



**CITY OF BEAUMONT
PLANNING DEPARTMENT
CONDITIONS OF APPROVAL**

**BEAUMONT LANDING- PLOT PLAN PP2018-0119,
CONDITIONAL USE PERMIT CUP 2018-0021, MITIGATED
NEGATIVE DECLARATION AND MITIGATION MONITORING
AND REPORTING PROGRAM**

**Planning
Commission
Approval:**

DRAFT

**PLOT PLAN AND CONDITIONAL USE PERMIT FOR THE
OPERATION OF A GAS STATION WITH EIGHTEEN FUEL PUMPS, 6,700 SQUARE
FOOT CANOPY, 3,800 SQUARE FOOT CONVENIENCE STORE WITH THE OFF-SITE
SALE OF BEER AND WINE, A 1,500 SQUARE FOOT CAR WASH, AND A 4,000
SQUARE FOOT DRIVE-THRU RESTAURANT LOCATED ON THE SOUTHWEST
CORNER OF OAK VALLEY PARKWAY AND INTERSTATE 10 (I-10) IN THE
COMMUNITY COMMERCIAL (CC) ZONE (APN 414-090-005 & 419-090-007).**

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 permit for the above referenced Conditional Use Permit and property consists of all Conditions of Approval herein. All Conditions of Approval for PP2018-0119, CUP2018-0021 and other related approvals are still in effect.
2. The use hereby permitted is for the establishment of a gas station with a convenience store with a Type 20 Off-site sale of beer and wine, a car wash and one (1) drive-thru restaurant located on the southwest corner of Oak Valley Parkway and Interstate 10 (I-10).
3. The Community Development Director may approve minor modifications to the site plan that are in substantial conformance to the approved project and that do not increase impacts. All copies of the revised plans shall be dated and signed by the Director and made a part of the record.
4. The permittee shall defend, indemnify, and hold harmless the City of Beaumont, the Beaumont Redevelopment Agency, its agents, officers, consultants, and employees from any claims, action, or proceeding against the City of Beaumont or its agents, officers, consultants, 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 Plot Plan PP2018-0119 and Conditional Use Permit CUP 2018-0021. The City of Beaumont will promptly notify the permittee 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 permittee of any such claim, action or proceeding or fails to cooperate fully in the defense, the permittee shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Beaumont.

5. This approval is subject to the City of Beaumont Municipal Code Section 17.02.100 Conditional Use Permits and is subject to timing specified in Sections (J) Conditional Use Permit Time Limits, (K) Conditional Use Permit Lapse in Time, (L) Conditional Use Permit Renewal and (M) Lapsing in Conditional Use Permit.
6. The Planning Commission herewith grants a “certificate of public convenience and necessity” for Type 20 – Off-Sale of Beer and Wine for sales for the convenience store proposed on the southwest corner of Oak Valley Parkway and Interstate 10 (I-10).
7. Administrative Plot Plan and business license application review and approval are required prior to occupancy of the building or sales of any items.
8. The conditions as established by the State of California, Alcohol Beverage Control, shall be fully complied with in the operation of the business.
9. Occupancy inspections will be required prior to the start of operations by the Building & Safety, Planning, Police, and Fire Departments. All inspections shall be performed and approved before a Certificate of Occupancy will be issued by the Building and Safety Department.
10. If any of the conditions of approval are violated, or if the use otherwise become a public nuisance as set forth in the Beaumont Municipal Code, the conditional use permit may be revoked as prescribed in the Municipal Code.
11. For Sales Tax Purposes, this location shall be the “Point-of-Sale” for all transactions conducted.
12. The Community Development Director shall monitor the subject use to ensure that the scale of the use does not exceed the limitations of the existing site improvements. In the event the Community Development Director determines that the scale of the use has exceeded site limitations, a hearing shall be scheduled before the Planning Commission to review the permit and consider modification or revocation thereof.
13. After 12 months of operation, the subject matter may, at the discretion of the Community Development Director, be scheduled for review by the Planning Commission. The Commission shall retain the authority to amend these conditions

of approval at such time, or to modify the use or revoke the permit if substantial problems result from the operation.

