CITY OF BEAUMONT
PLANNING DEPARTMENT
DRAFT CONDITIONS OF APPROVAL

PLANNING COMMISSION DATE: June 28, 2022
CITY COUNCIL DATE: To be determined

PROJECT NAME: Beaumont Summit Station
PROJECT NO.: PM2021-0009 (TPM38223)
DESCRIPTION: To subdivide 188.03 acres into five (5) parcels ranging in size from 11.44 to 67.86 acres.
APPLICANT: Exeter Cherry Valley Land, LLC
LOCATION: South side of Cherry Valley Boulevard, north side of Brookside Avenue, east of 10 Freeway and west of Fabian Lane.
APN: 407-230-022 thru -028, 407-190-016 and 407-190-017

PROJECT

Note: Any conditions revised at a hearing will be noted by ~~strikeout~~ (for deletions) and/or underline (for additions), and any newly added conditions will be added at the end of all conditions regardless of the Department originating the condition.

STANDARD CONDITIONS

1. The following conditions of approval are for TENTATIVE PARCEL MAP NO. 38223 (PM2021-0009).

2. The subdivider shall defend, indemnify, and hold harmless the City of Beaumont, its agents, officers, and employees from any claim, action, or proceeding against the City of Beaumont, its agents, officers, or employees to attack, set aside, void, or annul an approval of the City of Beaumont, its advisory agencies, appeal boards, or legislative body concerning **TENTATIVE TRACT MAP NO. 38223** and related documents, which action is brought within the time period provided for in California Government Code, Section 66499.37. The City of Beaumont will promptly notify the subdivider of any such claim, action, or proceeding against the City of Beaumont and will cooperate fully in the defense. If the City fails to promptly notify the subdivider of any such claim, action, or proceeding or fails to cooperate fully in the defense, the subdivider shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Beaumont.

3. The subdivision shall comply with the State of California Subdivision Map Act and to all the pertinent requirements of The Beaumont Municipal Code, unless modified by the conditions listed below.

4. This conditionally approved tentative map will expire two (2) years after the original approval date, unless extended as provided by the Beaumont Municipal Code, the State Subdivision Map Act or by a development agreement. Action on a minor change and/or revised map request will not extend the time limits of the tentative map. Approval of the final map by the City Council is required.

5. The final map shall be prepared by a licensed land surveyor or registered civil engineer subject to all the requirements of the State of California Subdivision Map Act and The Beaumont Municipal Code.

6. If deemed necessary by the Community Development Director, within ten (10) days of approval by the City Council ten (10) copies of an Amended Per Final Conditions map shall be submitted to and approved by the Community Development Director prior to release of the final conditions of approval.

7. Any subsequent review/approvals required by the conditions of approval, including but not limited to grading, landscaping, plot plan and/or building plan review, shall be reviewed on an hourly basis based on, or such fee as may be in effect at the time of submittal, listed in Ordinance No. 506.

8. The subdivider shall be fully responsible for maintenance and upkeep of any and all slopes, landscaped areas, open space areas, future development areas and irrigation systems until such time as maintenance responsibilities are assumed by other as approved by the Planning Department.

9. An Environmental Impact Report EIR was prepared for the Summit Station Specific Plan, and a series of mitigation measures were adopted by the City Council to mitigate the potential impacts of the project. All of the mitigation measures set forth in the subject environmental document are herewith established as conditions of approval for Tentative Parcel No. 38223.

10. Execution of the project will necessitate the conducting of mitigation monitoring by the City to ensure that all the mitigation measures set forth in the Environmental Impact Report and Addendum are systematically implemented. The subdivider shall fund the mitigation monitoring requirements by paying an amount equal to the City's actual contracting cost for such services, plus a 20 percent administrative charge.

11. The approval of this map shall not result in any vesting provisions relative to City of Beaumont fees and exactions.

RECORDATION CONDITIONS

Prior to the RECORDATION of any final map, all the following conditions shall be satisfied:

12. The subdivider shall submit written clearances to the Public Works Department that all pertinent requirements from the following agencies have been met:

    City Fire Department
    City Police Department
    City Planning Department
    Beaumont Cherry Valley Water District
    Beaumont Unified School District

13. All public street road easements shall be offered for dedication to the public and shall continue in force until the governing body accepts or abandons such offers. All dedications shall be free from all encumbrances as approved by the Public Works Department. Street names shall be subject to the approval of the Building Official. The final street sections, configurations and improvements shall be subject to the approval of the Public Works Department.

14. All delinquent property taxes, special taxes and/or any other assessments shall be paid to the Riverside County Tax Collectors Office.

FIRE DEPARTMENT CONDITIONS

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

PRIOR TO PERMIT ISSUANCE:

1. Public Fire Hydrants and Fire Flow: Prior to the issuance of building permits, plans for the offsite water system shall be submitted to the fire department for review and approval. The water system shall be capable of delivering the required fire flow of 4,000 gpm at 20 psi for a 4-hour duration. Fire hydrant(s) location and spacing shall comply with the fire code. An approved water supply for fire protection during construction shall be made available prior to the arrival of combustible materials on site. Reference 2019 California Fire Code (CFC) 507.5.1, 3312, Appendices B and C.

