unless substantiation for other values is submitted: When determining the maximum depth: for vegetated/habitat low flow channel  $n = 0.10$ , for non-mowed channel outside of low-flow section  $n = 0.04$ , for mowed non-irrigated channel outside of low-flow section  $n = 0.030$ . When determining the maximum velocity: for vegetated/habitat low flow channel  $n = 0.10$ , for the rest of the channel  $n = 0.025$ . If flows are non-erosive (i.e. less than 6 fps) then the side slopes may not need to be

treated with revetment., and if they are to be landscaped, and not steeper than 4H to 1V, and 15-foot maintenance roads are provided on both sides of the conveyance area. The Manning's n values given above shall be used to show that these flows are non-erosive, and to determine the maximum depth of water.

- 148. Map Increased Runoff.** The development of this site will adversely impact downstream property owners by increasing the rate and volume of flood flows. To mitigate this impact, the developer has proposed a detention basin. Although final design of the basin will not be required until the improvement plan stage of this development, the applicant's engineer has submitted a preliminary hydrology and hydraulics study that indicates that the general size, shape, and location of the proposed basin are sufficient to mitigate the impacts of the development. In final engineering, the developer shall provide updated copies of this preliminary hydrology and hydraulics study for review and approval by the Public Works / Engineering Department.
- 149. Map Increased Runoff Criteria.** The development of this site would increase peak flow rates on downstream properties. Mitigation shall be required to offset such impacts. An increased runoff basin shall be shown on the exhibit and calculations supporting the size of the basin shall be submitted to the City and the District for review and approval. The entire area of proposed development will be routed through a detention facility(s) to mitigate increased runoff. All basins must have positive drainage; dead storage basins shall not be acceptable.

A complete drainage study including, but not limited to, hydrologic and hydraulic calculations for the proposed detention basin shall be submitted to the City and the Flood Control District for review and approval by both agencies.

Storms to be studied will include the 1-hour, 3-hour, 6-hour and 24-hour duration events for the 2-year, 5-year and 10-year return frequencies. Detention basin(s) and outlet(s) sizing will ensure that none of these storm events has a higher peak discharge in the post-development condition than in the pre-development condition. For the 2-year and 5-year events the loss rate will be determined using an AMC I condition. For the 10-year event AMC II will be used. Constant loss rates shall be used for the 1-hour, 3-hour and 6-hour events. A variable loss rate shall be used for the 24-hour events.

Low Loss rates will be determined using the following: 1. Undeveloped Condition --> LOW LOSS = 90% 2. Developed Condition --> LOW LOSS = .9 - (.8x%IMPERVIOUS) 3. Basin Site --> LOW LOSS = 10%

Where possible and feasible the on-site flows should be mitigated before combining with off-site flows to minimize the size of the detention facility required. If it is necessary to combine off-site and on-site flows into a detention facility two separate conditions should be evaluated for each duration/return period/before-after development combination studied; the first for the total tributary area (off-site plus on-site), and the second for the area to be developed alone (on-site). It must be clearly demonstrated that there is no increase in peak flow rates under either condition (total tributary area or on-site alone), for each of the return period / duration combinations required to be evaluated. A single plot showing the pre-developed, post-developed

and routed hydrographs for each storm considered, shall be included with the submittal of the hydrology study.

No outlet pipe(s) will be less than 18" in diameter. Where necessary an orifice plate may be used to restrict outflow rates. Appropriate trash racks shall be provided for all outlets less than 48" in diameter.

The basin(s) and outlet structure(s) must be capable of passing the 100-year storm without damage to the facility. Embankment shall be avoided in all cases unless site constraints or topography make embankment unavoidable in the judgment of the City and the Flood Control District.

Mitigation basins should be incorporated into open space or park areas. Side slopes should be no steeper than 4:1 and depths should be minimized where public access is uncontrolled.

A viable maintenance mechanism, acceptable to both the City and the Flood Control District, should be provided for detention facilities. Generally, this would mean a City administered CSA or landscape district, or commercial property owners association. Residential homeowner's associations are discouraged.

- 150. Map Waters of the US (NO FEMA).** A portion of the proposed project may affect "waters of the United States", "wetlands" or "jurisdictional streambeds". Therefore, a copy of appropriate correspondence and necessary permits, or correspondence showing the project to be exempt, from those government agencies from which approval is required by Federal or State law (such as Corps of Engineers 404 permit or Department of Fish and Game 1603 agreement) shall be provided to the City prior to the recordation of the final map.

All Regulatory Permits (and any attachments pertaining thereto such as Habitat Mitigation and Monitoring Plans, Conservation Plans / Easements) to be secured by the Developer shall be submitted to the City for review. The terms of the Regulatory Permits shall be approved by the City prior to improvement plan approval, map recordation or finalization of the Regulatory Permits. There shall be no unreasonable constraint upon the City's and the Flood Control District's (for facilities to be owned by the Flood Control District) ability to operate and maintain the flood control facility to protect public health and safety.

- 151. Map Interceptor Drain Criteria.** The map interceptor drain criteria shall be in accordance with the latest edition of the California Building Code.
- 152. Coordinate Drainage Design.** Development of this property shall be coordinated with the development of adjacent properties to ensure that watercourses remain unobstructed and stormwaters are not diverted from one watershed to another. This may require the construction of temporary drainage facilities or offsite construction and grading. A drainage easement shall be obtained from the affected property owners for the release of concentrated or diverted storm flows. A copy of the recorded drainage easement shall be submitted to the Public Works / Engineering Department for review.

- 153. Owner Maintenance Notice.** The developer / property owner shall record sufficient documentation to advise purchasers of any lot within the subdivision that the owners of individual lots are responsible for the maintenance of the drainage facility within the drainage easements shown on the final map.
- 154. Drainage 1.** The developer / property owner shall protect downstream properties from damages caused by alteration of the drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities including enlarging existing facilities and / or by securing a drainage easement. All drainage easements shall be shown on the final map and noted as follows: "Drainage Easement - no building, obstructions, or encroachments by landfills are allowed". The protection shall be as approved by the Public Works / Engineering Department.
- 155. Drainage 2.** The developer / property owner shall accept and properly dispose of all off-site drainage flowing onto or through the site. In the event the Public Works / Engineering Department permits the use of streets for drainage purposes, applicable provisions of the City adopted County Ordinance No. 460 and City Grading Ordinance Chapter 8.26 will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, the sub-divider shall provide adequate drainage facilities and / or appropriate easements as approved by the Public Works / Engineering Department.
- 156. Trash Racks and Full Capture Devices.** City-approved Trash Racks and Full Capture Devices shall be installed at all inlet structures that collect runoff from open areas with potential for large, floatable debris.

#### **Prior to Grading Permit Issuance**

- 157. Grading.** A grading permit is required from the Public Works / Engineering Department prior to any clearing, grubbing, or any top-soil disturbances related to construction grading activities.
- 158. Temporary Erosion Control Measures.** Shall be implemented immediately following rough grading to prevent deposition of debris onto downstream properties or drainage facilities. Plans showing these measures shall be submitted to the Public Works / Engineering Department for review and approval.
- 159. 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).
- 160. 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 issues a Notice of Termination (NOT) or other forms acceptable to the Board once construction of the project is complete.

- 161. Written Permission for Grading.** 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 City for review and approval.
- 162. Submit Final WQMP.** Prior to issuance of a grading permit, a FINAL project specific WQMP in substantial conformance with the approved PRELIMINARY WQMP, shall be reviewed and approved by the Public Works / Engineering Department. Final construction plans shall incorporate all of 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.
- 163. Map Phasing.** Each tract shall be protected from the 1 in 100 tributary storm flows.
- 164. No Off Site Ponding.** All drainage facilities shall be designed so that no off site ponding will be created.