14. The applicant shall be responsible for securing clearance, permits and approvals from all relevant agencies, including the Building Department, Fire Department, Health Department, ABC and any other necessary departments or agencies.
15. This permit shall be for the benefit of the applicant in whose name the permit was issued, for the specific approved location. The permit shall not be transferrable to another individual or location.
16. An anti-graffiti coating shall be provided on all block walls, and written verification from the developer shall be provided to the City of Beaumont Planning Department.

Service Stations

17. Per Table 17.05-1 of the Beaumont Municipal Code, gasoline service stations are parked at a minimum of one (1) space per 200 square feet of gross floor area.
18. Municipal Code Section 8.50.080 identifies service stations as a special use zone in regard to lighting. Prior to the issuance of a Building Permit, the applicant shall demonstrate that the proposed lighting installation:
 - A. Is not within a Residential Lighting Zone;
 - B. Utilizes fully shielded, side shielded and internally shielded light fixtures to the maximum extent practicable; and
 - C. Includes measures to mitigate light trespass and artificial sky glow.
19. Outdoor lighting systems in the Commercial/Industrial zone shall be turned off or reduced in lighting by at least 50 percent beginning at 10:00 pm. or close of business, whichever is later, until dawn or the start of business, whichever is sooner. When possible, the lighting system shall be turned off rather than reduced in lighting level. Lighting shall be equipped with controls for photocell on and time off.
20. Signage is not approved as part of this project. All service station signage shall be developed in conformance with the zoning ordinance of the Beaumont Municipal Code, Section 17.07.110.D.

21. The hours of operation for the gas station, convenience store, carwash and drive-thru restaurant shall be a 24-hour operation, 7 days a week.
22. Outdoor merchandise displays are not permitted as part of this project.
23. No outdoor activities are permitted within the parking area without an approved Temporary Use Permit.
24. Outside operations shall be limited to the dispensing of petroleum products, water and air.
25. Outdoor storage of motor vehicles is prohibited.
26. No vehicles may be parked on sidewalks, parkways, driveways, or alleys.
27. No vehicles may be parked on the premises for the purpose of offer for sale.
28. Noise from bells or loudspeakers shall not be audible beyond the property line at any time.
29. Prior to the issuance of a Certificate of Occupancy, the applicant must complete and submit a hazardous waste generator application and obtain and operate under a hazardous waste generator permit for the County of Riverside Department of Environmental Health.
30. Alcohol sales for the convenience store only are included as part of Conditional Use Permit No. 2018-0021, and any future alcohol sales on the project site would be subject to the Beaumont Municipal Code, Section 17.03.120 and will require a Conditional Use Permit.
31. Future development beyond the gas station, convenience store, carwash and quick service restaurant proposed as part of PP2018-0119 & CUP2018-0021, shall be required to apply for the appropriate planning entitlement application(s) and provide the required CEQA analysis.

BUILDING DEPARTMENT CONDITIONS

32. It shall be unlawful for any person to engage in or permit the generation of noise related to landscape maintenance, construction including erection, excavation, demolition, alteration or repair of any structure or improvement, at such sound

levels, as measured at the property line of the nearest adjacent occupied property, as to be in excess of the sound levels permitted under Chapter 9 of the Municipal Code, at other times than between the hours of 7:00 a.m. and 6:00 p.m. The person engaged in such activity is hereby permitted to exceed sound levels otherwise set forth in this Chapter for the duration of the activity during the above described hours for purposes of construction. However, nothing contained herein shall permit any person to cause sound levels to at any time exceed 55 dB(A) for intervals of more than 15 minutes per hour as measured in the interior of the nearest occupied residence or school.