2. Fire Department Access: Prior to building permit issuance, provide a site plan showing the fire lanes. Access roads shall be provided to within 150 feet to all portions of the exterior building walls and shall have an unobstructed width of not less than 24 feet. The construction of the access roads shall be all weather and capable of sustaining 75,000 lbs. over two axels for commercial developments. Approved vehicle access, either permanent or temporary, shall be provided during construction Ref. CFC 503.1.1, 3310.1 and 503.2.1

3. Construction Permits Fire Department Review: Submittal of construction plans to

the Office of the Fire Marshal for development, construction, installation, and operational use permitting will be required. Final fire and life safety conditions will be addressed when the Office of the Fire Marshal reviews these plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code, and related codes, which are in effect at the time of building plan submittal.

4. Phased Construction Access: If construction is phased, each phase shall provide approved access for fire protection prior to any construction. Ref. CFC 503.1

PUBLIC WORKS

GENERAL

5. The following is a non-inclusive list of items that may be required by the Public Works Department:

A. Plans:
   a. Street Improvement Plan
   b. Landscape Plan offsite
   c. Rough Grading Plan
   d. Erosion Control Plan
   e. Retaining wall Plan (for line and grade only)
   f. Sewer Improvement Plan
   g. Storm Drain Improvement Plan
   h. Traffic Control Plan
B. Reports & Studies:
   a. Geotechnical Report
   b. Offsite Improvement Engineer's Cost Estimate (ECE)
   c. Grading Certification
   d. Compaction Report
C. Permits and agreements:
   a. permission to Grade and Construction agreements
   b. Non-interference letters
   c. WQMP Covenant and Agreement
   d. City Grading Permit
   e. City Dirt Haul Permit
   f. City Encroachment Permit
   g. Performance Bond
   h. Labor & Material Bond
   i. Maintenance Bond
D. Survey Documents
   a. Final Map
   b. Easement Dedications
   c. Corner Record
   d. Record of Survey

6. The design of public infrastructure elements shall conform to the requirements of the City General Plan, Water Quality Management Plan, Master Plans, City of Beaumont Standards, Riverside County Transportation Department (RCTD) Road Improvement Standards & Specification, Riverside County Flood Control Standards, RCTD Map Preparation Manual, Eastern Municipal Water District (EMWD), Caltrans Standard Specifications and the Standard Specifications for Public Works Construction, current edition, as required by the City Engineer.
7. All required plans and studies shall be prepared by a Registered Professional Engineer, Registered Professional Geologist or Registered Professional Surveyor in the State of California, and submitted to the Public Works Department for review and approval.
8. The Applicant shall coordinate with affected utility companies and obtain any permits as necessary for the development of this project.
9. The Applicant is responsible for resolving any conflicts with existing or proposed easements. All easement(s) of record and proposed easements shall be shown on the grading plan and improvement plans, where applicable.
10. The Applicant shall obtain an Encroachment Permit, as required, for all work within the public right-of-way.

SURVEYING AND MAPPING

11. PRIOR TO START OF CONSTRUCTION: Where survey monuments exist, such monuments shall be protected or shall be referenced and reset, pursuant to Business and Professions Code, Sections 8700 to 8805 (Land Surveyors Act).
12. PRIOR TO MAP RECORDATION: When changes to an approved Tentative Map are proposed, a Substantial Compliance Exhibit, in the same scale as the Tentative Map, shall be submitted for review and approval by the City Engineer.
13. PRIOR TO MAP RECORDATION: All public improvement plans associated with the Map and necessary for the complete construction of backbone facilities shall be approved.
14. PRIOR TO MAP RECORDATION: The applicant shall prepare and fully execute a Subdivision Improvement Agreement (SIA) with the City (On City approved format and forms).
15. PRIOR TO MAP RECORDATION: The applicant shall provide securities guaranteeing the payment of the cost for all public improvements. The securities shall include Faithful Performance and labor and materials for 100% of the approved Engineer's Cost Estimate (ECE). Streets (including striping, signing, lights, and landscaping), sewer, and storm drain improvements shall have individual and separate security.
16. PRIOR TO MAP RECORDATION: Monuments shall be provided in accordance with Section 8771 of the Business and Professions Code. Cross-ties shall be set

in top of curbs and tie sheets shall be submitted to the Public Works Department. Per the Subdivision Map Act, Section 66496, internal monuments may be set at a later date if the applicant furnishes security guaranteeing the payment of the cost of setting such monuments.

17. PRIOR TO MAP RECORDATION: The Applicant shall comply with Government Code Section 66436(a)(3) before approval of the final map and shall provide “no objection” letters from all public entities or utilities to the satisfaction of the City Engineer.

18. PRIOR TO MAP RECORDATION: The applicant shall provide an easement to, over and across all private water quality, stormwater and drainage basins, to be dedicated to the City, for ingress, egress and right to inspect unless otherwise directed by the City Engineer. The City will not maintain any water quality or basin feature.