#### **Prior to Final Map Recordation**

- 165. Maintenance Mechanism.** Evidence of a viable maintenance mechanism for all facilities and services that will be maintained and provided by the City, shall be submitted to the City for review and approval. Services shall include street maintenance and sweeping.
- 166. Onsite Easement on Final Map.** Onsite drainage facilities located outside of road 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".
- 167. Offsite Easement or Redesign.** Offsite 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 City and / or the Flood Control District 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.
- 168. Map Written Permission for Grading.** 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 City Public Works / Engineering Department and / or the Flood Control District for review and approval.
- 169. Three Items to Accept Storm Drain for Maintenance.** Inspection and maintenance of the flood control facility/ies to be constructed with this tract, and proposed to be maintained by either the City or the Flood Control District must be performed by either the City Public Works / Engineering Department, or the Flood Control District. The developer / property owner must request in writing that one of these agencies accept the proposed system. The request shall note the project number, location,



briefly describe the system (sizes and lengths) and include an exhibit that shows the proposed alignment. The request to the District shall be addressed to the General Manager-Chief Engineer, Attn: Chief of the Planning Division.

If the Flood Control District is willing to maintain proposed facilities for Flood Control District ownership and maintenance, three items must be accomplished prior to recordation of the final map or starting construction of the drainage facility: 1) the developer shall submit to the Flood Control District the preliminary title reports, plats and legal descriptions for all right of way to be conveyed to the Flood Control District and secure that right of way to the satisfaction of the Flood Control District; 2) an agreement with the Flood Control District and any maintenance partners must be executed which establishes the terms and conditions of inspection, operation and maintenance; and 3) plans for the facility must be signed by the Flood Control District's General Manager-Chief Engineer. The plans cannot be signed prior to execution of the agreement. An application to prepare the agreement must be submitted to the attention of the Flood Control District's Administrative Services Section. All right of way transfer issues must be coordinated with the Flood Control District's Right of Way Section. The agreement must be approved by both the City and the Flood Control District.

The developer / applicant will need to submit proof that appropriate bonds for flood control facilities have been posted, to the Flood Control District's Inspection section before a pre-construction meeting can be scheduled.

## **NPDES, SWPPP, WQMP**

### **General Conditions**

- 170. Comply With City Code 15.01.** 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.
- 171. 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](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.

- 172. Submit Final WQMP.** In compliance with Santa Ana Region and San Diego Region Regional Water Quality Control Board Orders, and Beginning January 1, 2005, projects submitted within the western region of the unincorporated area of Riverside County for discretionary approval will be required to comply with the Water Quality Management Plan for Urban Runoff (WQMP). The WQMP addresses post-development water quality impacts from new development and redevelopment projects. The WQMP requirements will vary depending on the project's geographic location (Santa Ana, Santa Margarita or Whitewater River watersheds). The WQMP provides detailed guidelines and templates to assist the developer in completing the necessary studies. These documents are available on-line at the Flood Control District's website. To comply with the WQMP a developer must submit a "Project Specific" WQMP to the City Public Works / Engineering Department for review and approval. This report is intended to a) identify potential post-project pollutants and hydrologic impacts associated with the development; b) identify proposed mitigation measures (BMPs) for identified impacts including site design, source control and treatment control post-development BMPs; and c) identify sustainable funding and maintenance mechanisms for the aforementioned BMPs. A template for this report is included as 'exhibit A' in the WQMP. Final Project Specific WQMP must be approved by the City Public Works / Engineering Department prior to issuance of a grading permit.

Projects requiring Project Specific WQMPs are required to submit a PRELIMINARY Project Specific WQMP along with the land-use application package. The format of the PRELIMINARY report shall mimic the format/ template of the final report but can be less detailed. For example, points a, b & c above must be covered, rough calculations supporting sizing must be included, and footprint/locations for the BMPs must be identified on the tentative exhibit. Detailed drawings will not be required. At the time of this project approval, which was prior to City incorporation, the project's condition stated the following (italicized):

*This preliminary project specific WQMP must be approved by the District prior to issuance of recommended conditions of approval.*

*The developer has submitted a report that minimally meets the criteria for a preliminary project specific WQMP. The report will need significant revisions to meet the requirements of a final project specific WQMP. Also, it should be noted that if 401 certification is necessary for the project, the Water Quality Control Board may require additional water quality measures.*

Prior to issuance of a grading permit, the project shall submit a Final Project Specific WQMP that meets WQMP Guidelines per current MS4 Permit. The report shall be reviewed and approved by the Public Works / Engineering Department for compliance with current MS4 Permit requirements for New Developments.

- 173. WQMP Establishing Maintenance Entity.** This project proposes BMP facilities that will require maintenance by a public agency or homeowner's association. To ensure that the public is not unduly burdened with future costs, prior to final approval or

recordation of this case, the City will require an acceptable financial mechanism be implemented to provide for maintenance of treatment control BMPs in perpetuity. This may consist of a mechanism to assess individual benefiting property owners, or other means approved by the City. The site's treatment control BMPs must be shown on the project's improvement plans - either the street plans, grading plans, or landscaping plans. The type of improvement plans that will show the BMPs will depend on the selected maintenance entity.

- 174. Trash Enclosures Standards and Specifications.** Storm runoff resulting in direct contact with trash enclosure, or wastewater runoff from trash enclosure are prohibited from running off a site onto the City MS4 without proper treatment. Trash enclosures in new developments and redevelopment projects shall meet new storm water quality standards including the following:
- a) Provision of a solid impermeable roof with a minimum clearance height to allow the bin lid to completely open.
  - b) Constructed of reinforced masonry without wooden gates. Walls shall be at least 6 feet high.
  - c) Provision of concrete slab floor, graded to collect any spill within the enclosure.
  - d) All trash bins in the trash enclosure shall be leak proof with lids that are continuously kept closed.
  - e) The enclosure area shall be protected from receiving direct rainfall or run-on from collateral surfaces.

Any standing liquids within the trash enclosures without floor drain must be cleaned up and disposed of properly using a mop and a bucket or a wet/dry vacuum machine. All non-hazardous liquids without solid trash may be put in the sanitary sewer as an option, in accordance with Eastern Municipal Water District (EMWD) criteria.

An alternate floor drain from the interior of the enclosure that discharges to the sanitary sewer may be constructed only after obtaining approval from EMWD. This option requires the following:

- a) The trash enclosure shall be lockable and locked when not in use with a 2-inch or larger brass resettable combination lock. Only employees and staff authorized by the enclosure property owner shall be given access. This requirement may not be applicable to commercial complexes with multiple tenants.
- b) A waterless trap primer shall be provided to prevent escape of gasses from the sewer line and save water.
- c) Hot and cold running water shall be provided with a connection nearby with an approved backflow preventer. The spigot shall be protected and located at the rear of the enclosure to prevent damage from bins.

#### **Prior to Issuance of Grading Permit**

- 175. NPDES / SWPPP.** Prior to approval of the grading plans applicant shall obtain a General Construction Activity Storm Water Permit from the State Water Resources Control Board (SWRCB) in compliance with the National Pollutant Discharge Elimination System (NPDES) requirements. Proof of filing a Notice of Intent (NOI) to

construct shall be provided by the developer, and the State issued Waste Discharge ID number (WDID#) shall be shown on the title sheet of the grading plans prior to approval. The developer / property owner shall prepare and upload a Storm Water Pollution Prevention Plan (SWPPP) into the State's SMARTS database system. The developer / property owner shall also be responsible for updating the SWPPP 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 and the Regional Board has issued a Notice of Termination (NOT) for the development.

