

ATTACHMENT D

**PC Resolution No. 14-12
Plot Plan No. 12-0364**

PC RESOLUTION NO. 14-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF PLOT PLAN NO. 12-0364 (INCLUDING A FINAL SITE PLAN OF DEVELOPMENT) FOR THE DEVELOPMENT OF 67 SINGLE FAMILY RESIDENTIAL DWELLING UNITS SUBJECT TO CONDITIONS LOCATED AT THE SOUTHWEST CORNER OF ELIZABETH LANE AND PRIELIPP ROAD (APN: 380-280-004, 380-280-009, 380-280-010, 380-280-011 & 380-280-012)

WHEREAS, an application for Plot Plan No. 12-0364 to develop 67 single family detached residential dwelling units, including a private park has been filed by:

Applicant / Owner:	Lennar Homes of California
Authorized Agent:	Ms. Jarnne Valdez, Project Manager, Lennar Homes
Project Location:	SWC of Elizabeth Lane and Prielipp Road
APN Number:	380-280-004 and 380-280-009, 010, 011 & 012
Lot Area:	24 acres

WHEREAS, in accordance with the City of Wildomar Zoning Ordinance (Title 17), the Planning Commission of the City of Wildomar, California, has the authority and has reviewed the proposed Plot Plan No. 12-0364 for the Lennar Residential Project; and

WHEREAS, in accordance with Government Code Section 66452.3, the City has provided the applicant with a copy of the Planning Department staff report and resolutions for Plot Plan No. 12-0364 containing staff's recommendation to the Planning Commission at least three (3) days prior to the below referenced noticed public hearing; and

WHEREAS, the proposed Plot Plan No. 12-0364 for the Lennar Residential Project is considered a "Project" as defined by the California Environmental Quality Act, Public Resources Code §21000 et seq. ("CEQA"); and

WHEREAS, the Planning Director has determined that the proposed project may have one or more significant effects on the environment and that preparation of an Initial Study/Mitigated Negative Declaration was therefore warranted under Public Resources Code §21080(c); and

WHEREAS, after completion of an Initial Study, the Planning Director determined that it did not identify any potentially significant effects on the environment nor was there any substantial evidence from which it could be fairly argued that the project would have a significant effect on the environment. Therefore, staff has recommended to the Planning Commission adoption of a Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program for this project; and

WHEREAS, the proposed Mitigated Negative Declaration consists of the following documents: Initial Study, Mitigated Negative Declaration, Mitigation Monitoring & Reporting Program, and applicable Technical Appendices; and

WHEREAS, on June 17, 2014, using a method required under CEQA Guidelines Section 15072, the City provided a Notice of Intent (NOI) to the Riverside County Clerk, the State Clearing (OPR), the Press Enterprise, a local newspaper of general circulation, and the City's local distribution list regarding the adoption of a proposed Initial Study/Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program for the project; and

WHEREAS, On June 17, 2014, the revised/updated draft Initial Study/Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program was made available for public review for a period of not less than 30 days commencing on June 17, 2014 and concluding on July 16, 2014 as required by CEQA Guidelines §15087. Said document was posted in two public places for review at the following locations: 1) Wildomar City Hall, and 2) the City of Wildomar website; and

WHEREAS, during the 30-day public review period, the City received two (2) written comments concerning the revised/updated Initial Study/Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program; and

WHEREAS, in accordance with Government Code Sections 65090, 65353 and 65355, the City of Wildomar Planning Department, on August 6, 2014 mailed a public hearing notice to all property owners within a 600-foot radius of the project boundaries notifying said property owners of the date and time of the public hearing for which the Plot Plan No. 12-0364 would be considered by the Planning Commission; and

WHEREAS, in accordance with Government Code Sections 65090, 65353 and 65355, the City of Wildomar Planning Department, on August 8, 2014 published a legal notice in the "Press Enterprise", a local newspaper of general circulation, in compliance with State law notifying the general public of the public hearing for which Plot Plan No. 12-0364 would be considered by the Planning Commission; and

WHEREAS, in accordance with Government Code Section 65353, the City of Wildomar Planning Commission on August 20, 2014 held said public hearing at which time the Planning Commission received public testimony from interested persons in support of, or opposition to, the proposed Plot Plan No. 12-0364.

NOW, THEREFORE, the Planning Commission of the City of Wildomar does hereby resolve, determine and order as follows:

SECTION 1. CEQA FINDINGS:

The approval of Plot Plan No. 12-0364 is in compliance with requirements of the California Environmental Quality Act ("CEQA"), in that on August 20, 2014, at a duly noticed public hearing, the Planning Commission recommended adoption of the

Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program reflecting its independent judgment and analysis and documenting the environmental impacts and mitigation measures related to the project. The documents comprising the City's environmental review for the project are on file and available for public review at Wildomar City Hall, 23873 Clinton Keith Rd., Suite 201, Wildomar, CA 92595.

SECTION 2. PLOT PLAN FINDINGS.

In accordance with Wildomar Municipal Code Title 17, the Planning Commission, in light of the whole record before it, including but not limited to the Planning Department's staff report and all documents incorporated by reference therein, the City's General Plan and Zoning Ordinance, and any other evidence within the record or provided at the public hearing of this matter, recommends that the City Council hereby find and determine as follows:

- A. The proposed use is consistent with the Wildomar General Plan and Zoning Code.

Evidence: The proposed Plot Plan No. 12-0364 is consistent with the City's General Plan in that the land use designation is intended to provide for single family detached and attached residences with a density range of 5 to 8 dwelling units per acre on lots that range in size from 4,000 to 6,500 square feet. In reviewing the applicant's development proposal, the project density is set at 5.92 units/acre. In respect to the R-4 zoning requirements, the proposed plot plan is consistent with the Zoning Ordinance in that the lot sizes proposed under the tentative tract map range in size from 5,184 square feet to 19,198 square feet with an average lot size of 7,586 square feet. Based on these facts, the proposed plot plan meets and exceeds the minimum standards of the general Plan and Zoning Ordinance. Therefore, this finding has been met.

- B. The overall development of the land shall be designed for the protection of the public health, safety, and general welfare.

Evidence: The proposed project is located in an area planned and zoned for single family residential land uses according to the General Plan, Zoning Ordinance and Subdivision Ordinance. The proposed plot plan meets and exceeds the minimum development standards of the R-4 which is intended to protect the public health, safety, and general welfare. Further, access and site development plan, including the architectural elevations have been designed to be consistent with the zone standards related to commercial uses, thus, further protecting the public health, safety, and general welfare. Therefore, this finding has been met.

- C. The overall development of the land shall be designed to conform to the logical development of the land and to be compatible with the present and future logical development of the surrounding property.

Evidence: The proposed project has been designed to conform to a logical pattern of development as envisioned by the General Plan. The adjacent properties have

similar compatible land use designations that encourage residential development under the MHDR land use designation. The property to the north, while planned for business park uses, is currently vacant but adequate buffering has been provided. Therefore, this finding has been met.

- D. The Plot Plan considers the location and need for dedication and improvement of necessary streets and sidewalks, including the avoidance of traffic congestion.

Evidence: The project is located at the southeastern portion of the City where access to the site is provided by Prielipp Road and Elizabeth Lane. These streets, and the proposed interior streets have all been designed in accordance with city regulations and standards and will be able to handle the residential traffic from the project. Further, all public improvements have been provided in accordance with City requirements. Therefore, this finding has been met.

- E. The Plot Plan takes into consideration topographical and drainage conditions, including the need for dedication and improvements of necessary structures.

Evidence: The construction of the residential project has been conditioned to comply with all applicable City ordinances, codes, and standards including, but not limited to, the relating to storm water runoff management and other drainage controls regulations (i.e., WQMP). The project drainage design will capture storm runoff in the catch basin filters and/or sub-surface detention basin incorporated into the project design and release runoff back into the natural stream channels without substantially altering the existing drainage pattern and without causing substantial erosion or siltation. Further, the IS/MND analyzed potential impacts related to drainage conditions and based on the improvements being conditioned on the project, the plot plan takes into consideration topographical and drainage conditions, including the need for dedication and improvements of necessary structures. Therefore, this finding has been met.

- F. All plot plans which permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in accordance with Ordinance No. 460 in such a manner that each building is located on a separate legally divided parcel.

Evidence: The project proposes to construct individual dwelling units on individual parcels as proposed under Tentative Tract Map No. 36497. Therefore, this finding has been met.

SECTION 3. PLANNING COMMISSION ACTION

The Planning Commission hereby adopts PC Resolution No. 14-12 recommending City Council approval of Plot Plan No. 12-0364 subject to conditions as provided herein and attached hereto to this Resolution as Exhibit 1.