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:

33. Fire Hydrants and Fire Flow: Prior to the issuance of building permits, plans for the 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. 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.
34. 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 60,000 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.
35. 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.

36. Phased Construction Access: If construction is phased, each phase shall provide approved access for fire protection prior to any construction. Ref. CFC 503.1
37. Fire Sprinkler System: All new commercial structures 3,600 square feet or larger, including the proposed canopy structure, shall be protected with a fire sprinkler system. Ref CFC 903.2 as amended by the City of Beaumont.
38. Fire Alarm and Detection System: A water flow monitoring system and/or fire alarm system may be required and determined at time of building plan review. Ref. CFC 903.4, CFC 907.2 and NFPA 72
39. Knox Box and Gate Access: Buildings shall be provided with a Knox Box. The Knox Box shall be installed in an accessible location approved by the Office of the Fire Marshal. All electronically operated gates shall be provided with Knox key switches and automatic sensors for access. Ref. CFC 506.1
40. Addressing: All commercial buildings shall display street numbers in a prominent location on the address side and additional locations as required. Ref. CFC 505.1 and County of Riverside Office of the Fire Marshal Standard #07-01

POLICE DEPARTMENT

41. All exterior lighting on the site shall remain functional and be kept on during all hours of darkness. Exterior lighting shall be sufficient to illuminate the storefront during all hours of darkness. Any proposed outside lighting shall be in compliance with the City's Lighting Ordinance, Chapter 8.50, of the City of Beaumont Municipal Code.
42. The address of the business shall be clearly visible from the front of the building and shall be illuminated during hours of darkness.
43. There shall be no loitering permitted on the premises. It is the responsibility of the applicant to enforce no loitering.
 - A. Police officers, sheriff's deputies, and ABC investigators are sworn law enforcement officers (peace officers) with powers of arrest. Whether in plainclothes or uniform, peace officers have the legal right to visit and inspect any licensed premises at any time during business hours without a search warrant or probable cause. It is legal and reasonable for licenses to exclude the public from some areas of the premises. However, licensees

cannot and must not deny entry to, resist, delay, obstruct or assault a peace officer (Sections 25616, 25753, and 25755 B&P 148 and 241(b) PC).

B. Operating Standards, Retail – The following requirements apply:

44. Post “No Loitering” signs upon written notice from the ABC.
45. Remove litter daily from the premises, adjacent sidewalks and parking lots under licensees’ control and sweep/clean these areas weekly.
46. Remove graffiti from premises and parking lot.
47. Have no more than 33% of the windows covered with advertising or signs.
48. The digital video surveillance camera system shall be strategically positioned to capture persons and vehicles entering/existing the site. The surveillance system should have the capability of retaining video for a time period of at least 30 days.
49. The applicant shall have security cameras operating at all times when the business is operating. Security camera quality, lighting and positioning must be capable of providing facial recognition in key areas in and around the facilities, including the parking lot area, during operational hours. During hours of operation, a staff member shall be present who has the authority to meet law enforcement’s request to view and/or copy images captured on video surveillance system. All images must be recorded and retained for at least 30 days. The exact location and quantity of all security cameras shall be subject to approval by the Police Department prior to final occupancy.
50. The applicant shall comply with all applicable local, county, state and federal regulations, including the City’s Municipal Code and the California Business and Professions Code (B&P).

PUBLIC WORKS

GENERAL

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

A. Plans:

- i. Lot Line Adjustment or other mechanism to realign Desert Lawn
- ii. Record of Survey (RS) to be filed with the County of Riverside
- iii. Street Improvement Plan
- iv. Street Light Plan
- v. Landscape Plan offsite (Privately Maintained)
- vi. Precise Grading Plan
- vii. Erosion Control Plan
- viii. Retaining wall Plan (for line and grade only)
- ix. Sewer Improvement Plan
- x. Sewer Lift Station and Forced Main Plan (if required for development)
- xi. BCVWD Water Improvement Plan
- xii. Storm drain Improvement Plans
- xiii. Traffic Control Plan