- 176. Final Project Specific Water Quality Management Plan (Final WQMP).** Prior to issuance of a grading permit, a FINAL project specific WQMP in substantial conformance with an approved PRELIMINARY WQMP, shall be reviewed and approved by the Public Works / Engineering Department. Final construction plans shall incorporate all of 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

It should be noted that if the project cannot provide a Preliminary WQMP or a Final WQMP previously approved by the Riverside County prior to City incorporation, a new report in compliance with current WQMP guidelines shall be provided to the City of Menifee for review and approval.

- 177. 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 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.
- 178. WQMP Right Of Entry And Maintenance Agreement.** Prior to, or concurrent with the approval of the FINAL WQMP, the developer / property owner shall record Covenants, Conditions and Restrictions (CC&R's), or enter into an acceptable Right of Entry and Maintenance Agreement with the City to inform future property owners of the requirement to perpetually implement the approved FINAL WQMP.

#### **Prior to Issuance of Certificate of Occupancy**

- 179. WQMP / BMP – Education.** Prior to issuance of Certificate of Occupancy, the developer/project owner shall provide the City proof of notification to future occupants of all non-structural BMP's and educational and training requirements for said BMP's as directed in the approved WQMP. Acceptable proof of notification must be in the form of a notarized affidavit at the minimum. The developer may obtain

NPDES Public Educational Program materials from the Flood Control District's NPDES Section by either the Flood Control District's website [www.floodcontrol.co.riverside.ca.us](http://www.floodcontrol.co.riverside.ca.us) or by calling the Flood Control District's office directly.

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

- 180. Implement WQMP.** All structural BMPs described in the project-specific WQMP shall be constructed and installed in conformance with approved plans and specifications. It shall be demonstrated that the applicant is prepared to implement all non-structural 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 draining to, are completed and functional.
- 181. 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 for in a City maintained database for future periodic inspection.
- 182. BMP Maintenance & Inspection.** If the development is establishing a Homeowners Association (HOA) The CC&R's for the development's Homeowners Association (HOA) shall contain inspection provisions for any privately owned treatment control BMPs, and if required, cleaned no later than any major rain event. The CC&R's shall identify the entity that will inspect and maintain all privately owned structural BMP's within the project boundaries. A copy of the CC&R's shall be submitted to the Public Works / Engineering Department for review and approval.

## **TRAFFIC ENGINEERING, STREET IMPROVEMENTS AND DEDICATIONS**

### **General Conditions**

- 183. Standard Intro 3 (ORD 460 / 461).** With respect to the conditions of approval for the referenced tentative exhibit, the land divider shall provide all street improvements, street improvement plans and / or road dedications set forth herein in accordance with City-adopted County Ordinances 460 and 461 and all applicable City Standards. It is understood that the tentative map correctly shows acceptable centerline elevations, all existing easements, traveled ways, and drainage courses with appropriate flows, and that their omission or unacceptability may require the map to

be resubmitted for further consideration. All questions regarding the true meaning of the conditions shall be referred to the Public Works / Engineering Department.

- 184. Off-Site Phase.** Should the applicant choose to phase any portion of this project, off-site access roads to City maintained roads shall be provided as approved by the Public Works / Engineering Department.
- 185. Traffic Impact Analysis and Circulation.** The developer provided a traffic impact analysis (TIA), dated November 22, 2004 and prepared by Urban Crossroads. The study was supplemented by a memorandum also prepared by Urban Crossroads, dated June 28, 2006 that evaluated the classification of Garbani Road between Wickerd Road and Bradley Road. Further supplemental information was provided as part of the major modification project by Urban Crossroads titled "Golden Meadows (TTM NO. 31194) Fair Share Assessment" dated June 10, 2022 "Golden Meadows Response to Comments Fair Share Assessment" dated June 10, 2022 that evaluated this projects fair share contributions and increased traffic counts. This project is responsible for contributing fair share costs/improvements determined in the provided traffic impact analysis addendum. Through analysis of Wickerd Road traffic counts, it was determined that Wickerd Road improvements shall be improved as a modified collector roadway. Wickerd Road will be required to have a street name change to separate from current existing Wickerd Road alignment. The Public Works / Engineering Department reviewed the studies and have agreed with its findings.
- 186. TS/CONDITIONS 2.** Prior to City incorporation, the County of Riverside Transportation Department has reviewed the traffic study that was submitted for this project. The study has been prepared in accordance with County approved guidelines in place at that time. The County at that time generally concurred with the findings relative to traffic impacts as indicated below (italicized):

*The County Comprehensive General Plan circulation policies require a minimum of Level of Service 'C', except that Level of Service 'D' may be allowed in community development areas at intersections of any combination of secondary highways, major highways, arterials, urban arterials, expressways or state highways and ramp intersections.*

*The study indicates that it is possible to achieve adequate levels of service for the following intersections based on the traffic study assumptions.*

*Murrieta Road(NS) at: Holland Road(EW) Garbani Road(EW) Scott Road(EW)*

*Evans Road(NS) at: Garbani Road(EW) Scott Road(EW)-Post 2025 Only*

*Garbani Road(NS) at: Wickerd Road(EW)*

*Haun Road(NS) at: Newport Road(EW) Holland Road(EW) Craig Avenue(EW)-Post 2025 Only Garbani Road(EW)-Post 2025 Only Wickerd Road(EW) Scott Road(EW)*

*I-215 Freeway Southbound Ramps(NS) at: Newport Road(EW) Scott Road(EW)*

*I-215 Freeway Northbound Ramps(NS) at: Newport Road(EW) Scott Road(EW)*

*As such, the proposed project is consistent with the County General Plan policy.*

*The associated conditions of approval incorporate mitigation measures identified in the traffic study, which are necessary to achieve or maintain the required level of service.*

Upon City incorporation, the City adopted its General Plan that included an analysis of current City Circulation Network based on updated City Land Use Plan. Additionally, the City adopted a Traffic Analysis Guidelines that provide new developments guidelines and directions in preparing traffic impact analysis. Therefore, in final engineering and prior to final map recordation, the developer / property owner was required to submit an updated or new Traffic Impact Analysis (TIA) for review and approval by the City Public Works / Engineering Department. In order to satisfy this condition, the updated report memorandum by Urban Crossroads titled "Golden Meadows (TTM NO. 31194) Fair Share Assessment" dated June 10, 2022 and "Golden Meadows Response to Comments Fair Share Assessment" dated June 10, 2022 was submitted and reviewed by the City of Menifee. The report was approved prior to recordation of a final map. The development shall comply with the findings and mitigation measures recommended by the updated analysis.

#### **Prior to Grading Permit Issuance**

- 187. Encroachment Permit Required.** An encroachment permit shall be obtained for any work within the public street right of way or with City facilities. The encroachment permit application shall be processed and approved concurrently with the improvement plans.
- 188. Map Phasing.** If the tract is built in phases, each phase shall be protected from the 1 in 100 year tributary storm flows.

#### **Prior to Final Map Recordation**

- 189. Map – TS / Design.** The project proponent shall be responsible for the design of traffic signal(s) at the intersection of:

Wickerd Road at Haun Road, Murrieta Road at Garbani Road and Murrieta Road at Scott Road with fee credit eligibility.