PASSED, APPROVED AND ADOPTED this 20th day of August 2014, by the following vote:

AYES.

NOES:

ABSENT:

ABSTAINED:

Stan Smith
Planning Commission Chairman

ATTEST:

Matthew C. Bassi
Planning Director/Minutes Secretary

APPROVED AS TO FORM:

Tom D. Jex, City Attorney

**ATTACHMENT D - EXHIBIT 1
LENNAR RESIDENTIAL PROJECT - CONDITIONS OF APPROVAL**

Project Application: Plot Plan No. 12-0364 (FSPD)

APN No.: 380-280-004 and 380-280-009, 010, 011 & 012

Original Council Approval Date (Council Approval):

Plot Plan No. 12-0364: September 10, 2014

Expiration Date (Council Approval):

Plot Plan No. 12-0364: September 10, 2016

Conditions of Approval

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Implementation**

**Enforcement/
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PLANNING DEPARTMENT CONDITIONS

General Conditions

1.	In compliance with Section 15094 of the CEQA Guidelines, a Notice of Determination (NOD) shall be filed with the Riverside County Clerk within five (5) days after project approval by the City Council. The Notice shall include the required California Department of Fish and Game (Code Section 711.4.d.3) fee, and the Riverside County Clerk administrative fee (both paid by the applicant) in the amount of \$2,206.25 . Failure to pay the required fee will result in the project being deemed null and void (California Fish and Game Code Section 711.4(c)). The above fee is broken down as follows: a. California Department of Fish & Game = \$2,156.25; and b. Riverside County Clerk Administrative Fee = \$50.00	Sept. 15, 2014	Planning Department	Duplicated from TTM No. 36497
2.	The applicant shall review and sign below verifying the "Acceptance of the Conditions of Approval" and return the signed page to the Wildomar Planning Department within 7 days after project approval by the City Council. <hr/> Applicant Signature: _____ Date: _____	Sept. 17, 2014	Planning Department	
3.	The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or	On-Going	Planning Department	

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adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. City shall promptly notify the applicant of any Action brought and request that applicant defend the City. It is expressly agreed that applicant may select legal counsel providing the applicant's defense and the City shall have the right to approve separate legal counsel providing the City's defense. The applicant shall reimburse City for any attorneys' fees, costs and expenses directly and necessarily incurred by the City in the course of the defense. Applicant agrees that City will forward monthly invoices to Applicant for attorneys' fees, costs and expenses it has incurred related to its defense of any Action and applicant agrees to timely payment within thirty (30) days of receipt of the invoice. Within fourteen (14) days of an Action being filed, applicant agrees to post adequate security or a cash deposit with City in an amount to cover the City's estimated attorneys' fees, costs and expenses incurred by City in the course of the defense in order to ensure timely payment of the City's invoices. The amount of the

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	security or cash deposit shall be determined by the City. City shall cooperate with applicant in the defense of any Action.			
4.	Approval of Plot Plan No. 12-0364 shall expire on <u>September 10, 2016</u> (2 years of project approval by City Council) if the grading permits have not been issued and substantial construction has begun on the project. The applicant may submit a request for a one-year Extension of Time (EOT) with the Planning Department as permitted by Wildomar Zoning Ordinance provided the written request is made within 45 days of the expiration date and accompanied by the required EOT application & fee.	July 28, 2016	Planning Department	
5.	Within 30 days of approval of Plot Plan No. 12-0364 by the City Council, the applicant shall pay any outstanding deposit account balances. Failure to pay the outstanding balance by the due date may result in delays in the processing of the building permits for said plot plan.	October 10, 2014	Planning Department	
6.	The project shall be developed in accordance with the approved plot plan approved by the City Council. Any modifications or revisions to the approved project will require Planning Director or Planning Commission approval in accordance with Section 17.228 of the Zoning Ordinance.	On-Going	Planning Department	
7.	Plot Plan No. 12-0364, shall not become effective until 30 days after the 2 nd reading of the proposed Change of Zone No. 12-0364 by the City Council. No building permits shall be issued for the final site plan of development until after this date.	November 8, 2014		
8.	If human remains are encountered during grading activities, State Health and Safety Code Section 7050.5 states that no further	On-Going	Planning &	

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	<p>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 a reasonable timeframe. 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.</p>		<p>Engineering Depts.</p>	
<p>9.</p>	<p>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, 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. (1) 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 Native American tribal representative and the planning director to discuss the significance of the find. (2) At the meeting, the significance of the discoveries shall be discussed and after consultation with the Pechanga and Soboba Band representatives and the archaeologist, a decision shall be made, with the concurrence of the planning director, as to the appropriate mitigation (documentation, recovery, avoidance,</p>	<p>On-Going</p>	<p>Planning & Engineering Depts.</p>	

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etc.) for the cultural resources. (3) 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.

CEQA/IS/MND Mitigation Measures

10.	<p>AES-1 Per Section 8.64.090 of the Wildomar Municipal Code, all exterior lighting must be fully shielded if feasible and partially shielded in all other cases, and must be focused to minimize spill of light into the night sky and onto adjacent properties.</p>	<p>Upon submittal of development plans for the proposed project</p>	<p>City of Wildomar Planning and Public Works Department</p>	
11.	<p>BIO-1 The project applicant shall conduct construction and clearing activities outside of the avian nesting season (January 15–August 31), where feasible. If clearing and/or construction activities occur during the nesting season, preconstruction surveys for nesting raptors, migratory birds, and special-status resident birds (e.g., coastal California gnatcatcher) shall be conducted by a qualified biologist, up to 14 days before initiation of construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds. In the event that project grading is approved prior to completion of focused surveys for the Least Bell’s Vireo (LBV), a 250 – 300 foot buffer shall be placed around any identified suitable habitat sites within the project site. No construction-related activities will occur within this buffer area during nesting season (January 15 – August 31). If construction activities occur during the nesting season, a biological</p>	<p>The project applicant shall incorporate requirements into all rough and/or precise grading plan documents. The project applicant’s construction inspector shall monitor to ensure that measures are implemented during construction.</p>	<p>City of Wildomar Planning and Public Works Departments</p>	

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	<p>monitor shall be required to be present at the project site until a focused survey has been completed. If the focused survey is completed with negative findings, then no further monitoring will be required. If LBV is observed during the focused survey, then a biological monitor shall be required to be present at the project site until all construction activities have been completed. If an active nest is located within 100 feet (250 feet for raptors) of construction activities, the project applicant shall establish an exclusion zone (no ingress of personnel or equipment at a minimum radius of 100 feet or 250 feet, as appropriate, around the nest). Alternative exclusion zones may be established through consultation with the CDFW and the USFWS. The exclusion zones shall remain in force until all young have fledged. Reference to this requirement and to the Migratory Bird Treaty Act shall be included in the construction specifications. If construction activities or tree removal are proposed to occur during the non-breeding season (September 1–January 14), a survey is not required, no further studies are necessary, and no mitigation is required.</p>			
12.	<p>BIO-2 Per MSHCP Species-Specific Objective 6, preconstruction presence/absence surveys for burrowing owl within the survey area, where suitable habitat is present, will be conducted for all covered activities through the life of the building permit. Surveys will be conducted 30 days prior to disturbance. Take of active nests will be avoided. Passive relocation (use of one-way doors and collapse of burrows) will occur when owls are present outside the nesting season. The breeding period for burrowing owls is February 1 through August 31, with the peak being April 15 to July 15, the recommended survey</p>	<p>Thirty days prior to any vegetation removal or ground-disturbing activities</p>	<p>City of Wildomar Planning and Public Works Departments</p>	

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	<p>window. Winter surveys may be conducted between September 1 and January 31. If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed. Surveys shall be completed for occupied burrowing owl burrows within all construction areas and within 150 meters (500 feet) of the project work areas (where possible and appropriate based on habitat). All occupied burrows will be mapped on an aerial photo.</p>			
13.	<p>BIO-3 If burrowing owls are identified during the survey period, the City shall require the project applicant to take the following actions to offset impacts prior to ground disturbance:</p> <p>Active nests within the areas scheduled for disturbance or degradation shall be avoided from February 1 through August 31, and a minimum 75-meter (250-foot) buffer shall be provided until fledging has occurred. Following fledging, owls may be passively relocated by a qualified biologist. If impacts on occupied burrows in the non-nesting period are unavoidable, on-site passive relocation techniques may be used if approved by the CDFW to encourage owls to move to alternative burrows outside of the impact area. However, no occupied burrows shall be disturbed during the nesting season unless a qualified biologist verifies through noninvasive methods that the burrow is no longer occupied. Foraging habitat for relocated pairs shall be provided in accordance with guidelines provided by the CDFG (2012). If relocation of the owls is approved for the site by the CDFW, the City shall require the developer to hire a qualified biologist to prepare a plan for relocating the owls to a suitable site. The relocation plan must include all of the following:</p> <ul style="list-style-type: none"> • The location of the nest and owls proposed for relocation. 	<p>Prior to any vegetation removal or ground-disturbing activities</p>	<p>City of Wildomar Planning and Public Works Departments</p>	