19. PRIOR TO FINAL MAP RECORDATION: The applicant shall show all right-of-way dedications necessary for the construction of all streets, on the Final Map or per separate instrument, unless otherwise approved by the City Engineer, including but not limited to:

    A. Cherry Valley Blvd is classified as an Arterial Highway (128’) per Riverside County General Plan (2020), Circulation element. The applicant shall dedicate all additional right-of-way necessary to achieve the required 64-feet half-width right-of-way, as measured perpendicular to the centerline of record.

    B. Brookside Avenue is classified as a Secondary Highway (88’) per City of Beaumont General Plan (2020), Circulation element. The applicant shall dedicate all additional right-of-way necessary to achieve the required 44-feet half-width right-of-way, as measured perpendicular to the centerline of record.

    C. Interior streets (A,B, & C) are proposed as Industrial Collectors (78’). The applicant shall dedicate all right-of-way necessary to achieve the 78-feet full-width right-of-way in the approximate alignment and configuration as shown on approved tentative map. The applicant shall also dedicate any additional right-of-way to accommodate the proposed cul-de-sacs.

    D. The applicant shall dedicate on the final map, all easements necessary for the installation of the backbone utilities as generally shown on the approve tentative map.

20. PRIOR TO ISSUANCE OF AN ENCROACHMENT PERMIT: The Applicant, at its sole expense, shall obtain all right-of-way or easement acquisitions necessary to implement any portion or condition of this project, including public improvements; off-site grading & construction; offsite street requirements; offsite sewer requirements; storm drain improvements; or any other requirement or condition.

STREET IMPROVEMENTS

21. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The applicant shall provide evidence to the City that all traffic mitigation requirements, outside the jurisdiction of Beaumont, are mitigated as specified in the approved Traffic Impact Analysis for this project.

22. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): At the intersection of “A” Street (westerly entrance/ cul-de-sac) and Cherry Valley Blvd, the applicant shall install traffic signals and construct all other necessary improvements to safely and adequately signalize the intersection.

23. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): At the intersection of “B” Street (middle entrance/ cul-de-sac) and Cherry Valley Blvd, the applicant shall install traffic signals and construct all other necessary improvements to safely and adequately signalize the intersection.

24. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): At the intersection of Brookside Avenue and Beaumont Avenue, the applicant shall deposit with the City, a fair share contribution for 14.3% (or as shown in the approved TIA) of the estimated cost at the time of deposit, to perform the following:

    A. Add eastbound lane right-turn overlap phase

    B. Add westbound right-turn lane

    C. Add westbound right-turn overlap phase

    D. Relocate traffic signal and consequential modifications

25. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): At the intersection of Oak Valley Pkwy and Desert Lawn Drive, the applicant shall deposit with the City, a fair share contribution for 6.5% (or as shown in the approved TIA) of the estimated cost at the time of deposit, to perform the following:

    A. Add additional eastbound through lane (along Oak Valley Pkwy)

26. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): At the intersection of I-10 eastbound ramps and Oak Valley Pkwy, the applicant shall deposit with the City, a fair share contribution for 6.4% (or as shown in the approved TIA) of the estimated cost at the time of deposit, to perform the following:

    A. Add 2nd southbound left-turn lane

B. Add 2nd eastbound through lane

C. Add 2nd westbound through lane

27. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): At the intersection of I-10 westbound ramps and Oak Valley Pkwy, the applicant shall deposit with the City, a fair share contribution for 5.6% (or as shown in the approved TIA) of the estimated cost at the time of deposit, to perform the following:

    A. Add northbound left-turn lane

    B. Add 2nd eastbound through lane

    C. Add 2nd westbound through lane

28. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): At the Oak View Drive and Oak Valley Pkwy, the applicant shall deposit with the City, a fair share contribution for 8.1% (or as shown in the approved TIA) of the estimated cost at the time of deposit, to perform the following:

    A. Add 2nd eastbound through lane

    B. Modify southbound right-turn lane to free right-turn lane

    C. Relocate traffic signal and consequential modifications

29. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The applicant shall underground existing utility poles along the project frontage, and as necessary for transitions, in accordance with the City of Beaumont. Should the utility poles be exempt from undergrounding, as identified in the Municipal Code, the applicant shall relocate the poles sufficient to construct the improvements required as part of the development.

30. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall complete all half-width improvements along Cherry Valley Blvd, coincident with the project boundary and as necessary to safety transition to the existing improvements. All transitions to existing improvement shall occur outside the project boundary. The improvements shall conform to RCTD std. 92 and shall include:

    A. 8” Curb and Gutter, 43-feet south of the monument centerline;

    B. Meandering sidewalk;

    C. 18’ wide raised median

    D. Street structural sections shall be designed with a Traffic Index per soil engineer’s recommendations (9.5 minimum). Preliminary soils

investigations shall be used by the Engineer to determine an appropriate R-value and the pavement and base thickness based on the established Traffic Index. In no case shall the minimum pavement section be less than 6" AC/12" AB;

E. All sawcuts and joining of existing ac paving shall be per the City's pavement restoration detail.

F. Existing AC surface shall be milled and overlay to a minimum thickness of 2".

31. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO):The Applicant shall complete all half-width improvements along Brookside Avenue, coincident with the project boundary and as necessary to safety transition to the existing improvements. All transitions to existing improvement shall occur outside the project boundary. The improvements shall conform to RCTD std. 94 and shall include:

    A. 6" Curb and Gutter, 32-feet north of the monument centerline;

    B. sidewalk;

    C. Street structural sections shall be designed with a Traffic Index per soil engineer's recommendations (8.5 minimum). Preliminary soils investigations shall be used by the Engineer to determine an appropriate R-value and the pavement and base thickness based on the established Traffic Index. In no case shall the minimum pavement section be less than 6" AC/12" AB;

    D. All sawcuts and joining of existing ac paving shall be per the City's pavement restoration detail.

    E. Existing AC surface shall be milled and overlay to a minimum thickness of 2".

32. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall complete all full-width improvements along interior streets (A, B, & C), The improvements shall conform to RCTD std. 111 and shall include:

    A. 6" Curb and Gutter, 28-feet on both sides of proposed centerline;

    B. sidewalk;

    C. Street structural sections shall be designed with a Traffic Index per soil engineer's recommendations (8.0 minimum). Preliminary soils investigations shall be used by the Engineer to determine an appropriate R-value and the pavement and base thickness based on the established Traffic Index. In no case shall the minimum pavement section be less than 5" AC/10" AB;

33. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO):The Applicant shall replace any sidewalk, curb and gutter, drive approach, AC pavement or other improvement damaged during construction as determined necessary by the City Engineer.
34. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall install public streetlights along the project frontage of perimeter streets and along interior streets, in accordance with the City of Beaumont Approved Street Lighting Specifications. The Applicant shall coordinate with Public Works before submitting street light plans.
35. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The applicant shall design and install offsite landscaping and supporting irrigation system. All irrigation and landscaping associated with this project will be privately maintained. The landscape within public right-of-way shall occur on a separate plan set from the on-site landscaping.

GRADING AND DRAINAGE IMPROVEMENTS

36. PRIOR TO ISSUANCE OF A GRADING PERMIT: The applicant shall design the drainage facilities to capture and convey the 100-year storm event.
37. PRIOR TO ISSUANCE OF A GRADING PERMIT: The Applicant shall design the drainage facilities to collect and convey all on-site drainage flows in a manner consistent with the historic drainage pattern and discharge in a manner which will not increase damage, hazard, or liability to adjacent or downstream properties.
38. PRIOR TO ISSUANCE OF A GRADING PERMIT: The applicant shall obtain a National Pollutant Discharge Elimination System (NPDES) Construction General Permit for stormwater discharges associated with construction activities as required by the California Water Resources Control Board.
39. PRIOR TO ISSUANCE OF A GRADING PERMIT: A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and submitted to the California Water Resources Control Board. The developer shall be responsible for implementation, monitoring, operation, and maintenance of the SWPPP until all improvements have been accepted by Public Works Department or construction is complete, whichever is later.
40. PRIOR TO ISSUANCE OF A GRADING PERMIT: A copy of the Notice of Intent (NOI) and Waste Discharge Identification (WDID) number from the State Water Resources Control Board shall be provided to the Public Works Department.
41. PRIOR TO ISSUANCE OF GRADING PERMIT: The applicant shall adhere to all Federal Emergency Management Agency (FEMA) regulations and requirements

in the event that existing drainage patterns are affected by this development. The applicant shall submit to the City and to any governing Federal agency for review and approval, all necessary calculations.

42. PRIOR TO ISSUANCE OF A GRADING PERMIT: The applicant shall design all storm drains, catch basins, and storm water structures with trash capture devices that conform with the approved trash capture list issued by the State Water Board.

43. PRIOR TO ISSUANCE OF A GRADING PERMIT: The applicant shall design temporary drainage facilities and erosion control measures to minimize erosion and silt deposition during the grading operation.

44. PRIOR TO ISSUANCE OF A GRADING PERMIT: The Applicant shall design the infiltration basin with the following requirements

    A. Basin shall be constructed per the Riverside Flood Control District, LID manual and include the following:

    B. An access road that allows easy access to the bottom of the basin for maintenance;

    C. An emergency overflow weir or spillway;

    D. Drain within 72 hours or otherwise comply with relevant standards for vector control. If the 72-hour limit cannot be reached, the applicant shall implement other features to meet the requirement. This may include dry-wells, underdrain, larger surface area, etc as approved by the City Engineer;

    E. Security fencing along the perimeter of the basin w/ appropriate signage;

    F. Fire Department Rapid Entry System;

    G. Access from public right-of-way.

45. CONCURRENT WITH GRADING OPERATIONS: Any grading and/or utility excavations and backfilling, both on and off site, shall be done under the continuous direction of a licensed geotechnical/civil engineer who shall obtain all required permits and submit reports on progress and test results to the City Engineer for review and approval as determined by the City. Upon completion of all soils related work, the geotechnical engineer shall submit a final report to the City Engineer for review and approval, which may require additional tests at the expense of the applicant.