- 190. Map – TS / Geometrics.** The intersection of Murrieta Road at Garbani Road shall be improved to provide the following geometrics:

- Northbound: One left turn lane, one through lane
- Southbound: Two left turn lanes, one through lane
- Eastbound: One left turn lane, one through lane
- Westbound: One left turn lane, one through lane

The intersection of Murrieta Road and Scott Road shall be improved to provide the following geometrics:

- Northbound: N/A
- Southbound: One left turn lane, one right turn lane
- Eastbound: One left turn lane, one through lane
- Westbound: One through lane, one right turn lane

The intersection of Haun Road and Wickerd Road shall be improved to provide the following geometrics:

- Northbound: One left turn lane, one through lane
- Southbound: One left turn lane, one through lane
- Eastbound: One left turn lane, one shared through/right turn lane
- Westbound: One left turn lane, one shared through/right turn lane or as approved by the City Public Works / Engineering Department.

Any off-site widening required to provide these geometrics shall be the responsibility of the landowner / developer.

**191. Map-Scott & I-215 Interchange CFD.** Prior to the recordation of the final map, a Community Facilities District (CFD) or other funding mechanism acceptable to the Public Works / Engineering Department shall be established and funding in place for the construction of the ultimate improvements to the I-215/Scott Road interchange; and / or an annexation CFD for the widening of Scott Road from I-215 to SR-79, as determined by the City Public Works / Engineering Department.

**192. Street Dedications and Improvements.** Interior streets shall be improved within the dedicated right-of-way in accordance with modified City Standard No. 115, Section "A". (36'/56')

Street "W", "Y", and "Z" (Entry) shall be improved within the dedicated right-of-way in accordance with modified City Standard No. 113. (50'/80')(Modified with a 10' median, curb to curb roadway width of 50 feet, and right-of-way width of 80 feet)

Street "Z" (Entry) shall be improved within the dedicated right-of-way in accordance with modified City Standard No. 113. (46'/76') (Modified with a 6' median, curb to curb roadway width of 46 feet, and right-of-way width of 76 feet. Street "K" along the park, between street "N" and street "S" shall be improved within the dedicated right-of-way in accordance with City Standard No. 114 (44'/66').

Street "Z", (the most southerly portion) south of Wickerd Road to the tract boundary as, a stub street, shall be improved within the dedicated right-of-way in accordance with modified City Standard No. 113 (44'/76') (modified). In final engineering, if this portion of Street "Z" is terminating to a temporary dead-end road, the developer shall provide a temporary road termination design acceptable to the Public Works / Engineering Department. The design goal is to avoid creating a dead-end road that abruptly ends in an area that can be used for unauthorized parking of vehicles, or other unauthorized activities that cause nuisance to adjacent residences. The design shall include street signage as approved by the Public Works / Engineering Department.

Wickerd Road from 150' east of Z Street, then northwesterly along realigned Wickerd Road shall be improved within the dedicated right-of-way in accordance with



Modified City Standard No. 112. (56'/98'), as per general plan classification and analysis of proposed traffic counts.

Wickerd Road beginning approximately 150 feet east of the centerline of Street "Z" to easterly tract boundary shall be improved within the dedicated right-of-way in accordance with modified City Standard No 110 (38'/59') (modified). Appropriate transition at the end of Wickerd Road as it connects to Ascot Way shall be provided. The design shall be reviewed and approved by the Public Works / Engineering Department. The transition shall include at the minimum AC pavement, temporary pavement edge/berm on the south boundary of Wickerd, street signage for the narrowing road, and intersection improvement with Ascot Way. The AC pavement transition shall be improved between the full section and the half section of Wickerd Road.

NOTE: The improvements of Garbani Road and realigned Wickerd Road shall be coordinated with TR30142.

Evans Road along the westerly tract boundaries shall be improved within the dedicated right-of-way in accordance with City Standard No. 111 (Half street 36'/50', Full street 72'/100'). Appropriate transitions approved by the Public Works / Engineering Department shall be provided at the terminations of Evans Road north and south of this project. In the event when the neighboring properties fronting Evans Road north and south of this project are not developing ahead of this project, the City may consider accepting in-lieu of payment for the cost of constructing the portion of Evans Road fronting this project. The determination to accept payment in-lieu of construction shall be at made by the City at the time the project is submitted for construction. The final cost estimates shall also be adjusted based on current City approved unit costs at the time of project construction. The developer is still responsible for providing the improvement design for review and approval by the Public Works / Engineering Department prior to final map recordation.

Wickerd Road beginning approximately 150 feet east of the centerline of Street "Z" to easterly tract boundary shall be improved within the dedicated right-of-way in accordance with modified City Standard No 110 (38'/59') (modified). A.C pavement transition shall be improved between the full section and the half section of Wickerd Road at the south east corner of the tract.

- 193. Improvement Plans.** Improvement plans for the required improvements must be prepared and shall be based upon a design profile extending a minimum of 300 feet beyond the project boundaries at a grade and alignment as approved by the City Public Works / Engineering Department. The developer shall construct appropriate transitions based on this design profile. Completion of road improvements does not imply acceptance for maintenance by City.
- 194. Off-Site Access 1.** The developer / property owner shall provide/acquire sufficient public off-site rights-of-way to provide for two paved access roads to a paved and maintained road. Said access roads shall be constructed in accordance with County Standard No. 106, Section B (32'/60'), or current City Standards as determined by the PUBLIC WORKS Director and at a grade and alignment approved by the Public Works / Engineering Department. Should the applicant fail to provide / acquire said off-site right-of-way, the map shall be returned for redesign. The applicant shall

provide the appropriate environmental clearances for said off-site improvements prior to recordation or the signature of any street improvement plans.

Said off-site access road shall be the easterly extension of Wickerd Road to Haun Road.

Said off-site access road shall be the westerly extension of Garbani Road to the paved and City maintained portion of Garbani Road, located west of Evans Road.

- 195. Off-Site Information.** The off-site rights-of-way required for said access road(s) shall be accepted to vest title in the name of the public if not already accepted.
- 196. Easements On Final Map.** Any easement not owned by a public utility, public entity or subsidiary, not relocated or eliminated prior to final map approval, shall be delineated on the final map in addition to having the name of the easement holder, and the nature of their interests, shown on the map.
- 197. Access Restriction.** Lot access shall be restricted on Wickerd Road, Evans Road, entry Street "W", "Y", "Z", and so noted on the final map.
- 198. Signing And Striping Plan.** A signing and striping plan on City title block is required for this project. The applicant shall be responsible for any additional paving and / or striping removal caused by the striping plan.
- 199. Street Name Sign.** The developer / property owner shall install street name sign(s) in accordance with applicable City Standard as directed by the Public Works / Engineering Department.
- 200. Street Right-of-Way Vacation.** The applicant, through this design application, is requesting a vacation of the existing dedicated right-of-way along Ascot Way from Garbani Road to Wickerd Road. Accordingly, prior to recordation of the final map, the applicant shall have filed a separate application with the City Public Works / Engineering Department for a conditional vacation of the above-referenced rights-of-way, and the City Council shall have approved the vacation request. If the City Council denies the vacation request, the tentative map as designed may not record. The applicant may, however, redesign the map utilizing the existing rights-of-way, and may then reprocess the map after paying all appropriate fees and charges.

The applicant, through this design application, is requesting a vacation of the existing dedicated rights-of-way along Krubsack Road between Wickerd Road to Garbani Road. Accordingly, prior to recordation of the final map, the applicant shall have filed a separate application with the City Public Works / Engineering Department for a conditional vacation of the above-referenced rights-of-way, and the City Council shall have approved the vacation request. If the City Council denies the vacation request, the tentative map as designed may not record. The applicant may, however, redesign the map utilizing the existing rights-of-way, and may then reprocess the map after paying all appropriate fees and charges.