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	<ul style="list-style-type: none"> • The location of the proposed relocation site. • The number of owls involved and the time of year when the relocation is proposed to take place. • The name and credentials of the biologist who will be retained to supervise the relocation. • The proposed method of capture and transport for the owls to the new site. • A description of site preparation at the relocation site (e.g., enhancement of existing burrows, creation of artificial burrows, one-time or long-term vegetation control). • A description of efforts and funding support proposed to monitor the relocation. <p>If paired owls are present within 50 meters (160 feet) of a temporary project disturbance (e.g., parking areas), active burrows shall be protected with fencing/cones/flagging and monitored by a qualified biologist throughout construction to identify losses from nest abandonment and/or loss of reproductive effort.</p>			
14.	<p>BIO-4 The project applicant shall ensure there is no loss of the 1.88 acres of riparian habitat supported by the drainage feature identified by this document as Feature 1 (shown as Lot L on Figures 3a and 3b). The required conservation of the 1.88 acres of cottonwood-willow riparian forest plus the conservation of the 3.69 acres of adjacent upland habitat, will be accomplished by including a deed restriction on the combined 5.57 acre parcel itself, as well as by placing a deed restriction for all properties adjacent to the area of Feature 1 informing property owners of the status of the area as preserved lands.</p>	<p>Prior to project vegetation removal or ground-disturbing activities</p>	<p>City of Wildomar Planning and Public Works Departments</p>	

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15. **BIO-5** A homeowners association of the project, or another entity designated by the project applicant and approved by the City, shall preserve and manage the conservation area required by BIO-4 in accordance with MSHCP requirements, as well as the applicable regulatory requirements of the CDFW, the USACE, and/or the State Water Resources Control Board. The preservation and management of the conservation area shall be subject to a Habitat Management Plan (HMP) prepared by a qualified biologist. In addition, the Habitat Management Plan shall be funded, developed and implemented by the applicant and/or the Home Owners Association ("HOA") of the completed project, and that Plan shall be submitted to the City for review and approval prior to any clearing and/or construction activity. The Plan's preservation and management of the area shall include, but is not limited to the following:
- **Toxics:** Land uses proposed in proximity to the MSHCP Conservation Area that use chemicals or generate bioproducts, such as manure, that are potentially toxic or may adversely affect wildlife species, habitat, or water quality shall incorporate measures to ensure that application of such chemicals does not result in discharge to the MSHCP Conservation Area. The greatest risk is from landscaping fertilization overspray and runoff.
 - **Lighting:** Night lighting shall be directed away from the MSHCP Conservation Area to protect species within the MSHCP Conservation Area from direct night lighting. Shielding shall be incorporated into project designs to ensure ambient lighting in the MSHCP Conservation Area is not increased.
 - **Noise:** Proposed noise-generating land uses affecting the

Prior to any clearing and/or construction activity.

City of Wildomar
Planning and Public
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MSHCP Conservation Area shall incorporate setbacks, berms, or walls to minimize the effects of noise on MSHCP Conservation Area resources pursuant to applicable rules, regulations, and guidelines related to land use noise standards.

- Invasives: Consider the invasive, non-native plant species listed in Table 6-2 of the MSHCP in approving landscape plans to avoid the use of invasive species for the portions of development that are adjacent to the MSHCP Conservation Area. Considerations in reviewing the applicability of this list shall include proximity of planting areas to the MSHCP Conservation Areas, species considered in the planting plans, resources being protected within the MSHCP Conservation Area and their relative sensitivity to invasion, and barriers to plant and seed dispersal, such as walls, topography, and other features. MSHCP Table 6-2 has been included in Appendix E for reference purposes.
- Barriers: Proposed land uses adjacent to the MSHCP Conservation Area shall incorporate barriers, where appropriate, in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping into the MSHCP Conservation Areas.
- Drainage: Incorporate measures to control the quantity and quality of runoff from the site entering the MSHCP Conservation Area. In particular, measures shall be put in place to avoid discharge of untreated surface runoff from developed and paved areas into the MSHCP Conservation Area.

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- a. A qualified biologist shall meet with the landscape crew that will be responsible for the maintenance of the riparian area to discuss the plants that require removal.
- b. A qualified biologist will monitor the first two years of maintenance activities to ensure enhancement and maintenance activities are adequate.
- c. A preconstruction nesting bird survey will be required prior to vegetation removal or ground-disturbing activities within 250 feet of the riparian vegetation.
- d. Trash, debris, and previous construction elements will be removed from the riparian area.
- e. In order to meet the DBESP requirement of an equivalent or superior preservation, the main drainage feature's riparian habitat will be enhanced. This enhancement area shall be contained within the entire 1.88 acres of riparian habitat on-site. Habitat enhancement will require the removal of non-native invasive species such as pampas grass (*Cortaderia selloana*), broadleaf cattail (*Typha latifolia*), and Mediterranean tamarisk (*Tamarix ramosissima*).
- f. Once construction of the project has been completed and the mechanism for maintaining the riparian area has been completed, the first year of habitat management will begin.
- g. The riparian area will be visited on four separate occasions throughout the first year to remove all non-native weedy species. Many weedy species emerge during different times of the year. Multiple site visits will ensure that all invasive plant species will be targeted. An annual monitoring survey and

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report shall be prepared to qualitatively assess the main drainage feature and estimate the amount of remaining non-native species. Following the first year of maintenance, non-native invasive plants should not exceed 5 percent vegetative cover.

- h. The second year of habitat management will require two separate site visits. Once the majority of the non-native invasive species have been removed, the likelihood of reoccurrence will be minimized and therefore, the number of necessary surveys is reduced. A second annual monitoring survey will be conducted in a similar fashion to the first year, documenting the estimated percentage of non-native invasive species coverage. Following the first year of maintenance, non-native invasive plants should not exceed 2 percent vegetative cover.

An annual report of findings will be established to document the performance of the applicant and/or the HOA in managing the open space area and will be sent to the City for review. The report will assess the project based on the performance standards as well as a qualitative assessment of the drainage feature with regard to improving existing site conditions

16. **BIO-6** The project applicant shall comply with the applicable requirements, if any, of CDFW, the USACE, and/or the State Water Resources Control Board with respect to both Feature 1 and Feature 2, and ensure that the project will result in no net loss of potential waters of the State and waters of the United States through impact

Prior to any vegetation removal or ground-disturbing activities

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	avoidance. Evidence of compliance with this mitigation measure shall be provided prior to ground-disturbing or grading activities for the proposed project.			
17.	BIO-7 Because the project will directly impact the 0.159 acre pond and swales that comprise Feature 2, the owner, developer, or successor in interest shall purchase mitigation credits in the amount of 0.419 acre. The purchase is anticipated from the Elsinore-Murrieta-Anza Resource Conservation District, but may be purchased from any other entity acceptable to the Regional Conservation Authority and the City of Wildomar. The purchased credits shall be for willow riparian habitat and shall be associated with land within the Murrieta Creek watershed.	Prior to any vegetation removal or ground-disturbing activities	City of Wildomar Planning and Public Works Departments	
18.	BIO-8 The project applicant shall submit fees to the City in accordance with the requirements of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Mitigation Fee Areas, including the MSHCP Mitigation Fee Area and the Stephens' Kangaroo Rat Mitigation Fee Area, as applicable. MSHCP mitigation fees are used to purchase off-site occupied habitat within the designated conservation areas to ensure the long-term conservation of coastal California gnatcatcher. Similarly, the Stephens Kangaroo Rat Mitigation Fee is also designed to generate funds to purchase off-site occupied habitat for Stephens' kangaroo rats in core conservation areas.	Prior to any vegetation removal or ground-disturbing activities	City of Wildomar Planning Department	
19.	CUL-1 Prior to development approval on the project site and issuance of any grading, building, or other permit authorizing ground-disturbing activity, the project applicant(s) shall include the following wording in all construction contract documentation: If during grading or	As a condition of future development approval, and implemented	City of Wildomar Building & Safety and Planning Departments	