SEWER IMPROVEMENTS

46. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET OR SEWER IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The backbone sanitary sewer system shall connect to the existing municipal sewer system.

47. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET OR SEWER IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): All sewer manhole rims shall be set flush with the finished surface Per the City of Beaumont's paving and manhole cover detail.
48. PRIOR TO ACCEPTANCE OF ANY PUBLIC SEWER IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The applicant shall repair the sewer trench and restore existing pavement associated with sewer installation per the City of Beaumont's Paving and Trench Repair detail
49. PRIOR TO PLACEMENT OF PAVEMENT OR FINISHED SURFACE: The applicant shall construction all portions of private sewer laterals that encroach or occur within the public right-of-way. A cleanout shall occur at the right-of-way boundary per EMWD standard. The lateral shall be sealed to prevent soil and other debris from entering the sewer system.

WATER IMPROVEMENTS

50. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The applicant shall ensure all water valves and vault covers within paved areas are raised flushed with finished surface and painted after paving is completed.
51. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The applicant shall ensure all fire hydrants; air vacs and other above ground water facilities are placed outside of sidewalk areas. Water meter boxes and vaults, valve covers, etc. may be placed within sidewalks or paved areas provided such devices are set flush with the finished surfaces and are properly rated for chosen locations.

MITIGATION MEASURES

52. MM AQ-1: Prior to issuance of Phase 1 and Phase 2 grading permits, the applicant shall prepare and submit documentation to the City of Beaumont to demonstrate the following:

    • All off-road diesel-powered construction equipment greater than 50 horsepower meets California Air Resources Board Tier 4 Final off-road emissions standards. Requirements for Tier 4 Final equipment shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment. A copy of each unit's Best Available Control Technology (BACT) documentation (certified tier specification or model year specification), and CARB or SCAQMD operating permit (if applicable) shall be provided to the City at the time of mobilization of each applicable unit of equipment.
    • Construction equipment shall be properly maintained according to manufacturer specifications.

• All construction equipment and delivery vehicles shall be turned off when not in use, or limit on-site idling for no more than 5 minutes in any 1 hour.
• On-site electrical hook ups to a power grid shall be provided for electric construction tools including saws, drills, and compressors, where feasible, to reduce the need for diesel powered electric generators.

53. MM AQ-2: The Project shall utilize “Super-Compliant” low VOC paints which have been reformulated to exceed the regulatory VOC limits (i.e., have a lower VOC content than what is required) put forth by SCAQMD’s Rule 1113 for all architectural coatings. Super-Compliant low VOC paints shall be no more than 10g/L of VOC. Prior to issuance of Phase 1 and Phase 2 building permits, the Beaumont Building and Safety Department shall confirm the plans include the following specifications:

    • All architectural coatings will be super-compliant low VOC paints.
    • Recycle leftover paint. Take any leftover paint to a household hazardous waste center; do not mix leftover water-based and oil-based paints.
    • Keep lids closed on all paint containers when not in use to prevent VOC emissions and excessive odors.
    • For water-based paints, clean up with water only. Whenever possible, do not rinse the cleanup water down the drain or pour it directly into the ground or the storm drain. Set aside the can of cleanup water and take it to the hazardous waste center (www.cleanup.org).
    • Use compliant low-VOC cleaning solvents to clean paint application equipment.
    • Keep all paint- and solvent-laden rags in sealed containers to prevent VOC emissions.
    • Contractors shall construct/build with materials that do not require painting and use pre-painted construction materials to the extent practicable.
    • Use high-pressure/low-volume paint applicators with a minimum transfer efficiency of at least 50 percent or other application techniques with equivalent or higher transfer efficiency.

54. MM AQ-3: Prior to issuance of Phase 1 and Phase 2 occupancy permits (unless otherwise specified), the Project operator shall prepare and submit a Transportation Demand Management (TDM) program detailing strategies that would reduce the use of single occupant vehicles by employees by increasing the number of trips by walking, bicycle, carpool, vanpool and transit. The TDM shall include, but is not limited to the following:

    • Provide a transportation information center and on-site TDM coordinator to educate residents, employers, employees, and visitors of surrounding transportation options.
    • Promote bicycling and walking through design features such as showers for employees, self-service bicycle repair area, etc. around the project site (Phase 1 only).

• Each building shall provide secure bicycle storage space equivalent to two percent of the automobile parking spaces provided (Phase 1 only).
• Each building shall provide a minimum of two shower and changing facilities within 200 yards of a building entrance (Phase 1 only).
Provide on-site car share amenities for employees who make only occasional use of a vehicle, as well as others who would like occasional access to a vehicle of a different type than they use day-to-day.
• Promote and support carpool/vanpool/rideshare use through parking incentives and administrative support, such as ride-matching service.
• Incorporate incentives for using alternative travel modes, such as preferential load/unload areas or convenient designated parking spaces for carpool/vanpool users.
• Provide meal options on-site or shuttles between the facility and nearby meal destinations.
• Each building shall provide preferred parking for electric, low-emitting and fuel-efficient vehicles equivalent to at least eight percent of the required number of parking spaces.