The applicant, through this design application, is requesting a vacation of the existing dedicated right-of-way along Wickerd Road between Krubsack Road and Ascot Way. Accordingly, prior to recordation of the final map, the applicant shall have filed a separate application with the City Public Works / Engineering Department for a conditional vacation of the above-referenced rights-of-way, and the City Council shall

have approved the vacation request. If the City Council denies the vacation request, the tentative map as designed may not record. The applicant may, however, redesign the map utilizing the existing rights-of-way, and may then reprocess the map after paying all appropriate fees and charges.

The applicant, through this design application, is requesting a vacation of the existing dedicated rights-of-way along Garbani Road (along the north tract boundary) beginning approximately 400 feet east of the western Tract boundary to Ascot Way. Accordingly, prior to recordation of the final map, the applicant shall have filed a separate application with the City Public Works / Engineering Department for a conditional vacation of the above-referenced rights-of-way, and the City Council shall have approved the vacation request. If the City Council denies the vacation request, the tentative map as designed may not record. The applicant may, however, redesign the map utilizing the existing rights-of-way, and may then reprocess the map after paying all appropriate fees and charges.

- 201. Landscaping.** The project proponent shall comply in accordance with landscaping requirements within public road rights-of-way, in accordance with City-adopted Ordinance 461, and City CFD landscape standards. Landscaping shall be installed within realigned Wickerd Road, Evans Road, entry street "W", "Y", "Z", and "AA", street "K", between "N" to "S". Landscaping plans shall be submitted on standard City Plan sheet format (24" X 36"). Landscaping plans shall be submitted with the street improvement plans. If landscaping maintenance to be annexed to City CFD, landscaping plans shall depict ONLY such landscaping, irrigation and related facilities as are to be placed within the public road rights-of-way.
- 202. Soils.** The developer / property owner shall submit a preliminary soils and pavement investigation report addressing the construction requirements within the road right-of-way.
- 203. Intersection/50' Tangent.** All centerline intersections shall be at 90 degrees, plus or minus 5 degrees, with a minimum 50' tangent, measured from flowline/curb face or as approved by the Public Works / Engineering Department.
- 204. Street Sweeping CFD.** The developer shall file an application with the City Public Works / Engineering Department to annex the project into a City administered CFD for street sweeping and street pavement maintenance services; or enter into a similar mechanism as approved by the Public Works / Engineering Department.
- 205. Onsite and Offsite Street Lights Ownership and Maintenance.** All proposed public street lights shall be designed as LS3 lights in accordance with City approved standards and specifications. 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 with adequate service points for power. The design shall be incorporated in the project's street improvement plans or in a separate street light plan or as determined and approved by the Public Works Director / City Engineer.
- 206. Street Lighting CFD.** The developer shall file an application with the City Public Works / Engineering Department to annex the project into a City administered operation and maintenance; or enter into a similar mechanism as approved by the Engineering Department.

- 207. Public Street Light Service Point Addressing.** The developer shall coordinate with the Public Works / Engineering Department and with Southern California Edison 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.
- 208. Landscape Improvement Plans.** 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 and submitted to the Public Works / Engineering Department for review and approval. The plans may be prepared for each map phase or as one plan for the entire development as determined by the Public Works Director / City Engineer. When necessary as determined by the Public Works Director / City Engineer, a separate WQMP construction plan on City title block maybe required for review and approval by the Public Works / Engineering Department prior to issuance of a grading permit.
- 209. Parkway Landscaping.** The parkway areas behind the street curb within the public's right-of-way, shall be landscaped and irrigated per City standards and guidelines. Continuing maintenance shall be assured through the establishment of a landscape maintenance district or similar mechanism as approved by the City.
- 210. R&BBD.** Prior to the recordation of the final map, or any phase thereof, the project proponent shall pay fees in accordance with Zone "B" of the Scott Road and Bridge Benefit District. Should the project proponent choose to defer the time of payment, a written request shall be submitted to the City Public Works / Engineering Department, deferring said payment to the time of issuance of a building permit. Fees which are deferred shall be based upon the fee schedule in effect at the time of issuance of the permit.
- 211. Corner Cut-Back I.** All corner cutbacks shall be applied per City Standards or County Standard 805 as determined by the Public Works Director / City Engineer except for corners at Entry streets intersecting with General Plan roads, they shall be applied per Exhibit 'C' of the Countywide Design Guidelines.
- 212. Map - Utility Plan.** Electrical power, telephone, communication, street lighting, and cable television lines shall be designed to be placed underground in accordance with City-adopted ordinance 460 and 461, or as approved by the Public Works / Engineering Department. The applicant is responsible for coordinating the work with the serving utility company. This also applies to existing overhead lines which are 33.6 kilovolts or below along the project frontage and between the nearest poles offsite in each direction of the project site. A disposition note describing the above shall be reflected on design improvement plans whenever those plans are required. A written proof for initiating the design and / or application of the relocation issued by the utility company shall be submitted to the Public Works / Engineering Department for verification purposes.

#### **Prior to Building Permit Issuance**

- 213. Garage Doors.** Garage door setbacks for all residential zones shall be 20 feet for rollup doors, measured from the street right-of-way to the face of garage. Side entry garages shall comply with minimum building setback requirements.

#### **Prior to Issuance of Certificate of Occupancy**

- 214. Map – TS / Installation.** The project shall be responsible for the construction and installation of traffic signals at the following locations:

Wickerd Road at Haun Road, Murrieta Road at Garbani Road and Murrieta Road at Scott Road with fee credit eligibility, or as approved by the City Public Works / Engineering Department

The project proponent shall contact the Engineering 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 and shall comply with the requirements of the Public Works / Engineering Department and the public contract code in order to be eligible for fee credit or reimbursement.

- 215. Interim-I-215 / Scott Rd.** Prior to occupancy of the 1st dwelling unit, interim improvements to the Scott Road / I-215 interchange and Scott Road / Haun Road intersection shall be constructed or as approved by the Public Works / Engineering Department. The City is currently taking the lead on these improvements.

- 216. 80% Completion.** Occupancy releases will not be issued for any lot exceeding 80% of the total recorded residential lots within any map or phase of map prior to completion of the following improvements:

- 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) With the exception of those utilized as part of the project specific WQMP for the project, 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 for use 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

The 80% completion shall not apply to BMP facilities serving as water quality BMPs in the project's approved WQMP. These BMP facilities must be completed and functional prior to issuance of any certificate of Occupancy for any lot that is draining to these BMP facilities.

217. **WRCOG TUMF.** Prior to the issuance of an occupancy permit, the project proponent shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance, pursuant to City-TUMF Ordinance.
218. **Street Sweeping.** Street sweeping annexation or inclusion into CSA or similar mechanism as approved by the Public Works / Engineering Department shall be completed.
219. **Street Lights Install.** Install streetlights along the streets associated with development in accordance with the approved street lighting plan and standards. It shall be the responsibility of the Developer to ensure that streetlights are energized along the streets of those lots where the Developer is seeking final Certificate of Occupancy.

## **COMMUNITY FACILITIES MAINTENANCE DISTRICT (CFD)**

### **General Conditions**

220. **Citywide CFD.** Prior to City incorporation, this development was conditioned to annex into the Riverside County Transportation and Land Management Agency (TLMA), Consolidated Landscape and Lighting Maintenance District (L&LMD), and the Riverside County Economic Development Agency's (EDA) County Service Area (CSA). These entities were to provide maintenance services of certain public facilities that will benefit the proposed development. The City of Menifee has now taken over the administration of these special districts for properties within City boundaries. Although the City now has oversight, annexations into these Districts are no longer considered by the TLMA and the EDA.