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	<p>construction activities cultural resources are discovered on the project site, work shall be halted immediately within 50 feet of the discovery and the resources shall be evaluated by a qualified archeologist and the Pechanga Tribe (Tribe). Any unanticipated cultural resources that are discovered shall be evaluated and a final report prepared by the qualified archeologist. The report shall include a list of the resources discovered, documentation of each site/locality, and interpretation of the resources identified, and the method of preservation and/or recovery for identified resources. In the event the significant resources are recovered and if the qualified archaeologist and the Tribe determines the resources to be historic or unique, avoidance and/or mitigation would be required pursuant to and consistent with CEQA Guidelines Sections 15064.5 and 15126.4 and Public Resources Code Section 21083.2 and the Cultural Resources Treatment and Monitoring Agreement required by mitigation measure CUL-2.</p>	<p>during ground-disturbing construction activities</p>		
20.	<p>CUL-2 At least 30 days prior to seeking a grading permit, the project applicant(s) shall contact Pechanga Tribe to notify the Tribe of grading, excavation, and the monitoring program and to coordinate with the City of Wildomar and the Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. The agreement shall include, but not be limited to, outlining provisions and requirements for addressing the treatment of cultural resources; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site; and establishing on-site monitoring provisions and/or requirements for professional Tribal monitors during all ground-disturbing activities. A copy of this signed agreement shall be provided to the Planning</p>	<p>Prior to the issuance of a grading permit</p>	<p>City of Wildomar Public Works and Planning Departments</p>	

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	Director and Building Official prior to the issuance of the first grading permit.			
21.	CUL-3 Prior to future development approval on the project site and issuance of any grading, building, or other permit authorizing ground-disturbing activity, the project applicant(s) shall include the following wording on all construction contract documentation: If human remains are encountered, California Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources 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 a reasonable time frame. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations and engage in consultations concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.	As a condition of project approval, and implemented during ground-disturbing construction	City of Wildomar Public Works and Planning Departments	
22.	CUL-4 All cultural materials, with the exception of sacred items, burial goods, and human remains, which will be addressed in the Cultural Resources Treatment and Monitoring Agreement required by mitigation measure CUL-2 , that are collected during the grading monitoring program and from any previous archeological studies or excavations on the project site shall be curated according to the current professional repository standards. The collections and associated records shall be transferred, including title, to the	As a condition of project approval, and implemented during ground-disturbing construction activities	City of Wildomar Public Works and Planning Departments	

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	Pechanga Tribe's curation facility, which meets the standards set forth in 36 CRF Part 79 for federal repositories.			
23.	CUL-5 All sacred sites, should they be encountered within the project site, shall be avoided and preserved as the preferred mitigation, if feasible as determined by a qualified professional in consultation with the Pechanga Tribe. To the extent that a sacred site cannot be feasibly preserved in place or left in an undisturbed state, mitigation measures shall be required pursuant to and consistent with Public Resources Code Section 21083.2 and CEQA Guidelines Sections 15064.5 and 15126.4.	As a condition of project approval, and implemented during ground-disturbing construction activities	City of Wildomar Public Works and Planning Departments	
24.	CUL-6 Prior to future development approval on the project site and issuance of any grading, building, or other permit authorizing ground-disturbing activity, the project applicant(s) shall include the following wording on all construction contract documentation: If inadvertent discoveries of subsurface archaeological resources are discovered during grading, work shall be halted immediately within 50 feet of the discovery. The developer, the project archeologist, and the Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the developer and the Tribe cannot agree on the significance of or the mitigation for such resources, these issues will be presented to the City of Wildomar Planning Director. The Planning Director shall make the determination based on the provisions of CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the Pechanga Tribe. Notwithstanding any other rights available under the law, the decision	As a condition of future development approval, and implemented during ground-disturbing construction activities	City of Wildomar Public Works and Planning Departments	

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	of the Planning Director shall be appealable to the City of Wildomar. In the event the significant resources are recovered and if the qualified archaeologist determines the resources to be historic or unique as defined by relevant state and local law, avoidance and mitigation would be required pursuant to and consistent with Public Resources Code Section 21083.2 and CEQA Guidelines Sections 15064.5 and 15126.4.			
25.	CUL-7 To address the possibility that cultural resources may be encountered during future grading or construction, a qualified professional archeologist shall monitor all construction activities that could potentially impact archaeological deposits and a qualified paleontologist shall monitor all construction activities that could potentially impact paleontological deposits (e.g., grading, excavation, and/or trenching). However, monitoring should be discontinued as soon the qualified professional is satisfied that construction will not disturb cultural resources.	As a condition of future development approval, and implemented during ground-disturbing construction activities	City of Wildomar Engineering and Planning Departments	
26.	CUL-8 Prior to the issuance of a grading permit, the project applicant(s) for future development shall identify to the City of Wildomar the qualified paleontologist who has been retained to evaluate the significance of any inadvertently discovery paleontological resources. If paleontological resources are encountered during grading or project construction, all work in the area of the find shall cease. The project applicant shall notify the City of Wildomar and retain a qualified paleontologist to investigate the find. The qualified paleontologist shall make recommendations as to the disposition of the paleontological resources to the City of Wildomar Planning Director. The developer shall pay for all required treatment	Prior to the issuance of a grading permit	City of Wildomar Public Works and Planning Departments	

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	and storage of discovered resources.			
27.	CUL-9 A qualified paleontologist or paleontological monitor shall monitor all mass grading and excavation activities. Monitoring will be conducted in areas of grading or excavation in undisturbed formational sediments of the sandstone member of the Pauba Formation (Qpfs) and the sandstone member of the Sandstone and Conglomerate of Wildomar (QTsw), of late Pliocene to middle Pleistocene age, as well as where over-excavation of surficial alluvial sediments will encounter these formations in the subsurface. Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediment that are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined on exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.	As a condition of future development approval, and implemented during ground-disturbing construction activities	City of Wildomar Public Works and Planning Departments	
28.	CUL-10 Any recovered paleontological specimens shall be identified to the lowest taxonomic level possible and prepared for permanent preservation, including screen-washing of sediments to recover small invertebrates and vertebrates shall occur if necessary.	As a condition of project approval, and implemented during ground-disturbing construction activities.	City of Wildomar Public Works and Planning Departments	
29.	CUL-11 Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival	As a condition of project approval,	City of Wildomar Public Works and	

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	conservation and permanent retrievable storage shall occur at an institutional repository approved by the City of Wildomar. The paleontological program shall include a written repository agreement prior to the initiation of mitigation activities.	and implemented during ground-disturbing construction activities.	Planning Departments	
30.	CUL-12 A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location. The report, when submitted to and accepted by the City of Wildomar, shall signify satisfactory completion of the project program to mitigate impacts to any potential nonrenewable paleontological resources (i.e., fossils) that might have been lost or otherwise adversely affected without such a program in place.	Following ground-disturbing activities, and implemented prior to the issuance of a building permit	City of Wildomar Public Works and Planning Departments	
31.	GEO-1 Prior to the issuance of a grading permit, the developer shall submit a geotechnical soils reports to the City Engineer for review and approval. All grading shall be in conformance with the recommendations of the geotechnical/soils reports as approved by the City of Wildomar.	Prior to the issuance of a grading permit	City of Wildomar Public Works and Planning Departments	
32.	GEO-2 All grading shall conform to Chapter 15.12, Building Code, of the Wildomar Municipal Code, and all other relevant laws, rules, and regulations governing grading in Wildomar. Prior to commencing any grading that includes 50 or more cubic yards, the developer shall obtain a grading permit from the Building Department.	Prior to the issuance of a grading permit	City of Wildomar Public Works and Planning Departments	
33.	GEO-3 Erosion control-landscape plans, required for manufactured slopes greater than 3 feet in vertical height, are to be signed by a registered landscape architect and bonded per the requirements of	The project applicant shall incorporate	City of Wildomar Public Works and Planning Departments	

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	<p>Chapter 15.12 of the Wildomar Municipal Code. Planting shall occur within 30 days of meeting final grades to minimize erosion and to ensure slope coverage prior to the rainy season. The developer shall 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 or as approved by the City Engineer.</p>	<p>requirements into all rough and/or precise grading plan documents. The project applicant's construction inspector shall monitor to ensure that measures are implemented during construction.</p>		
34.	<p>GEO-4 The project applicant shall retain a qualified corrosive soils engineer. The qualified corrosive soils engineer shall investigate the project site for corrosive soils, review all grading and construction/building plans and recommend mitigation measures which shall be implemented to minimize any potential impacts associated with the site's corrosive soils, including but not limited installation of sacrificial steel, an appropriate cementitious material cover (e.g., grout), surface coatings (e.g., epoxy, zinc, etc.), grout filled corrugated plastic sheath encapsulation, use of stainless steel or a combination of these or similar factors. Prior to issuance of the project's first building permit, the City Engineer shall review and approve the corrosive soils report, and if required, the project applicant shall modify the foundation design of the project's structures to take into account the recommendations in the corrosive soils report, with such revised</p>	<p><u>Prior to the issuance of a grading permit</u></p>	<p><u>City of Wildomar Planning and Building and Safety Departments</u></p>	