55. MM AQ-5: Prior to the issuance of occupancy permits for Phase 1, the Planning Department shall confirm that all truck access gates and loading docks within the project site shall have a sign posted that states:

• Truck drivers shall turn off engines when not in use.
• For non-essential idling, truck drivers shall shut down the engine after five minutes of continuous idling operation (pursuant to Title 13 of the California Code of Regulations, Section 2485). Once the vehicle is stopped, the transmission is set to “neutral” or “park,” and the parking brake is engaged.
• Telephone numbers of the building facilities manager and CARB to report violations.
Signs shall also inform truck drivers about the health effects of diesel particulates, the California Air Resources Board diesel idling regulations, and the importance of being a good neighbor by not parking in residential areas.

56. MM AQ-6: Prior to the issuance of Phase 1 occupancy permits, the Planning Department shall confirm that tenant lease agreements require the Project Applicant to provide $1.00 per square foot in funding for fleet upgrade financing to be used over the term of their lease on Zero Emissions (ZE) and Near Zero Emissions (NZE) delivery vans or trucks. This requirement shall apply to new leases only (not renewals) and for the first 10 years of the Project’s life. The funding shall be provided in the form of lease allowance/concession. The allowance shall be a reimbursement once ZE or NZE medium/heavy duty vehicles are purchased and can be used at any time during the lease term (i.e., the landlord shall reimburse the tenant once the tenant provides receipt of paid invoice for the order). If a tenant leases their fleet, this allowance shall also cover the cost to lease ZE or NZE trucks. This measure would also facilitate compliance with SCAQMD Rule 2305

MM BIO-1: Project activities shall not be initiated within 100 feet of any least Bell's vireo suitable habitat area(s) during the species' breeding season (March 15-August 31) unless a negative USFWS protocol survey has been conducted within one year of construction kickoff and findings were negative. If groundbreaking activities occur outside the least Bell's vireo nesting season (i.e., September 16-March 14), a qualified biologist shall perform a presence/absence survey within suitable habitat on-site, and shall continue these surveys on a monthly basis, especially as breeding season commences.

If least Bell's vireo nesting is discovered, either during protocol surveys, monthly presence/absence surveys, or incidentally, no Project activities shall occur within 300 feet of any least Bell's vireo nest site until it has been confirmed that the young have fledged, and the nest is no longer active. A qualified biologist shall always be present when construction crews are working within 1/8 mile surrounding an identified least Bell's vireo nest site to ensure that the birds do not react unfavorably to Project activities. If the qualified biologist observes signs of agitation stemming from Project activities, the activities shall cease and not resume until the birds' behavior normalizes. If the birds continue to exhibit signs of agitation, Project activities shall be adjusted to avoid impacts on nesting least Bell's vireo. Additionally, in the presence of least Bell's vireo nests, noise level from Project activities shall not to exceed 65 dBA at the edge of occupied habitat. If this is not possible, a noise barrier shall be constructed to keep noise at or below 65 dBA to avoid adverse impacts to any least Bell's vireo nest/s.

During the least Bell's vireo breeding season, artificial light shall not be cast into suitable habitat.

A qualified biologist shall conduct a training session for Project personnel prior to grading in conformance with MSCHP best management practices requirements. The training shall include a description of least Bell's vireo and its habitats, the general provisions of the Endangered Species Act (Act) and the MSHCP, the need to adhere to the provisions of the Act and the MSHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the species of concern as they relate to the Project, and the access routes to and Project site boundaries within which the Project activities must be accomplished.

57. MM BIO-2: A qualified biologist will conduct a pre-construction presence/absence survey for burrowing owls within 30 days prior to site disturbance. If burrowing owls are documented on-site, the owls will be relocated/excluded from the site outside of the breeding season following accepted protocols, as specified in the MSHCP.

58. MM BIO-3: Vegetation clearing and ground disturbing activities should be conducted outside of the nesting season (February 1 through August 31). If

avoidance of the nesting season is not feasible, then a qualified biologist will conduct a nesting bird survey within three days prior to any disturbance of the site, including disking, demolition activities, and grading. If active nests are identified, the biologist shall establish suitable buffers around the nests depending on the level of activity within the buffer and species observed, and the buffer areas shall be avoided until the nests are no longer occupied, and the juvenile birds can survive independently from the nests.