The development is proposing construction of certain facilities that will eventually become public or will require provision of public services. These include maintenance and operation of water quality basins, street sweeping and pavement maintenance, landscape, streetlights, graffiti abatement, and maintenance of public parks offered for City dedication. The City has established a citywide maintenance CFD that provides equivalent and additional services beyond the authorized service limits of both the L&LMD and the CSA. Annexation of the project into CFD will allow the development to comply with previous conditions.

### **Prior to Final Map Recordation**

221. **ANNEXATION TO CFD.** Prior to, or concurrent with the recordation of the final map, the developer / property owner shall complete the annexation of the proposed development, into the boundaries of the CFD. This CFD will also be responsible for:

The maintenance of public improvements or facilities associated with 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.

- 222. CFD Landscape Guidelines and Improvement Plans.** All landscape improvements for maintenance by the CFD shall be designed and installed in accordance with City CFD Landscape Guidelines, and shall be drawn on a separate improvement plan on City title block. The landscape improvement plans shall be reviewed and approved by the Public Works / Engineering Department prior to issuance of a construction permit
- 223. 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.

## **WATER, SEWER, RECYCLED WATER**

### **Prior to Final Map Recordation**

- 224. ECS - Water System Installed Prior To Building.** ECS map must be stamped by the City Surveyor with the following note:
- The required water system including fire hydrants shall be installed and accepted by the appropriate water agency prior to any combustible building materials being placed on an individual lot.
- 225. Wet Utility Improvements.** All potable water, sewer and recycled water improvements to serve this development shall be designed per the Eastern Municipal Water District (EMWD) standards and specifications and applicable City standards. The final design including pipe sizes and alignments shall be subject to the approval of EMWD and the City of Meniffee
- 226. Offsite and Onsite Lateral Connections.** All onsite and offsite sewer, water and recycled water connections within the public's ROW shall require encroachment permits from the City and shall be guaranteed for construction prior to final map recordation.

## **WASTE MANAGEMENT**

### **General Conditions**

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

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

**For more information, please visit:**

[www.rivcowm.org/opencms/recycling/recycling\\_and\\_compost\\_business.html#mandatory](http://www.rivcowm.org/opencms/recycling/recycling_and_compost_business.html#mandatory)

- 228. 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 business is reduced in subsequent years. Businesses subject to AB 1826 shall take at least one of the following actions in order to divert organic waste from disposal:

- a) Source separate organic material from all other recyclables and donate or self-haul to a permitted organic waste processing facility.
- b) Enter into a contract or work agreement with gardening or landscaping service provider or refuse hauler to ensure the waste generated from those services meet the requirements of AB 1826.
- c) Consider xeriscaping and using drought tolerance/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 may be subject to this requirement.

#### **Prior to Building Permit Issuance**

- 229. 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 Public Works / Engineering 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 material 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 / Planning Department to verify that the Public Works / Engineering Department has approved the plan prior to issuance of a building permit.

- 230. Waste Recycling Plan During Construction.** Prior to the issuance of a building permit, a Waste Recycling Plan (WRP) shall be submitted to the Public Works / Engineering Department for review and approval. The WRP should include, as a minimum, the following information:



- a) The waste materials (i.e., concrete, asphalt, wood, etc.) that will be generated by the construction activity associated with this development and the projected amounts of each material.
- b) The measures / methods that will be taken to recycle, reuse, and / or reduce the amount of waste materials generated.
- c) The facilities and / or haulers that will be utilized.
- d) The targeted recycling or reduction rate.

During project construction, the project site shall have, as a minimum, two (2) bins; one for waste disposal and the other for the recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used for 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. The Public Works / Engineering Department can provide assistance in preparing the WRP if requested.

#### **Prior to Issuance of Certificate of Occupancy**

- 231. 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 Public Works / Engineering Department in order to clear the project for occupancy permits. Receipts just clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled.

#### **FEES DEPOSITS AND DEVELOPMENT IMPACT FEES**

- 232. 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.

**Section IV**  
**Building and Safety Department**  
**Conditions of Approval**

## General Requirements

1. Final Building & Safety Conditions. Final Building & Safety Conditions will be addressed when building construction plans are submitted to Building & Safety for review. These conditions will be based on occupancy, use, the California Building Code (CBC), and related codes which are enforced at the time of building plan submittal.
2. Compliance with Code. All Design components shall comply with applicable provisions of the 2022 edition of the California Building, Plumbing and Mechanical Codes; 2022 California Electrical Code; California Administrative Code, 2022 California Energy Codes, 2022 California Green Building Standards, and City of Menifee Municipal Code. If a code cycle changes prior to submission of any plans or documents, the plans submitted shall be updated to the current State of California, Title 24, Code of Regulations, City of Menifee Ordinance, or any other state, federal, or city requirements.
3. **\*\*SPECIAL CONDITION\*\*** The property is located in a designated "Very High Fire" area and the construction of the structure shall comply with Chapter 7 of the California Building Code Wildland-Urban Interface requirements.
4. County of Riverside Mount Palomar Ordinance. Show compliance with County of Riverside Mount Palomar Ordinance Number 655 for the regulation of light pollution. All outdoor lighting shall be shown on electrical plans submitted to the Building & Safety Department. Any outside lighting shall be hooded and aimed not to shine directly upon adjoining property or public rights-of-way. All exterior LED light fixtures shall be 3,000 kelvin and below.
5. Obtain Approvals Prior to Construction. Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.
6. Obtaining Separate Approvals and Permits. Patio covers, block walls, and other accessory structures will require separate approvals and permits. Parks, recreation areas, and associated and similar uses shall have separate applications and plans submitted to the City of Menifee for review.
7. Demolition. (If applicable) Demolition permits require separate approvals and permits. AQMD notification and approval may be required.
8. Hours of Construction. 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.

## At Plan Review Submittal

9. Submitting Plans and Calculations. The applicant must submit to the Building & Safety Department a completed building permit application and one (1) complete set of electronic plans or, seven (7) complete hard copy sets of plans and one (1) electronic set of supporting documents or, two (2) hard copy sets of any supporting documents; and one (1) electronic set of structural calculations or, two (2) hard copy sets of structural calculations review including:

### Cover Sheet

- Parcel number(s) and Site Address
- Building data: Building square feet and use/occupancy as R-3, Building code data: 2022 California Model Codes as based on the 2015 IRC, 2015 UMC and UPC, 2014 NEC, 2015 IFC and the 2022 California Energy Code

### Site Plan (The cover sheet and site plan may be combined)

- Fully dimensioned, showing property lines, streets, driveways, setbacks and locations of all structures and easements and any off-street parking. Provide North Arrow. A survey may be required if proposed work is close to setbacks, or existing property lines are not apparent.

### Floor Plan

- Fully dimensioned and drawn to scale (3/16 inch per foot minimum)
- Show walls as double lined with references to new wall construction details indicating wall heights, framing member size, spacing and material type, exterior finishes, etc.
- Door and window locations, sizes, and types.
- Identify all elements of the space and identify room uses.

### Elevations

- Provide side views of the building exterior, showing the structure's exterior features and elements e.g., fireplaces, roof vents, doors, windows, etc.

### Section Views

- Provide section views indicating wall heights, insulation location for walls and roof/ceilings for new conditioned spaces, wall, and roof/ceiling finishes, etc.

### Plumbing/Mechanical

- Points of connection for water/sewer
- Material type and sizes for waste/vent system
- HVAC (new or existing) equipment location and BTU input

### Electrical Plan

- Existing main service size, location; proposed panel relocation or upgrade.

- Electrical power and lighting plans, interior fixture schedule for existing and new installations.
- Title 24 Energy electrical requirements including high efficacy fixture types, vacancy sensors, dimmer switching and photo-sensor controls.