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	foundation designs to be approved by the City Engineer			
35.	<p>HAZ-1 In accordance with the defensible space program included in Appendix 8a, two defensible space zones shall be created and maintained by the Homeowner's Association (HOA) of the completed project. The Homeowner's Association's Conditions, Covenants, and Restrictions (CC&Rs) shall contain language requiring homeowners to be aware of, and to observe the management of, the two zones.</p> <p>The zones will include an Irrigated Zone "A" and a No/Low Fuel/Thinning Zone "B"</p> <p>Zone A will be located between the structures and Zone B. The formal Zone A will start at the end of the private lots and will be contained within a lettered lot under the control of the HOA. Zone A shall be cleared of all natural vegetation and replanted with only approved plants listed on the approved plans (Appendix 8a) and in accordance with the spacing requirements of the same appendix. HOA CC&R documents will have language prohibiting the construction of combustible structures within Zone A. Home buyers shall be required to sign a disclosure indicating they are aware of the defensible space zone. Zone A area will be irrigated to keep the vegetation in a state of high fuel moisture year round.</p> <p>Zone B will start at the end of Zone A and move outward away from the structures towards the native vegetation. Zone B shall be developed and maintained in one of three methods:</p> <ol style="list-style-type: none"> 1. Cleared, permanently and replaced with a noncombustible cover such as a boulder blanket or rock outcropping to prevent erosion. Any vegetation that establishes in this area would be removed. 	As a condition of occupancy, and implemented prior to occupancy	City of Wildomar Building and Planning Departments	

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	<p>2. Vegetation replaced with surface covering such a wood chips, base or gravel. This area would be maintained free of vegetation.</p> <p>3. Selective thinning of natural vegetation to ground coverage of 50% or less with all of the dead and downed materials removed annually. All seasonal grasses will be cut to a height of no greater than four inches (4") prior to the start of fire season but in no case could the height exceed eighteen inches (18") even when the plants are growing and still not capable of burning. No highly combustible plants will be permitted. Any highly combustible plants will be removed from the zone during the regular maintenance activities before they seed into the area. Native shrubs shall be maintained at a height no greater than twenty four inches (24") in height.</p>			
36.	HAZ-2 Homebuyers shall be required to sign a disclosure indicating that they have knowledge of and will comply with the defensible space zone within the proposed project.	As a condition of occupancy, and implemented prior to occupancy	City of Wildomar Building and Planning Departments	
37.	HAZ-3 As recommended by the Fire Behavior Report created for the proposed project (Appendix 8a), a perimeter block wall/radiant heat wall shall be constructed when a fuel modification zone is not possible without offsite improvements.	As a condition of occupancy, and implemented prior to occupancy	City of Wildomar Building and Planning Departments	
38.	HYD-1 Prior to the approval of the grading permit, the project applicant shall be required to prepare a stormwater pollution prevention plan (SWPPP) consistent with the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance	Prior to issuance of grading permit	City of Wildomar Public Works and Planning Department	

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	<p>Activities (Order No. 2010-0014-DWQ), which is to be administered through all phases of grading and project construction. The SWPPP shall incorporate best management practices (BMPs) to ensure that potential off-site water quality impacts during construction phases are minimized. The SWPPP shall be submitted for review to the Regional Water Quality Control Board and to the City of Wildomar. A copy of the SWPPP must be kept accessible on the project site at all times. In addition, the project applicant will be required to submit, and obtain City Engineering approval of, a Water Quality Management Plan prior to the issuance of any building or grading permit in order to comply with the Areawide Urban Runoff Management Program. The project shall implement site design BMPs, source control BMPs, and treatment control BMPs as identified in the Water Quality Management Plan. Site design BMPs shall include, but are not limited to, landscape buffer areas, on-site ponding areas, roof and paved area runoff directed to vegetated areas, and vegetated swales. Source control BMPs shall include, but are not limited to, education, landscape maintenance, litter control, parking lot sweeping, irrigation design to prevent overspray, and covered trash storage. Treatment control BMPs shall include vegetated swales and a detention basin, or an infiltration device.</p>			
39.	<p>NOI-1 Development on the project site shall implement the following construction noise mitigation measures to reduce potential construction noise impacts:</p> <ul style="list-style-type: none"> • Construction equipment staging and storage areas shall be located as far from the residential land uses as possible. 	During construction activities	City of Wildomar Building and Planning Departments	

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	<ul style="list-style-type: none"> All construction equipment shall be properly maintained with operating mufflers and air intake silencers as effective as those installed by the original manufacturer. Residents living up to 1,000 feet from the property line shall be provided with a construction schedule and contact information to file a complaint. Timely notification shall accompany any major changes to this schedule. A temporary noise barrier shall be erected along the project boundaries during all construction activities. 			
40.	<p>NOI-2 To meet the City exterior noise standard of 65 dBA CNEL, permanent noise control barriers with a height of 6 feet are required for lots that are adjacent to Prielipp Road, Elizabeth Lane, and Interstate 15. Table 12-2 indicates the height and location of the individual noise control barriers necessary for the project. The data in Table 12-2 is based on barrier locations at the boundary line of the subject lots, at the top of slope, between the adjacent roadway and exterior living area(s). It is important to note that the barriers' attenuation will be accomplished only if the referenced minimum height is based from the pad or the roadway elevation, whichever is the greater of the two. If the barrier is being constructed at a position where the starting elevation is less than the pad or adjacent roadway, the barrier's ultimate height will need to be adjusted to fit the aforementioned criteria. Where applicable, the barriers shall wrap around the ends of the dwelling units to prevent flanking of noise into the site.</p>	<p>Prior to the issuance of occupancy permits and during project operations</p>	<p>City of Wildomar Building and Planning Departments</p>	
41.	<p>NOI-3 Because the projected first- and second-story interior noise impacts to the proposed project will have a range of approximately 42.7 to 53.6 dBA CNEL, when the windows are open, the interior City</p>	<p>Prior to the issuance of occupancy permits</p>	<p>City of Wildomar Building and Planning</p>	

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	noise standard will be met with a “windows closed” condition and upgraded windows (Sound Transmission Class (STC) \geq 25) and sliding glass doors. Due to this “windows closed” condition, all homes will require mechanical fresh air ventilation (i.e., air conditioning).	and during project operations	Departments	
42.	NOI-4 The project shall utilize upgraded windows (STC \geq 25) for units facing Prielipp Road, Elizabeth Lane, and Interstate 15. All residential units will properly be mitigated through the implementation of a “windows closed” condition, which will necessitate mechanical ventilation (i.e., air conditioning) meeting UBC (Uniform Building Code) fresh air ventilation standards.	Prior to the issuance of occupancy permits and during project operations	City of Wildomar Building and Planning Departments	
43.	NOI-5 A means of mechanical ventilation shall be implemented for the proposed project’s housing. The mechanical ventilation system shall be capable of providing two air changes per hour in habitable rooms with a minimum of 15 cubic feet per minute (7 liters per second) of outside air per occupant. The fresh air inlet duct shall be of sound-attenuating construction and shall consist of a minimum of 10 feet of straight or curved duct or 6 feet plus one sharp 90-degree bend. Attic vents facing adjacent roadways, if applicable, shall include an acoustical baffle, or the attic floor (including the access panel) shall be fully insulated to prevent vehicle noise intrusion.	Prior to the issuance of occupancy permits and during project operations	City of Wildomar Building and Planning Departments	
44.	NOI-6 A “windows closed” condition shall be required to meet interior noise exposure standards for residential units facing Prielipp Road and Elizabeth Lane. To implement the “windows closed” condition, a means of mechanical ventilation is required to ensure satisfactory sound control and ventilation. For proper acoustical performance, all exterior windows, doors, and sliding glass doors must have a positive	Prior to the issuance of occupancy permits and during project operations	City of Wildomar Building and Planning Departments	