59. MM BIO-4: Prior to any ground-disturbing activity near jurisdictional features, applicable permits shall be obtained through the USACE, RWQCB, and CDFW for impacts on jurisdictional features. Based on the results of the aquatic resources delineation for the proposed Project, the proposed Project would permanently impact 0.25 acre of USACE-jurisdictional non-wetland waters of the U.S. and RWQCB-jurisdictional non-wetland waters of the State (i.e., NWW-1, NWW-1A, NWW-2, NWW-2A, NWW-2B, NWW-2C, NWW-3A, NWW-3B, and NWW-3B1). Additionally, the proposed Project would permanently impact 2.17 acres of CDFW-jurisdictional vegetated streambed (i.e., NWW-1, NWW-1A, NWW-2, NWW-2A, NWW-2B, NWW-2C, NWW-3A, NWW-3B, and NWW-3B1) and 0.24 acre of CDFW-jurisdictional riparian habitat (i.e., NWW-2A and NWW-3B). The Project applicant shall be obligated to implement/comply with the permit conditions and mitigation measures required by the resource agencies regarding impacts on their respective jurisdictions.

    A minimum 1:1 mitigation ratio (0.25-acre USACE/0.25 acre RWQCB/2.41 acres CDFW) is typically required, though ratios may be higher. Compensatory mitigation to offset impacts to jurisdictional aquatic resources may be implemented through off-site, permittee-responsible mitigation, in-lieu fee program or mitigation bank credit purchase (e.g., Riverpark Mitigation Bank), or a combination of these options depending on availability. The proposed mitigation strategy is the purchase of 4.82 re-establishment and/or rehabilitation credits (2:1 mitigation ratio) from the Riverpark Mitigation Bank. The regulatory agencies will make the final determination of the final compensatory mitigation requirements during the permit evaluation process. Prior to issuance of a grading permit, the Project applicant will provide the City of Beaumont with purchase confirmation.

60. MM CUL-1: A qualified archaeological monitor will be present during Project-related ground-disturbing activities in undisturbed native sediments.

61. MM CUL-2: In the event that potentially significant cultural materials are encountered during Project-related ground-disturbing activities, all work will be halted in the vicinity of the discovery until a qualified archaeologist can visit the site of discovery and assess the significance of the archaeological resource.

62. MM GEO-1: Settlement Monitoring Program. A Settlement Monitoring Program would be implemented, consisting of the surveying of surface monuments to

monitor settlement of alluvial soils left in-place and/or proposed fills deeper than 30 feet (design plus remedial grading). Survey monument readings for both deep fill areas and for fill over compressible natural ground (Qal) should be conducted following the completion of fill placement. Survey monument locations should be selected by the geotechnical consultant. Survey readings should be taken weekly for the first month and on a weekly basis thereafter until vertical movement of the fill mass achieve 90 percent of primary compression, begin secondary compression or the estimated remaining settlement is less than one inch. Construction of proposed structures would not commence until approved by the geotechnical consultant based on the results of the settlement monitoring. Survey benchmarks used for the monitoring would be confirmed with the geotechnical consultant prior to initial readings being performed.

Foundation and Grading Plan Review. New retaining walls with maximum heights of up to 50± feet would be constructed as part of the new development. Additional review of the global stability of the proposed site grading be performed by SCG once more detailed rough grading plans become available. An additional subsurface exploration may be required to evaluate the geotechnical design considerations of the retaining wall and new slope configurations.

Over excavation. Benching of the sidewalls would be required during fill placement. The horizontal extent of the benching should be sufficient to reduce the inclination of the native fill contact to 3h:1v or flatter. Following completion of the over excavations, the subgrade would be evaluated by the geotechnical engineer to verify its suitability to serve as the structural fill subgrade. Some localized areas of deeper excavation may be required if loose, porous, or low-density materials are encountered at the base of the over excavation. Materials suitable to serve as the structural fill subgrade within the building area should consist of moderate strength alluvial soils which possess an in-situ density equal to at least 85 percent of the ASTM D-1557 maximum dry density. These materials would be moisture conditioned to 0 to 4 percent above optimum moisture content prior to placement of any new fill soils. The previously excavated soils may then be replaced as compacted structural fill.

63. MM GEO-2: Paleontological Construction Monitoring and Compliance Program. The following measures would be implemented to reduce potential impacts to paleontological resources to less than significant:

    Retain a Qualified Paleontologist. Prior to initial ground disturbance, the Applicant shall retain a Project paleontologist, defined as a paleontologist who meets the Society of Vertebrate Paleontology standards for Qualified Professional Paleontologist, to direct all mitigation measures related to paleontological resources.

    Paleontological Monitoring. Ground disturbing construction activities (including

grading, trenching, foundation work, and other excavations) in areas mapped as high paleontological sensitivity shall be monitored on a full-time basis by a qualified paleontological monitor during initial ground disturbance. Areas mapped as low to high paleontological sensitivity shall be monitored when ground-disturbing activities exceed five feet in depth, because underlying sensitive sediments could be impacted. Areas considered to have an undetermined paleontological sensitivity shall be inspected and further assessed if construction activities bring potentially sensitive geologic deposits to the surface. The Paleontological Mitigation and Monitoring Program shall be supervised by the Project paleontologist. Monitoring must be conducted by a qualified paleontological monitor, who is defined as an individual who has experience with collection and salvage of paleontological resources. The duration and timing of the monitoring would be determined by City based on recommendation from the Project paleontologist. If the Project paleontologist determines that full-time monitoring is no longer warranted, they may recommend to the City that monitoring be reduced to periodic spot-checking or cease entirely. Monitoring would be reinstated if any new or unforeseen deeper ground disturbances are required and reduction or suspension would need to be reconsidered by the Supervising Paleontologist. Ground disturbing activity that does not exceed five feet in depth would not require paleontological monitoring.