#### Structural Plan/Foundation/Framing/Roof Plan and Details

- Structural design by a California State registered Engineer or licensed Architect if the proposed structure does not comply with conventional light wood framing provisions.
- Foundation elements to include footing & slab reinforcement; footing and slab details, including base preparation, sand layer(s), moisture barrier, anchor bolt size and spacing, hold down devices, etc.
- Structural and non-structural frame plan(s) and key referenced details.
- One (1) set of electronic or, two (2) sets of hard copy stamped/signed Structural Calculations.
- One (1) set of electronic or, two (2) sets of Roof Truss Calculations (if applicable). The Architect or Engineer of record shall first review and stamp the truss layout sheet finding the design to be in general conformance with the building design, prior to submittal to the Building and Safety Department for approval.

#### Supplemental Information

- Three (3) copies of Geotechnical soil reports where questionable soil characteristic conditions exist due to verifiable data, such as expansive, compressible, shifting soils, or special study zone(s).
- The prescriptive method Energy Forms, or computerized ENV (Envelope), MECH (Mechanical) and LTG (Lighting) energy calculations for new conditioned space; and all required forms copied to the full-size plan sheets.
- The Contractor must sign the permit application and provide evidence of a current California State contractor's license. All contractors/sub-contractors must show proof of State and City licenses and shall comply with Sec. 3800 of the Labor Code regarding Workers Compensation.
- If an owner chooses not to hire a contractor, they must then sign the permit application as Owner/Builder and complete the certification for owner/builder at permit issuance.

- Contact the Engineering Department regarding grading permit requirements at application.
- Contact the County of Riverside Health Department for properties on private sewage systems for verification of existing system location and provide a copy to the Building and Safety Department.
- Fees are based on the City of Menifee Adopted Fee Schedule.

### **Prior to Issuance of Grading Permits**

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

### **Prior to Issuance of Building Permits**

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

### **Prior to Final Inspection**

13. 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**

1. The proposed fuel modification will consist of 100 feet; 70 feet of non-irrigated area outside the last parcel line radiant heat wall and 30 feet inside the wall prior to the structure envelope. Zone 1, 30 feet will be irrigated and maintained by the property owner, Zone 1A AND Zone 2, 70 feet irrigated and non-irrigated will be HOA maintained.

### **VEGETATION MANAGEMENT ZONE 1 IRRIGATED – HOMEOWNER MAINTAINED**

2. Zone 1 per Approved Fuel Treatment Exhibit the defensible space zone shall be free of all combustible construction and materials. It is an irrigated zone surrounding the structure. It is measured from the exterior walls of the structure or from the most distal point of combustible projection.
3. Required Landscaping in this zone shall be fire resistant and shall not include any pyrophytes that are high in oils and resins such as pines, eucalyptus, cedar, cypress, or juniper species. For proper plant selections refer to APPENDIX 'A' for a list of acceptable plants or APPENDIX 'B' for the prohibited plant list of the Fire Protection Plan Report.
4. Approved ground covers and lawns that shall be maintained at a height that does not exceed 4 inches.
5. Vegetation and combustible ground covers (mulch, bark, wood chips, etc.) are not permitted within 12 inches of a structure.
6. Shrubs should be low-growing and well-irrigated and should be selected from the plant list in APPENDIX 'A' or plants approved by the RVCFD. Shrubs shall be single specimens or a grouping not exceeding three plants. Mature height of plants shall not exceed 48 inches. At mature growth, single plants or groupings of plants shall be separated from each other by at least 5 feet. Plants shall not be located under vents or windows or within five feet to either side of a window. Single specimens of plants or grouping not exceeding three plants are allowed under mature trees.
7. Trees shall be single specimens or groupings of not more than three trees selected from the approved plant list. Trees are to be planted such that the mature canopies will be at least 10 feet from the exterior walls of the structure or from the most distal point of a combustible projection, an attached accessory structure, or an accessory structure within 10 feet of a habitable building.
8. An automatic irrigation system is required. Areas inside the drip line of native oak trees shall not be irrigated.
9. Required Maintenance shall adhere to the following.
  - a. The lot shall be maintained year-round by the individual property owner within their property boundary (lot lines) as required by the FPP or the RVCFD.
  - b. Sprinkler system shall be checked weekly to insure proper working order.
  - c. Any dead or dying plant material shall be removed or replaced. Shrubs and trees are to be bi-annually maintained free of dead material.
  - d. Trees shall be maintained such that the branches and limbs closest to the ground are pruned to a height from the ground that is equal to 1/3 the overall heights of the tree or six feet from the ground, whichever is higher.



- e. All trees must be maintained to the current ANSI A300 standards [*Tree, Shrub, and Other Woody Plant Maintenance- Standard Practices (pruning)*]

#### **VEGETATION MANAGEMENT ZONE 1A IRRIGATED – HOA MAINTAINED**

10. These areas represent manufactured slopes that will be re-planted and irrigated in perpetuity.
11. The lot shall be maintained year-round by the Homeowner Association within their property boundary as required by the FPP or the RVCFD.

#### **VEGETATION MANAGEMENT ZONE 2 NON-IRRIGATED – HOA MAINTAINED**

12. Zone 2 HOA maintained, is an area starting at fence or PL, and extending outward for 70 to 80 feet depending on individual lot setbacks. This will be a non-irrigated dry fuel modification zone. Areas are designated on the Fuel Treatment Exhibit and shall be maintained on a as needed basis.
13. Fuel Modification area shall be maintained year by the HOA as required by the FPP or the RVCFD.
14. Grasses shall be maintained weed whipped to 4 inches.
15. The area shall be maintained free of invasive plants and any volunteer native shrubs.
16. Manufactured Slopes that are within the general Zone 2 area will be considered as Zone 1A for the purpose of the required landscaping and irrigation. All designed HOA manufactured slopes shall be maintained and irrigated in perpetuity.

#### **CONSTRUCTION STANDARDS**

17. All structures within the development site shall meet all wildland/interface standards to the satisfaction of the City of Menifee and RVCFD. Design and construction shall meet the requirements listed in the 2019 Edition of the California Fire and Building Codes, with special adherence to Chapter 7A, and the 2019 Edition of the California Residential Code section R337, with either local amendments/ordinances adopted by RVCFD.
18. All accessory structures such as decks, balconies, patios, covers, gazebos, and fences shall be built from non-combustible or ignition resistant materials. Refer to APPENDIX 'D'.
19. The following additional construction requirements shall be implemented in Tract 31194-4 Lots 235,236,24-32, in Tract 31194-2 Lots 22-35, 36-40, in Tract 31194-3 Lots 21-31, 43-54, and 35-57, to mitigated for the inability to achieve the 100 feet of fuel modification.
  - A six (6) foot-high non- combustible wall shall be constructed on the lot boundary facing the wildland vegetation.
  - All vents in structures shall be "Brandguard:", "O'Hagin Fire & Ice Line- Flame and Ember Resistant or equivalent type vents.

- All operable windows shall be provided with metal mesh bug screens over the operable opening to replace traditional vinyl bugs screens to prevent embers from entering the structure.
20. Construction or building permits shall not be issued until fire code official inspects and approves required vegetation clearances, fire apparatus access and water supply for the construction site.
21. Prior to the delivery of combustible building constructions materials to the project site the following conditions shall be completed to the satisfaction of the City of Menifee and/or RVCFD:
- a. Clearance of Zone 1, Zone 1A and 2 vegetation management shall be provided prior to combustible material arriving on the site and shall be maintained throughout the duration of construction. Fire code officials may require additional vegetation management and/or defensible space when warranted.
  - b. Additional requirements as listed in the development will be adhere to:
    1. Mobile stationary or portable powered operated equipment in the HFA shall not be used without the RVCFD written approval. Specific fire protection measures that may be required to mitigate the hazard include, but are not limited to:
      - A standby water tender, equipped with a pump, fire hose and nozzle.
      - Pre-wetting of the site to avoid the production of sparks between blades, tracks, and rocks.
      - Conducting a fire watch for a minimum of one-hour following the cessation of operations each day.
      - For welding cutting or grinding work, clear away all combustible material from the area around such operations for a minimum distance of 10 feet. A hot-work permit will be required prior to commencing work.
      - Maintain a serviceable round point shovel with an overall length of not less than forty-six (46) inches and five (5) gallon backpack water pump type fire extinguisher fully equipped and ready for use at the immediate area during the operation.