B. Reports & Studies:

- i. Geotechnical Report w/ Fault Discussion & Infiltration study & Analysis
- ii. Stormwater Pollution Prevention Plan (SWPPP)
- iii. Final Hydrology and Hydraulics Report
- iv. Final Water Quality Management Plan (F-WQMP)
- v. Offsite Improvement Engineer's Cost Estimate (ECE)
- vi. Grading & Pad Certification
- vii. Compaction Report

C. Permits and agreements:

- i. Permission to Grade and Construction agreements
- ii. Non-interference letters
- iii. WQMP Covenant and Agreement
- iv. City Grading Permit
- v. City Dirt Haul Permit
- vi. City Encroachment Permit
- vii. Caltrans Encroachment Permit
- viii. Performance Bond

- ix. Labor & Material Bond
- x. Maintenance Bond

52. PRIOR TO THE ISSUANCE OF ANY PERMIT: The applicant shall provide non-interference letters or written consent from all companies or agencies with facilities or a public service easement affected by the realignment of Desert Lawn South. Said non-interference letters and written consent shall explicitly state the realignment of Desert Lawn Drive with corresponding limits.
53. PRIOR TO THE ISSUANCE OF ANY PERMIT: The Applicant shall provide a letter from a registered California Geologist stating that the mapped fault located on or near the project, is not a hazard to the project or provide a fault study.
54. The design of public infrastructure elements shall conform to the City's General Plan, City's Municipal Code, Riverside County Transportation Department (RCTD) Road Improvement Standards & Specification, Caltrans Standard Specifications and the Standard Specifications for Public Works Construction, current edition.
55. The design of private site improvements and grading work outside of road right of way shall conform to the latest edition of California Building Code (CBC), City's Municipal Code, City's Standards and practices, and Geotechnical report.
56. 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.
57. Applicant shall coordinate with affected utility companies and property owners and obtain any approval and permits as necessary for the development of this project. All cost shall be the responsibility of the applicant.
- A. The project is realigning a portion of Desert Lawn South and will need to relocate/ underground several power poles,
 - B. The project is realigning a portion of Desert Lawn South and will need to realign BCVWD facilities, and

- C. The project is realigning a portion of Desert Lawn South and will need to realign any other affected utility.
 - D. The project is realigning a portion of Desert Lawn South and will need to provide continuous and appropriate access to the surrounding property owners and businesses to the satisfaction of the City Engineer.
58. 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.
- A. Several Easements conflict with proposed development. The applicant shall cause the easements to be vacated or otherwise resolved to the satisfaction of the City Engineer.
59. The Applicant shall obtain an Encroachment Permit, as required from the appropriate agency, for all work within the public right-of-way.
60. 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).
61. 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.
62. The Applicant shall provide all agreements for permission to construction and grade for all applicable offsite areas that currently do not have a recorded easement.

STREET IMPROVEMENTS

63. PRIOR TO ISSUANCE OF AN ENCROACHMENT PERMIT: The applicant shall dedications all right-of-way necessary for the construction of all streets, per separate instrument.
- A. Desert Lawn South is currently designated as a divided collector. The upcoming General Plan Update does not classify Desert Lawn Drive. Therefore, the applicant is requesting that the street be constructed as a local frontage street consistent with the with the updated General Plan. The approval will be subject to the planning department.
 - B. The Applicant shall verify that the appropriate right-of-way exist and/or the Applicant shall dedicate all additional right-of-way necessary to achieve the required 52-foot full-width right-of-way per Riverside County standard no. 107.
 - C. The Applicant, as part of this development, is requesting to realign Desert Lawn Drive. The Applicant, at its sole expense, shall cause the realignment of Desert Lawn consistent with the development of this project and subject to all applicable laws, codes, and ordinances and shall prepare and perform all mapping and surveying required by the City and County. The applicant is responsible for all issues associated with the realignment of Desert Lawn Drive.
 - D. The right-of-way corner cutback shall be established per RCTD std. 805 as follows: Along a straight line projected from the intersection of the radial line passing through the beginning of the curb return, and the corresponding right-of-way line to the intersection of the radial line, passing through the end of the curb return at the corresponding right-of-way line.
64. PRIOR TO ISSUANCE OF AN ENCROACHMENT PERMIT: 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).