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	seal, and leaks/cracks shall be kept to a minimum.			
45.	PUB-1 Prior to issuance of any building permit, the project applicant shall pay the required school impact mitigation fees established by the Lake Elsinore Unified School District and in effect at the time of building permit issuance.	Prior to the issuance of a building permit	City of Wildomar Building and Planning Departments	
<u>Prior to Issuance of a Grading Permit</u>				
46.	Prior to the issuance of the any grading permit for Plot Plan No, the" applicant shall enter into a Tribal Monitoring Agreement" with the Pechanga Band of Luiseno Indians. The agreement shall, include, but not be limited to, outlining provisions and requirements for addressing the treatment of cultural resources and establishing on-site monitoring provisions/requirements during all on-site ground disturbing activities. A copy of this signed agreement shall be provided to the Planning Director and Building Official prior to the issuance of the 1st grading permit.	Prior to Issuance of a Grading Permit	Planning Department	
47.	The grading plan shall include the following information in the Notes Section of the Grading Plan: <i>"No grubbing/clearing of the site shall occur prior to scheduling the pre-grading meeting with Engineering. All project sites containing suitable habitat for burrowing owls, whether owls were found or not, require a 30-day preconstruction survey that shall be conducted within 30 days prior to ground disturbance to avoid direct take of burrowing owls. If the results of the survey indicate that no burrowing owls are present on-site, then the project may move forward with grading, upon Planning Department approval. If burrowing owls are found to be present or nesting on-site during the</i>	Prior to Issuance of a Grading Permit	Planning Department	

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	<i>preconstruction survey, then the following recommendations must be adhered to: Exclusion and relocation activities may not occur during the breeding season, which is defined as March 1 through August 31, with the following exception: From March 1 through March 15 and from August 1 through August 31 exclusion and relocation activities may take place if it is proven to the City and appropriate regulatory agencies (if any) that egg laying or chick rearing is not taking place. This determination must be made by a qualified biologist."</i>			
48.	<i>The grading plan shall include the following information in the Notes Section of the Grading Plan: "If at any time during excavation/construction of the site, archaeological/cultural resources, or any artifacts or other objects which reasonably appears to be evidence of cultural or archaeological resource are discovered, the property owner shall immediately advise the City of such and the City shall cause all further excavation or other disturbance of the affected area to immediately cease. The Planning Director at his/her sole discretion may require the property owner to deposit a sum of money it deems reasonably necessary to allow the City to consult and/or authorize an independent, fully qualified specialist to inspect the site at no cost to the City, in order to assess the significance of the find. Upon determining that the discovery is not an archaeological/cultural resource, the Planning Director shall notify the property owner of such determination and shall authorize the resumption of work. Upon determining that the discovery is an archaeological/cultural resource, the Planning Director shall notify the property owner that no further excavation or development may take place until a mitigation plan or other corrective measures have been approved by the Planning Director."</i>	Prior to Issuance of a Grading Permit	Planning Department	

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49.	Prior to the issuance of any grading permit the applicant shall receive approval of a haul permit for any import of material to the site or export of material off-site. The request for a haul permit shall include a haul route plan addressing the limitations of haul hours, number of loads per day and the posting of traffic control personnel at all approved entrances/exits onto public roads. This haul permit shall be in place prior to the issuance of the grading permit and the mobilization of equipment on the project site. If the proposed material source or disposal site was not previously evaluated by the mitigated negative declaration, a grading environmental assessment shall be approved by the planning director prior to the issuance of the haul permit.	Prior to Issuance of a Grading Permit	Planning & Engineering Depts.	
50.	Prior to the issuance of any grading permit for each phase , the applicant shall provide a note on the grading plans that state the following: <i>"No ground disturbing or grubbing activities shall be allowed within the protected drip line of any preserved native, oak or riparian tree identified for preservation. Fencing shall be placed around these protected areas."</i>	Prior to Issuance of a Grading Permit	Planning & Engineering Depts.	
<u>Prior to Issuance of a Building Permit and/or During Construction</u>				
51.	Prior to the issuance of the 1 st building permit for any dwelling unit within the project area, the applicant shall submit three (3) sets of detailed construction plans to the Building Department for review and approval. Said construction drawings shall be consistent with the development plans and architectural plans approved by the City Council under Plot Plan No. 12-0364.	Prior to Issuance of a Building Permit	Building Department	
52.	Prior to the issuance of the building permits for each dwelling unit constructed under Plot Plan No. 12-0364, the applicant shall pay all	Prior to Issuance of Building Permits	Building and Engineering	

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	applicable and current Development Impact Fees and City Mitigation Fees as determined by the Building and Engineering departments, including but not limited to, TUMF, MSHCP and K-Rat fees.		Departments	
53.	As required by Section 42911 of the Public Resources Code, prior to the issuance of a building permit, the project applicant shall submit a recycling collection and loading area plan to the Riverside County Waste Management Division.	Prior to Issuance of Building Permits	Building and Engineering Departments	
54.	The applicant shall be required to provide a protective sound fence/barrier along the west property line to buffer construction noise from the existing single family residence during all construction activities and hours of operation. The size, type and material shall be approved by the Building Official prior to the issuance of the 1 st building permit.	Prior to Issuance of Building Permits and during construction activities	Building and Engineering Departments	
55.	The construction drawings shall show the required foam trim and/or stone veneer being extended to the main door entrance on all architectural elevation types/styles.	Prior to Issuance of Building Permits	Planning and Building Departments	
<u>Special Landscape Conditions</u>				
56.	Prior to the issuance of the 1 st building permit within the project area, the applicant shall submit for review and approval by the Planning Department three (3) sets of detailed landscape and irrigation construction plans, prepared by a registered landscape architect. Said landscape plans shall be consistent with the conceptual landscape plans approved by the City Council.	Prior to Issuance of a Building Permit	Planning Department	

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57.	All privately maintained landscape and irrigation plans shall be consistent with the City of Wildomar Water Efficient Landscaping Ordinance and Irrigation Implementation Guidelines, Title 17.276.	On-Going	Planning Department	
58.	All City of Wildomar maintained landscape and irrigation plans shall be consistent with the City of Wildomar Landscape Maintenance District Requirements.	On-Going	Planning Department	
59.	Landscape plans shall be drawn at a scale of 20 feet equal to 1 foot or larger.	On-Going	Planning Department	
60.	Erosion control planting and irrigation plans shall be submitted and approved for all slopes finish graded at 3 feet in vertical height and greater.	On-Going	Planning Department	
61.	All ground covers shall be installed from living plant materials. Spacing shall be such that 100% coverage is achieved within 2 years of the installation.	On-Going	Planning Department	
62.	Lawn may be used in small amounts only and is discouraged in front yards. Front and rear yards shall contain no more than 50% of the landscape square footage using lawn. Warm season lawn is encouraged to conserve water. All front yard lawns shall be installed using sod.	On-Going	Planning Department	
63.	Street trees, which will be incorporated into the overall street tree theme, shall be designed for installation close to the property line and outside the right-of-way (unless installed in an approved parkway) along all public and private streets in accordance with current City standards and as approved by the City Landscape Architect. At least	On-Going	Planning Department	

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	one street tree shall be installed per lot with at least 5 feet of clearance to the side property lines. Two street trees shall be designed for the corner landscape areas visible from the street.			
64.	Plantings shall be hydro-zoned to KC factor of .5 or less (low to medium water use according to WUCOLS booklet).	On-Going	Planning Department	
65.	No trees shall be planted in drainage swales or within 5 feet of the residence, property line, or other structures that could cause damage.	On-Going	Planning Department	
66.	All street trees shall be installed from 24" box containers.	On-Going	Planning Department	
67.	A minimum of 50% of the shrubs and ground cover in the front yard shall be installed from 5 gallon containers.	On-Going	Planning Department	
68.	No plant materials that could freeze, damage paving, have thorns, or require pruning to keep it to an unnatural size are allowed.	On-Going	Planning Department	
69.	Water quality basins shall be fully landscaped including drip irrigation, California native trees, shrubs, and ground covers.	On-Going	Planning Department	
70.	A rain shut off device shall be provided for each residence. A weather-based irrigation controller (smart controller) that measures evapo-transpiration is required. Drip irrigation is required at each residence in shrub areas for water conservation.	On-Going	Planning Department	
71.	All soil amendments and fertilizers shall be organic as a storm-water best management practice. Soil analysis and agronomic soil report must be submitted to the City with the landscape plans, including the following: <ul style="list-style-type: none"> • soil texture • percentage of organic matter 	On-Going	Planning Department	