## INFRASTRUCTURE

The Developments water supply shall be provided by the local water purveyor. Fire Flow requirements shall be provided to Riverside County Fire Department.

22. The water mains shall be capable of providing a potential fire flow 2000 GPM and an actual fire flow available from any one hydrant shall be 1500 GPM for 2 hours duration at 20 PSI residual operating pressure.
23. Approved standard fire hydrants, (6"x4"x2 1/2") shall be located at each street intersection and spaced not more than 500 feet apart in any direction with no portion of any lot frontage more than 250 feet from a hydrant. Fire flow shall be a minimum of 1500 GPM.

24. 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.
25. All homes will require NFPA 13D Residential Sprinklers, per the California Residential code, California Building Code, and the California Fire Code. Plans must be submitted to the Fire Department for review and approval prior to installation.
26. Fire access roads shall meet the requirements of the RVCFD and shall be a paved surface capable of supporting loads of 80,000 lbs gross vehicle weights, Access to all portions of the building must be within 150 feet of the available fire department access. Fire access roads shall be maintained for clear access of emergency vehicles. This project requires primary and secondary access at the time of construction.

#### **PRIOR TO MAP RECORDATION**

27. ECS map must be stamped by the Riverside County Surveyor with the following note: The land division is located in the "Hazardous Fire Area" of Riverside County as shown on a map on file with the Clerk of the Board of Supervisors. Any building constructed on lots created by this land division shall comply with the special construction provisions contained in Riverside County Ordinance 787.9.
28. 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) 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.

#### **PRIOR TO GRADING PERMIT**

29. 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) 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.
30. 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**

31. 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.
32. HFA Review- 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.
33. 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 Traffic/Engineer Department and the Riverside County Fire Department. Alternate and/or Secondary Access(s) shall be completed and inspected per the approved plans.

**Section VII:**  
**Community Services Department**  
**Conditions of Approval**

### **General Conditions**

- 233. Park Annexation.** All parklands and any parkways located along the Wickerd Road right-of-way must be annexed into a Communities Facilities District or other acceptable mechanism as determined by the City of Menifee.
- 234. Paseo/Park Improvement Notification.** Adequate notification shall be provided to any home builder or any other buyer of individual phases of the TENTATIVE MAP that certain paseo and/or parks are required to be constructed or improved with the construction of each phase per the conditions of this project.
- 235. Trail Maintenance.** The land divider, or any successor-in-interest to the land divider, shall be responsible for maintenance and upkeep of any trail easement required under these conditions until such time as the maintenance is taken over by a Communities Facilities District or any other appropriate maintenance district.

### **Prior to Final Map**

- 236. Annexation into Park District.** The land divider shall submit written proof to the Community Development Department that the subject property has been annexed to Communities Facilities District or other entity acceptable to the Community Development Director.
- 237. Trail Easement.** Prior to or in conjunction with the recordation of the final map the applicant shall offer for dedication to the City of Menifee a trails easement as shown on the approved trails plan. All trails shall be consistent with the approved tentative map and the General Plan.
- 238. Trail Plan.** Prior to the recordation of the final map or issuance of any grading permits, whichever occurs first, the applicant shall submit a trails plan to the City's Community Services Department and the PW/Engineering Department. These trails include but may not be limited to Community On-Street Bike Lanes (Class III) located on Evans, Garbani and Wickerd Roads per the City's trails map. Trails that are maintained by a Homeowner's Association shall be submitted to the Community Development Department for review and approval
- 239. Trail Maintenance.** The land divider shall form or annex to a Communities Facilities District or other maintenance district approved by the City Community Services and Engineering Departments, for the maintenance of a regional trail (ten feet wide minimum/14-foot easement minimum) located along Wickerd Road. The land divider, or the land divider's successors-in-interest or assignees, shall be responsible for the maintenance of the trail easement until such time as the maintenance is taken over by the appropriate maintenance district.

### **Prior to Issuance of Grading Permit**

- 240. Trail Plan.** Prior to the issuance of any grading permits or final map recordation, whichever occurs first, the applicant shall submit a trails plan to the City's Community Services Department and the PW/Engineering Department. These trails include but may not be limited to Community On-Street Bike Lanes (Class III) located on Evans, Garbani and Wickerd Roads per the City's trails map. Trails that are maintained by a

Homeowner's Association shall be submitted to the Community Development Department for review and approval

- 241. Regional Trail Easement.** The land divider/permit holder shall cause grading plans to be prepared which delineates grading adjacent to or within a proposed trail easement adjacent to Wickerd Road, as delineated on the TENTATIVE MAP. Said grading must conform to the trail standards of the General Plan.

**Prior to Issuance of Building Permit**

- 242. Quimby Fees.** Development shall meet the City's Quimby Fee requirements for residential developments of providing 5 acres of public park land per 1,000 residents, in accordance with the approved Quimby Agreement and MMC Section 7.75 as appropriate.
- 243.** TR31194-1, TR31194-2, and TR31194.3 of the planned development has 312 single family dwelling units. Per the Quimby Agreement approved by City Council March 6, 2019, the developer will dedicate approximately 4.4 acres of HOA parkland and receive 3.3 acres of credit towards Quimby Fee requirements.
- 244.** TR31194-4 of the planned development has had a major modification, since the Quimby Agreement was approved in March 2019 and now consists of 259 units. Per the amendment to the Quimby Agreement anticipated to be approved in March 2023, the developer will dedicate a 3-acre public park and a 0.75-acre private recreational amenity in this area and receive 3.38 acres of credit towards Quimby fees. The balance of the required park land is 0.32-acres and will be handled through the payment of in-lieu fees as determined in MMC Section 7.75.070.

**Prior to Issuance of Given Building Permit**

- 245. Trail Construction.** Prior to the issuance of the 242nd building permit within the tract map the applicant shall build the trail as shown on the approved trails plan.

**Section VI:**  
**Riverside County Environmental**  
**Health Conditions of Approval**



### **General Conditions**

- 246. Eastern Municipal Water District.** Eastern Municipal Water District (EMWD) potable water service and sanitary sewer service is proposed. It is the responsibility of the developer to ensure that all other requirements to obtain potable water service and sanitary sewer service are met with EMWD, as well as, all other applicable agencies.
- 247. Retention Basins.** Any proposed retention basins shall be constructed and maintained in a manner that prevents vector breeding and vector nuisance.

### **Prior to Final Map**

- 248. Water System.** A water system shall have plans and specifications approved by Eastern Municipal Water District and the Department, the City Engineering Department, of Environmental Health.
- 249. Financial Arrangements.** Financial arrangements (securities posted) must be made for the water improvement plans and be approved by City Attorney.
- 250. Sewer System.** A sewer system shall have mylar plans and specifications as approved by the Eastern Municipal Water District, the City Engineering Department and the Department of Environmental Health.
- 251. Annexation.** Annexation proceedings must be finalized with the applicable purveyor for sanitation service.

## END OF CONDITIONS

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)