65. PRIOR TO ISSUANCE OF AN ENCROACHMENT PERMIT: The applicant shall prepare the Street Improvement plan, Signing and Striping plan, and Street Light Plan in accordance with the City of Beaumont Municipal Code, General Plan, standards; Riverside County Transportation Department (RCTD) Road Improvement Standards & Specification (Ordinance 461); and California M.U.T.C.D.
66. PRIOR TO ISSUANCE OF AN ENCROACHMENT PERMIT: The Applicant shall submit a Construction Traffic Management Plan per the California M.U.T.C.D., for review and approval by the City Engineer.
67. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant, at its soles expense, shall cause the relocation of all public entities or utilities affected by the development.
68. 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.
69. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): Monuments shall be provided in accordance with Section 8771 of the Business and Professions Code. Crossties shall be set in top of curbs and tie sheets shall be submitted to the Public Works Department.
70. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The applicant shall underground the power poles along the southwest portion of Desert Lawn South and otherwise coincident with this project.

Desert Lawn South (Local Frontage Road 52' R/W)

71. PRIOR TO ISSUANCE OF 1st OCCUPANCY PERMIT (COO): The Applicant shall construct full-width improvements for Desert Lawn, coincident with the project boundary and as necessary to transition to the existing Desert Lawn South alignment and improvements. The improvements shall include:

- A. 6" Curb and Gutter per RCTD std. 200; alignment per RCTD std. 107. Curb height may be increased to mitigate the 10-year storm event, as directed by the City Engineer;
 - B. Sidewalks shall be curb-adjacent type per RCTD std. 401, unless otherwise directed by the Planning Department;
 - C. Street structural sections shall be designed with a Traffic Index per soils recommendations (5.5 minimum). 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 4" AC/6" AB. Pavement shall be per Greenbook specifications with a base course of B-PG 64-10-R0 and a final course of C2- PG 64-10-R0.
 - D. The Applicant shall design Desert Lawn Drive in agreement with the proposed Intersection Improvements at the I-10 and Oak Valley Parkway interchange.
72. PRIOR TO ISSUANCE OF OCCUPANCY PERMIT (COO): The Applicant shall install public streetlights along the project frontage of perimeter streets, or as directed by the City Engineer, in accordance with the City of Beaumont Approved Street Lighting Specifications. The Applicant shall coordinate with Public Works before submitting streetlight plans.
73. PRIOR TO ISSUANCE OF 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.

Oak Valley Parkway

74. PRIOR TO ISSUANCE OF AN ENCROACHMENT PERMIT: The Applicant shall contribute the appropriate fees to the City's fee program and WRCOG TUMF fees.
75. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): At the intersection of Oak Valley Parkway and Desert Lawn South, the applicant shall add a northbound left-turn lane, westbound left-turn lane, receiving lane for the

northbound left-turn lane on the west leg, and restripe Oak Valley Parkway in accordance with the approved TIA. Refer to figure 8.1 from preliminary TIA prepared by LSA, dated December 2018 for reference.

76. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): At the intersection of Oak Valley Parkway and Desert Lawn Drive, the applicant shall deposit with the City, a fair share contribution for 6% (or as shown in the approved TIA) of the estimated cost at the time of deposit, to install traffic signals and construct all other necessary improvements to safely and adequately signalize the intersection. The signals shall be estimated based on RCTD Ordinance 461 Specifications.