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	<ul style="list-style-type: none"> • soil infiltration rate (measured or derived from soil texture/infiltration rate tables) • pH and total soluble salts • macro-nutrients • micro-nutrients • recommendations for organic fertilizers and amendments • The landscaping shall be re-inspected when model homes are converted to single family residence. 			
72.	All existing trees of the species: Salix lasiolepis, Populus fremontii, and Quercus agrifolia that are specified for preservation shall be protected in place using measures in accordance with International Society of Arboriculture practices, unless otherwise approved by the City of Wildomar. Trees that are damaged shall be replaced at the direction of the city landscape architect.	On-Going	Planning Department	
73.	The City Landscape Architect shall meet with the job site superintendent and the landscape contractor for a pre-job meeting on site. No landscaping shall occur prior to the meeting.	Prior to Construction	Planning Department	
74.	All required landscaping and irrigation systems shall be installed in a condition acceptable to the City. The City landscape architect will conduct inspections to ensure that the landscape installation is in compliance with the approved landscape plans.	Prior to Issuance of Occupancy Permits	Planning Department	
<u>Prior to Issuance of a Certificate of Occupancy</u>				
75.	Prior to the issuance of a certificate of occupancy for any dwelling unit within each phase/planning area, all conditions of approval for that phase/planning area shall be satisfied.	Prior to Issuance of a Certificate of Occupancy	Planning and Building Department	

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76.	Prior to the issuance of an occupancy permit for the 34 th dwelling unit, construction of the private park and all related park appurtenances approved by the City Council on September 10, 2014 under Plot Plan No. 12-0364 and TTM No. 36497 shall be completed.	Prior to Issuance of Occupancy Permits for the 34 th unit	Planning and Building Department	
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PUBLIC WORKS/ENGINEERING/BUILDING DEPARTMENT CONDITIONS

General Requirements/Conditions

1.	The developer shall obtain City approval for any modifications or revisions to the approval of this project. Deviations not identified on the plans may not be approved by the City, potentially resulting in the need for the project to be redesigned. Amended entitlement approvals may be necessary as a result.	On-Going	Engineering Dept.	
2.	No grading shall be performed without the prior issuance of a grading permit by the City.	On-Going	Engineering Dept.	
3.	Written permission shall be obtained from the affected property owners allowing the proposed grading and/or facilities to be installed outside of the project boundaries.	On-Going	Engineering Dept.	
4.	The developer's contractor is required to submit for a haul route permit for the hauling of material to and from the project site. Said permit will include limitations of haul hours, number of loads per day and the posting of traffic control personnel at all approved entrances/exits onto public roads. This permit shall be in place prior to the issuance of the grading permit and the mobilization of equipment on the project site.	On-Going	Engineering Dept.	
5.	The Developer shall provide evidence that environmental impacts and regulatory agency permits have been addressed prior to issuance of a haul permit or grading permit.	On-Going	Engineering Dept.	

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6.	The Developer shall dedicate, design and construct all improvements in accordance the City of Wildomar Road Improvement Standards & Specification, Improvement Plan Check Policies and Guidelines, as further conditioned herein and to the satisfaction of the City Engineer.	On-Going	Engineering Dept.	
7.	The Developer shall be responsible for all costs associated with off-site right-of-way acquisition, including any costs associated with the eminent domain process, if necessary.	On-Going	Engineering Dept.	
8.	Prior to first building permit for model homes, the developer shall design and construct a precise grading plan for model home lots and parking areas and design and construct the road improvements providing access to and from the model homes.			
9.	All grading shall conform to the California Building Code, including Appendix J, and all other relevant laws, rules, and regulations governing grading in the City of Wildomar. Prior to commencing any grading which includes 50 or more cubic yards, the developer shall obtain a grading permit from the Building Department.	On-Going	Engineering Dept.	
10.	All necessary measures to control dust shall be implemented by the developer during grading to the satisfaction of the City Engineer. A PM10 plan may be required at the time a grading permit is issued.	On-Going	Engineering Dept.	
11.	Graded slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise approved by the City Engineer.	On-Going	Engineering Dept.	
12.	Grading in excess of 199 cubic yards will require performance security to be posted with the City.	On-Going	Engineering Dept.	
13.	All retaining walls shall require a separate permit from the Building Department.	On-Going	Building Dept.	

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14.	Erosion control – landscape plans, required for manufactured slopes greater than 3 feet in vertical height, are to be signed by a registered landscape architect and bonded. Planting shall occur within 30 days of meeting final grades to minimize erosion and to ensure slope coverage prior to the rainy season. The Developer shall plant & 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 or as approved by the City Engineer.	On-Going	Engineering Dept.	
15.	Should this project lie within any assessment/benefit district, the project proponent shall, prior to acceptance of improvements, make application for and pay for their reapportionment of the assessments or pay the unit fees in the benefit district unless said fees are otherwise deferred.	On-Going	Engineering Dept.	
16.	The developer shall annex into the City's Community Facility District (CFD 2013-1 Services) and pay associated costs for annexation. Should this project lie within any assessment/benefit district that duplicates the services to be covered under CFD 2013-1 then the developer shall de-annex from said assessment/benefit district.	Prior to Map Recordation	Engineering Dept.	
17.	The developer shall design and construct all driveways in accordance with the City of Wildomar Improvement Standards.	On-Going	Engineering Dept.	
18.	The improvement plans for the required public 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 Engineer.	On-Going	Engineering Dept.	

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19.	All above-ground utilities, including but not limited to communication and power that are 33KV in size or less, shall be undergrounded by the developer in accordance with City requirements. The undergrounding of utilities shall be reflected on the project improvement plans.	On-Going	Engineering Dept.	
20.	All flood control plans to be reviewed by the City or the Riverside County Flood Control District (RCFCD) shall be submitted through the City of Wildomar, unless otherwise directed by the City Engineer. For projects requiring RCFCD review the developer shall pay the appropriate fees to RCFCD.	On-Going	Engineering Dept.	
<u>Prior to the Issuance of Grading Permits</u>				
21.	Prior to the issuance of a grading permit, the developer shall submit a geotechnical soils reports to the City Engineer for review and approval prior to issuance of grading permit. The findings and recommendations shall reflect current conditions and the report shall be no older than one (1) year. All grading shall be in conformance with the recommendations of the geotechnical/soils reports as approved by City of Wildomar. If grading activities become dormant for six months or more, additional geotechnical review of the findings and recommendations may be required at the direction of the City Engineer.	Prior to Issuance of a Grading Permit	Engineering Dept.	
22.	Prior to the issuance of a grading permit, it shall be the sole responsibility of the developer to obtain any and all easements and/or permissions necessary to perform the grading required for the project. A notarized letter of permission from all affected property owners or easement holders, or encroachment permit, is required for all off-site grading.	Prior to Issuance of a Grading Permit	Engineering Dept.	

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23.	Prior to the issuance of grading permits, the project specific SWPPP shall be approved by the City Engineer.	Prior to Issuance of a Grading Permit	Engineering Dept.	
24.	Prior to issuance of grading permits the Developer shall provide the Engineering Department evidence of compliance with the National Pollutant Discharge Elimination System (NPDES) and obtain a construction permit from the State Water Resource Control Board (SWRRCB).	Prior to Issuance of a Grading Permit	Engineering Dept.	
25.	Prior to the issuance of a grading permit, the developer shall have obtained approval for the import/export location from the City of Wildomar. Additionally, if either location was not previously approved by an Environmental Assessment, prior to issuing a grading permit, a Grading Environmental Assessment shall be submitted to the Planning Director for review and comment and to the City Engineer for approval.	Prior to Issuance of a Grading Permit	Engineering Dept.	
26.	Prior to the issuance of a grading permit, the developer shall submit a Final Water Quality Management Plan (WQMP), in conformance with the requirements of the San Diego and/or Santa Ana Regional Water Quality Control Board. Applicant shall confirm the watershed requirements relative to their project location. All stormwater quality treatment devices shall be located outside of the ultimate public right of way. The developer shall design the stormwater quality treatment devices to accommodate all project runoff, ensuring post-construction flows and volumes do not exceed pre-construction levels, in accordance with City of Wildomar's Hydrology Manual, Stormwater Quality Best Management Practice Design Handbook, Improvement Standards, and to the satisfaction of the City Engineer. These BMPs shall be consistent with the Final WQMP and installed to the satisfaction of the City Engineer.	Prior to Issuance of a Grading Permit	Engineering Dept.	