Paleontological Mitigation and Monitoring Program. After Project design has been finalized to determine the precise extent and location of planned ground disturbances, and prior to construction activity, a qualified paleontologist would prepare a Paleontological Mitigation and Monitoring Program to be implemented during ground disturbance activity for the Project. This program would outline the procedures for construction staff Worker Environmental Awareness Program (WEAP) training, paleontological monitoring extent and duration, salvage and preparation of fossils, the final mitigation and monitoring report, and paleontological staff qualifications. The program would be prepared in accordance with the standards set forth by current Society of Vertebrate Paleontology guidelines (2010) and with proper implementation, would reduce or eliminate potential impacts to paleontological resources.

Paleontological Worker Environmental Awareness Program. Prior to the start of construction, the Project paleontologist or his/her designee shall conduct training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff. The WEAP shall be presented at a preconstruction meeting that a qualified paleontologist shall attend. In the event of a fossil discovery by construction personnel, all work in the immediate vicinity of the find shall cease and a qualified paleontologist shall be contacted to evaluate the find before restarting work in the area. If it is determined that the fossil(s) is (are) scientifically significant, the qualified paleontologist shall complete the following conditions to mitigate impacts to significant fossil resources.

Salvage of Fossils. If fossils are discovered, the Project paleontologist or paleontological monitor should recover them. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case, the paleontologist would have the authority to temporarily direct, divert, or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner.

Preparation and Curation of Recovered Fossils. Once salvaged, the City would ensure that significant fossils would be identified to the lowest possible taxonomic level, prepared to a curation-ready condition, and curated in a scientific institution with a permanent paleontological collection (such as the Western Science Center), along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the Project paleontologist. Field collection and preparation of fossil specimens would be performed by the Project paleontologist with further preparation as needed by an accredited museum repository institution at the time of curation.

Final Paleontological Mitigation Report. Upon completion of ground-disturbing activity (and curation of fossils, if necessary) the qualified paleontologist should prepare a final mitigation and monitoring report outlining the results of the mitigation and monitoring program. The report should include discussion of the location, duration, and methods of the monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils, and where fossils were curated.

64. MM GHG-1: Phase 1 of the Project shall install solar photovoltaic (PV) panels or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable sources, that would provide 100 percent of the expected building load (i.e., the Title 24 electricity demand and the plug-load, conservatively anticipated to be approximately 8.87 kilowatt hours per year [kWh/year] per square foot).

    With expected energy consumption at 8.87 kWh/sf, a PV panel array covering approximately one quarter of the proposed roof space would provide sufficient on-site renewable energy generation to offset consumption. The final PV generation facility size requires approval by Southern California Edison (SCE). SCE's Rule 21 governs operating and metering requirements for any facility connected to SCE's distribution system. Should SCE limit the off-site export, the proposed Project may utilize a battery energy storage system (BESS) to lower off-site export while maintaining on-site renewable generation to offset consumption.

Should the energy consumption characteristics of a future tenant differ from this projection, there is sufficient space on the rooftop for the system to roughly triple on-site generation. The building shall include an electrical system and other infrastructure sufficiently sized to accommodate the PV arrays. The electrical system and infrastructure must be clearly labeled with noticeable and permanent signage.

65. MM GHG-2: Prior to the issuance of a Phase 1 or Phase 2 building permit, the Project Applicant or successor in interest shall provide documentation to the City of Beaumont demonstrating that the Project is designed to achieve Leadership in Energy and Environmental Design (LEED) certification and meet or exceed CalGreen Tier 2 standards in effect at the time of building permit application.

66. MM GHG-3: The development (Phase 1 and Phase 2) shall divert a minimum of 75 percent of landfill waste. Prior to issuance of certificate of occupancy, a recyclables collection and load area shall be constructed in compliance with Riverside County Waste Management Department's Design Guidelines for Recyclable Collection and Loading Areas.

67. MM GHG-4: Prior to the issuance of Phase 1 or Phase 2 occupancy permits, the Planning Department shall confirm that tenant lease agreements include contractual language that all landscaping equipment used on-site shall be 100 percent electrically powered. This requirement shall be included in the third-party vendor agreements for landscape services for the building owner and tenants, as applicable.

68. MM HAZ-1: The Applicant shall prepare a Soil Management Plan prior to the redevelopment of the site.

69. MM TCR-1 The Serrano Nation, (currently Mr. Mark Cochrane and/or Mr. Wayne Walker, but the representative could change depending on when a finding may occur), shall be notified if any cultural material is encountered during Project construction.

End of Conditions