GRADING AND DRAINAGE

77. PRIOR TO GRADING PERMIT: 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 basin.
78. PRIOR TO ISSUANCE OF A GRADING PERMIT: The applicant shall prepare the grading plans in accordance with the City of Beaumont Municipal Code, General Plan, Specific Plan, and standards; California Building Code (current edition); and recommendations of a soil engineer.
79. 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.
80. 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.

81. 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.

82. PRIOR TO ISSUANCE OF GRADING PERMIT: As part of the Grading Plan Submittal Application, the Applicant shall submit for review and approval, a Final Drainage Report. The Final Drainage Report be in substantial conformance with the approved preliminary drainage report. The project shall:

- A. Follow the general guidelines set forth by Riverside County Flood Control and Water Conservation District's (RCFC&WCD) Hydrology Manual.
- B. Design all conveyances to handle the peak flow from a 100-year event.
- C. Examine the 10-year and 100-year storm events utilizing the RCFC&WCD rational method. The 10-year storm flow shall not exceed the top of curb depth. 100-year storm flow shall not exceed the right-of-way line. If the 10-year storm flow exceeds the top of curb depth, underground storm drain facilities will be required;
- D. Examine the 2, 10 and 100-year storm frequencies in combination with the 1,3,6 and 24-hour storm durations utilizing the RCFC&WCD synthetic unit hydrograph method;
- E. Mitigate for increased runoff by directing drainage to a downstream facility that has sufficient capacity or mitigate the increased runoff onsite and/or as otherwise required by the City Engineer.

83. PRIOR TO ISSUANCE OF GRADING PERMIT: The applicant shall submit for review and approval, a grading plan.

84. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY (COO): The Applicant shall provide adequate provisions 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.
85. PRIOR TO ISSUANCE OF GRADING PERMIT: The Applicant shall design the infiltration basin per the Riverside Flood Control District, LID manual and include the following:
- A. An access road that allows easy access to the bottom of the basin for maintenance;
 - B. An emergency overflow weir or spillway;
 - C. 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;
 - D. Security fencing along the perimeter of the basin w/ appropriate signage;
 - E. Fire Department Rapid Entry System;
 - F. Access from public right-of-way.
 - G. A concrete forebay system.
86. 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 of Beaumont and to any governing Federal agency for review and approval, all necessary calculations.
87. PRIOR TO ISSUANCE OF GRADING PERMIT: The applicant shall submit for review and approval, a soils/ geology report.

88. PRIOR TO ISSUANCE OF GRADING PERMIT: The applicant shall submit for review and approval, an Erosion Control Plan that addresses Site Construction BMPs.
89. PRIOR TO ISSUANCE OF GRADING PERMIT: The applicant shall submit for review and approval, a Final WQMP (F-WQMP). The F-WQMP shall be in substantial conformance with the approved preliminary Project-Specific WQMP and the document "Water Quality Management Plan – A Guidance Document for the Santa Ana Region of Riverside County," dated October 2012 (Guidance Document)
90. PRIOR TO ISSUANCE OF GRADING PERMIT: The Applicant shall record a "Covenant and Agreement" with the County Recorder, or other instrument acceptable to the City, to inform future property owners of the requirement to implement the approved project-specific WQMP.
91. PRIOR TO ISSUANCE OF GRADING PERMIT: The Applicant shall obtain all permits and approvals from all regulatory agencies with jurisdiction over any portion of this project. Potentially including, but not limited to: Riverside County Flood Control, State Department of Fish and Game, State Water Resource Control Board and US Army Corps of Engineers.
92. 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.
93. CONCURRENT WITH GRADING OPERATIONS: The Applicant shall construct temporary drainage facilities and erosion control measures to minimize erosion and silt deposition.

94. PRIOR TO FOUNDATION TRENCHING: The applicant shall submit a soil compaction report to the City for review and approval.
95. PRIOR TO OBTAINING ANY BUILDING PERMIT: The applicant shall submit pad certifications letters and pad compaction reports to the City for review and Approval.