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27.	If the project location is within the Santa Ana River Watershed: Prior to the issuance of a grading permit, the developer is to provide the appropriate documentation that will allow this project a waiver for mitigation volume related to the Lake Elsinore sub watershed of the Santa Ana Watershed. Please note the City is not a permittee in the MS4 permit for the Santa Ana River Watershed (Lake Elsinore) and is governed only by the MS4 permit for the Santa Margarita Watershed, therefore the Applicant needs to provide evidence that this waiver has been approved by the Santa Ana Regional Water Quality Control Board. Otherwise volume has to be addressed.	Prior to Issuance of a Grading Permit	Public Works Dept.	
28.	Prior to the issuance of grading permit, the developer shall prepare and submit a comprehensive drainage study and plan that includes, but is not limited to: definition with mapping of the existing watersheds; a detailed pre- and post-project hydrologic and hydraulic analysis of the project and project impacts; definition of the local controlling 100-year frequency water levels existing and with project; the proposed method of flow conveyance to mitigate the potential project impacts with adequate supporting calculations; any proposed improvements to mitigate the impacts of increased runoff from the project and any change in runoff; including quality, quantity, volume, and duration in accordance with City of Wildomar's Hydrology Manual, Improvement Standards, and to the satisfaction of the City Engineer. Specifically, the study will: <ul style="list-style-type: none"> a. Analyze the detention basin drainage area for a project using the Rational Method 100-year storm event for the pre-project and post-project. b. Analyze 4 hydrographs for the detention basin drainage area for a project using the Unit Hydrograph 100-year storm event for the 	Prior to Issuance of a Grading Permit	Engineering Dept.	

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	<p>1-hour, 3-hour, 6-hour, and 24-hour storm durations for post-project condition.</p> <p>c. Using the Unit Hydrographs determine which duration provides the highest flow rate. Adjust parameters such as lag time, flow line roughness coefficient or other parameters to calibrate Unit Hydrograph model to provide results similar to the Rational Method.</p> <p>d. Using the calibrated Unit Hydrograph for the detention basin drainage area perform basin routing analysis to demonstrate that the outflow is less than the pre-project Rational Method flow rate.</p>			
29.	<p>Prior to the 1st Improvement Plan submittal, the developer shall show all easements per the Title Report to the satisfaction of Public Works. Any conflict with existing easements resulting in the site being redesigned potentially requires a minor change or amendment approval by Planning Commission.</p>	<p>Prior to 1st Improvement Plan Submittal</p>	<p>Engineering Dept.</p>	
<u>Prior to Issuance of a Building Permit</u>				
30.	<p>Prior to the issuance of any building permit unless excepted by Subdivision Map Act 66499.30 (a), (b) for model homes the developer shall comply with the conditions of approval for Tentative Tract Map 36497.</p>	<p>Prior to Issuance of a Building Permit</p>	<p>Building Dept.</p>	
31.	<p>Prior to first building permit for model homes, the developer shall design and construct a precise grading plan for model home lots and parking areas and design and construct the road improvements providing access to and from the model homes.</p>	<p>Prior to Issuance of a Building Permit</p>	<p>Building Dept.</p>	

**ATTACHMENT D - EXHIBIT 1
LENNAR RESIDENTIAL PROJECT - CONDITIONS OF APPROVAL**

Project Application: Plot Plan No. 12-0364 (FSPD)

APN No.: 380-280-004 and 380-280-009, 010, 011 & 012

Original Council Approval Date (Council Approval):

Plot Plan No. 12-0364: September 10, 2014

Expiration Date (Council Approval):

Plot Plan No. 12-0364: September 10, 2016

Conditions of Approval

**Timing/
Implementation**

**Enforcement/
Monitoring**

**Verification
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Signature)**

32.	Prior to the issuance of any building permit, the property owner shall obtain a grading permit and/or approval to construct from the City Engineer.	Prior to Issuance of a Building Permit	Building Dept.	
33.	Prior to the issuance of a building permit, Improvement plans shall be approved by the City Engineer and all improvements to be constructed shall be secured by the Developer.	Prior to Issuance of a Building Permit	Building Dept.	
34.	Prior to issuance of a building permit, the developer shall provide will serve letters from the appropriate water and sewer agencies.	Prior to Issuance of a Building Permit	Building Dept.	
35.	Prior to issuance of a building permit, the developer shall pay all fees in accordance with Zone A of the Southwest Road and Bridge Benefit District.	Prior to Issuance of a Building Permit	Building Dept.	
36.	Prior to issuance of a building permit, the developer shall pay the appropriate impact mitigation fee to the Riverside County Flood Control and Water Conservation District.	Prior to Issuance of a Building Permit	Building Dept.	
37.	Prior to issuance of a building permit, the developer shall pay all necessary impact and mitigation fees required. These fees include, but are not limited to, fees associated with Transportation Uniform Mitigation Fee (TUMF), Quimby (parkland in-lieu) Fee, and City Development Impact Fees.	Prior to Issuance of a Building Permit	Building Dept.	
<u>Prior to Issuance of Occupancy Permits</u>				
38.	Prior to certificate of occupancy, the developer shall install streetlights in accordance with the City of Wildomar Road Improvement Standards & Specification, Improvement Plan Check Policies and Guidelines, City Ordinances and to the satisfaction of the City Engineer.	Prior to a Certificate of Occupancy	Building Dept.	

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39.	Prior to certificate of occupancy, the developer shall install all street name signs at intersections adjacent to the project, public or private and/or replace street name signs in accordance with the City of Wildomar Standard Details and to the satisfaction of the City Engineer.	Prior to a Certificate of Occupancy	Building Dept.	
40.	Prior to certificate of occupancy, the developer shall annex into all applicable Maintenance Districts, Community Service Areas and Landscaping Maintenance District for landscaping, lighting, drainage and maintenance to the satisfaction of the City Engineer.	Prior to a Certificate of Occupancy	Building Dept.	
41.	Prior to 80% of an issued certificate of occupancy, the developer shall construct the stormwater quality treatment devices to accommodate all project runoff from in accordance with City of Wildomar's Hydrology Manual, Stormwater Quality Best Management Practice Design Handbook, Improvement Standards, and to the satisfaction of the City Engineer. All stormwater quality treatment devices shall be constructed outside of the ultimate public right of way.	Prior to 80% of a Certificate of Occupancy	Building Dept.	
42.	Offers of dedication and right of way vacation for street, drainage and utilities outside of the subdivision property shall be complete and accepted by resolution of the City Council prior to the 1st Certificate of Occupancy. Should modification to Standard 105A and the street improvement plans be required, said modifications shall be approved by the City Engineer.	Prior to 1 st Issuance of a Certificate of Occupancy	Building Dept.	

RIVERSIDE COUNTY FIRE DEPARTMENT

General Conditions

1.	<u>10.FIRE.999 MAP #50-BLUE DOT REFLECTORS:</u> Blue retro-reflective pavement markers shall be mounted on private streets, public streets and driveways to indicate location of fire hydrants. Prior	On-Going	Fire Department	
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	to installation, placement of markers must be approved by the Riverside County Fire Dept.			
2.	10.FIRE.999 MAP-#16-HYDRANT/SPACING: Schedule A fire protection approved standard fire hydrants, (6"x 4"x 2 1/2") locate one at each street intersection and space no more than 500 feet apart in any direction, with no portion of any lot frontage more than 250 feet from hydrant. Minimum fire flow shall be 1000 GPM for 2 hours duration at 20 PSI. Shall include perimeter streets at each intersection and spaced 660 feet apart.	On-Going	Fire Department	
<u>Prior to Issuance of Grading Permits</u>				
3.	60.FIRE.999 MAP-#004-ECS-FUEL MODIFICATION: ECS map must be stamped by the Riverside County Surveyor with the following Note: Prior to the issuance of a grading permit, the developer shall prepare and submit to the fire department for approval a fire protection/vegetation management that should include but not limited to the following items: a) Fuel modification to reduce fire loading. b) Appropriate fire breaks according to fuel load, slope and terrain. c) Non-flammable walls along common boundaries between rear yards and open space areas shall be provided at intervals not to exceed 1500'. d) A homeowner's association or appropriate district shall be responsible for maintenance of all fire protection measures within the open space areas. e) ANY HABITAT CONSERVATION ISSUE AFFECTING THE FIRE DEPARTMENT FUEL MODIFICATION REQUIREMENTS SHALL	Prior to Issuance of a Grading Permit	Fire Dept.	

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HAVE CONCURRENCE WITH THE RESPONSIBLE WILDLIFE AND/OR OTHER CONSERVATION AGENCY.

Prior to Issuance of Building Permits

4. 80.FIRE.999 MAP-#50C-TRACT WATER VERIFICATION: The required water system, including all fire hydrant(s), shall be installed and accepted by the appropriate water agency and the Riverside County Fire Department prior to any combustible building material placed on an individual lot. Contact the Riverside County Fire Department to inspect the required fire flow, street signs, all weather surface, and all access and/or secondary. Approved water plans must be at the job site.

Prior to Issuance of a Building Permit

Fire Dept.

Prior to Final Inspection

5. 90.FIRE.999 MAP – RESIDENTIAL FIRE SPRINKLER: Fire sprinkler systems shall be installed in all residences per NFPA 13D, 2010 Edition. Plans shall be submitted to the Fire Dept. for review and approval prior to installation.

Prior to Final Inspection

Fire Dept.