STORM DRAIN IMPROVEMENTS

96. PRIOR TO ISSUANCE OF AN ENCROACHMENT PERMIT: The applicant shall design the storm drain system and facilities in accordance with Beaumont Municipal Code, General Plan, Specific Plan, and Standards; the Riverside County Flood Control District standards; hydrology manual; and Low Impact Development (LID) BMP Design Handbook.
97. PRIOR TO ISSUANCE OF GRADING PERMIT: All storm drains, catch basins, and storm water structures shall be provided with trash capture devices that conform with the approved trash capture list issued by the State Water Board.
98. PRIOR TO ISSUANCE OF A GRADING PERMIT: The Applicant shall design the project so that the stormwater generated within the development shall be captured into appropriate drainage facilities. The stormwater shall be treated per the requirements of the approved P-WQMP.
99. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall construct all storm drain facilities to accommodate the Hydrologic, WQMP and Hydraulic Conditions of Concerns (HCOC) requirements.

SEWER IMPROVEMENTS

100. PRIOR TO IMPROVEMENT PLAN APPROVAL: The applicant shall ensure that the downstream sewer facilities have sufficient capacity.
101. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The sanitary sewer system shall be designed and constructed to collect and convey sewage to the City's Wastewater Treatment Plant in accordance with the Master

Sewer Plan, Beaumont Municipal Code, Eastern Municipal Water District (EMWD), and Health Department requirements.

102. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall design and construct the sewer network necessary for the complete operation of the sewer system.

103. PRIOR TO CONNECTING TO A PUBLIC SEWERAGE SYSTEM: The applicant shall pay all applicable sewer connection fees including the "Sewage Disposal Facility Fee".

WATER IMPROVEMENTS

104. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall be responsible for obtaining potable water for the development.

105. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The applicant shall comply with the requirements of the Beaumont-Cherry Valley Water District.

106. 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 as approved by the City Engineer.

107. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The applicant shall ensure that water line locations follow the State Department of Health requirements for water line and sewer line separations both horizontally and vertically. If pertinent conditions do not allow for the required separations horizontally and vertically, the proposed separations shall be submitted to the City Engineer for review and approval.

MITIGATION MEASURES

108. BIO-1 Burrowing Owl.

A pre-construction survey of all on-site rodent/ground squirrel burrows will be evaluated by an experienced burrowing owl biologist and confirmed as not having any owls not more than 30 days prior to project ground disturbance for construction. The surveys shall be conducted as close to the construction initiation date as possible.

If burrowing owls are detected on the project site during the survey then the following action(s) shall be taken: 1) if the site is within the MSHCP Criteria Area, then at least 90 percent of the area with long-term conservation value shall be included in the MSHCP Conservation Area; otherwise 2) if the site contains, or is part of an area supporting less than 35 acres of suitable habitat or the survey reveals that the site and the surrounding area supports fewer than three pairs of burrowing owls, then the on-site burrowing owls will be passively or actively relocated following accepted protocols. If the site (including adjacent areas) supports three or more pairs of burrowing owls, supports greater than 35 acres of suitable habitat and is noncontiguous with MSHCP Conservation Area lands, at least 90 percent of the area with long-term conservation value and burrowing owl pairs will be conserved onsite.

109. BIO-2 Nesting Birds Avoidance.

To avoid disturbance of nesting and special-status birds, including species protected by the MBTA and CFGC, activities related to the project, including but not limited to vegetation removal, ground disturbance, and construction and demolition, shall occur outside of the bird breeding season (February 1 through August 31), if feasible. If construction must begin during the breeding season, then a pre-construction nesting bird survey shall be conducted no more than three (3) days prior to initiation of ground disturbance and vegetation removal activities. The nesting bird pre-construction survey shall be conducted on foot inside the project boundary, including a 300-foot buffer around the project boundary. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in southern California communities. If nests are found, an

avoidance buffer (dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site) shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground-disturbing activities shall occur inside this buffer until the avian biologist has confirmed that breeding/nesting is completed, and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.

Implementation of Mitigation Measure BIO-1 would reduce potential impacts to burrowing owls by requiring pre-construction surveys and conservation or relocation. Implementation of Mitigation Measure BIO-2 would reduce impacts to nesting birds by avoiding construction activities during the nesting season and creating an avoidance buffer if construction occurs during the nesting season.

110. CUL-1 Unanticipated Discovery of Prehistoric and Archaeological Resources.

In the event that archaeological or paleontological resources are unearthed during project construction, all earth-disturbing work near the find must be temporarily suspended or redirected by the construction manager until a qualified archaeologist and/or paleontologist, selected by City staff, has evaluated the nature and significance of the find. If the discovery proves to be significant under CEQA, additional work such as preservation in place or data recovery, shall occur as required by the archeologist and/or paleontologist in coordination with City staff and descendants and/or stakeholder groups, as warranted. Once the resource has been properly treated or protected, work in the area may resume. A Native American representative shall be retained to monitor any mitigation work associated with Native American cultural material.

111. CUL-2 Unanticipated Discovery of Human Remains.

In the event that human remains are encountered during the course of any future development California State Law (Health and Safety Code Section 7050.5 and Section 5079.98 of the Public Resources Code) states that no further earth disturbance shall occur at the location of the find until the Riverside County Coroner has been notified. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine and notify a Most Likely Descendant. With the permission of the landowner of his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.

Implementation of Mitigation Measure CR-1 and Mitigation Measure CR-2 would reduce potential impacts to archaeological resources, and human remains by ensuring that any cultural resources encountered during project activities are handled in a suitable manner.

112. GEO-1 Collapsible Soils.

Collapsible soils shall be overexcavated and recompacted during construction pursuant to the recommendations contained in Appendix D, which include:

- To minimize post-construction soil movement and provide uniform support for the proposed building, overexcavation and recompaction within the proposed building areas shall be performed to a minimum depth of five (5) feet below existing grade or five (5) feet below proposed footing bottom, whichever is deeper. The overexcavation and recompaction shall also extend laterally to a minimum of 5 feet beyond the outer edges of the proposed footings.
- Within pavement areas, it is recommended overexcavation and recompaction be performed to a minimum depth of three (3) feet below existing grade or three (3) feet below proposed grade, whichever is deeper. The overexcavation and recompaction should also extend laterally to a minimum of 3 feet beyond the outer edges of the proposed pavement.

Implementation of Mitigation Measure GEO-1 would reduce potential impacts post-construction soil movement to a less than significant level by requiring recompacted soils during construction.

113. T-1 Desert Lawn Drive/Oak Valley Parkway.

The project applicant shall be responsible for the costs associated with construction and installation of a traffic signal at the intersection of Desert Lawn Drive/Oak Valley Parkway. The traffic signal shall be constructed prior to any Certificate of Occupancy.

114. T-2 Desert Lawn South/Oak Valley Parkway.

The project applicant shall be responsible for the cost, construction, and installation of adding a northbound left-turn lane, a westbound left-turn lane, and a receiving lane for the northbound left-turn lane on the west leg of Desert Lawn South/Oak Valley Parkway.

115. TCR-1 Unanticipated Discovery of Tribal Cultural Resources.

A qualified archaeologist shall be present during ground-disturbing activities associated with project construction, in order to identify any unanticipated discovery of tribal cultural resources. In the event that archaeological resources of Native American origin are identified during project construction, the qualified archaeologist will consult with the City to conduct appropriate Native American consultation procedures. As part of this process, it may be determined that archaeological monitoring may be required by a Native American monitor. This determination shall be made at the discretion of the construction period archaeological monitor, and in coordination with the City.

Implementation of Mitigation Measure TCR-1 reduce potential impacts to tribal cultural resources by ensuring that any tribal cultural resources encountered during project activities are handled in a suitable manner.

End of Conditions