



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

PLANNING COMISSION DATE: January 12, 2021

PROJECT NAME: BEYOND BEAUMONT

PROJECT NOS.: PP2019-0253, CUP2019-0042, CUP2019-0043 & ENV2020-0013

DESCRIPTION: A request for a commercial development on an approximately 1.39-acre site, to construct and operate a gas station with eight (8) fuel pumps with 16 dispensers, a 4,310 square foot canopy, 5,185 square foot convenience store with an off-sale general license (type 21) for the sale of beer, wine and distilled spirits, and an attached 1,404 square foot drive-thru carwash; located on the southwest corner of 6th Street and Pennsylvania Avenue (APN 418-122-028) in the Commercial General (CG) Zone.

APPLICANT: Beyond Food Mart, Inc.

LOCATION: Southwest corner of 6th Street and Pennsylvania Avenue

APN: 418-122-028

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 Plot Plan and Conditional Use Permits consists of all Conditions of Approval herein. All Conditions of Approval for PP2019-0253, CUP2019-0042 & CUP2019-0043 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 21 Off-site sale of beer, wine and distilled spirits, and one (1) drive-thru carwash located on the southwest corner of 6th Street and Pennsylvania Avenue.
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 PP2019-0253, Conditional Use Permit CUP 2019-0042 and Conditional Use Permit CUP2019-0043. 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. This approval is subject to the City of Beaumont Municipal Code Section 17.02.170 Plot Plans and is subject to timing specified in Sections (I) Plot Plan Time Limits and (J) Plot Plan Lapse in Time.
7. The Planning Commission herewith grants a “certificate of public convenience and necessity” for Type 21 – Off-Sale of Beer, Wine and Distilled Spirits for sales for the convenience store proposed on the southwest corner of 6th Street and Pennsylvania Avenue.
8. Administrative Plot Plan and business license application review and approval are required prior to occupancy of the building or sales of any items.
9. The conditions as established by the State of California, Alcohol Beverage Control, shall be fully complied with in the operation of the business.
10. 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.
11. 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.
12. For Sales Tax Purposes, this location shall be the “Point-of-Sale” for all transactions conducted.
13. 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.

14. 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.
15. 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.
16. 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.
17. 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.
18. The project shall comply the outdoor lighting (night sky) requirements of Beaumont Municipal Code Chapter 8.50.

Service Stations

19. 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.
20. 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.
21. 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.

22. Conceptual signage has been included as part of this project but will require Planning and Building sign permits prior to installation. All service station signage shall be developed in conformance with the zoning ordinance of the Beaumont Municipal Code, Section 17.07.110.D.
23. The hours of operation for the gas station and convenience store shall be a 24-hour operation, 7 days a week and the carwash operation shall be from 7am to 8pm, 7 days a week.
24. Outdoor merchandise displays are not permitted as part of this project, with the exception of propane sales subject to plan check review and approval by the Planning, Fire and Building Departments.
25. No outdoor activities are permitted within the parking area without an approved Temporary Use Permit.
26. Outside operations shall be limited to the dispensing of petroleum products, water and air.
27. Outdoor storage of motor vehicles is prohibited.
28. No vehicles may be parked on sidewalks, parkways, driveways, or alleys.
29. No vehicles may be parked on the premises for the purpose of offer for sale.
30. Noise from bells or loudspeakers shall not be audible beyond the property line at any time.
31. 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.
32. Alcohol sales for the convenience store only are included as part of Conditional Use Permit No. 2019-0042, 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.
33. Future development beyond the gas station, convenience store and drive-thru carwash proposed as part of PP2019-0253, CUP2019-0042 & CUP2019-0043, shall

be required to apply for the appropriate planning entitlement application(s) and provide the required CEQA analysis.

BUILDING DEPARTMENT CONDITIONS

34. 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:

35. 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.

36. 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

37. Requests for installation of traffic calming designs/devices on fire apparatus access roads shall be submitted and approved by the Office of the Fire Marshal. Ref. CFC 503.4.1
38. 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.
39. Fire Sprinkler System: All new commercial structures and canopies 3,600 square feet or larger shall be protected with a fire sprinkler system. Ref CFC 903.2 as amended by the City of Beaumont.
40. Fire Alarm and Detection System: A water flow monitoring system shall be required. Ref. CFC 903.4, CFC 907.2 and NFPA 72
41. Knox Box: 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. Ref. CFC 506.1
42. 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

43. 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.
44. The address of the business shall be clearly visible from the front of the building and shall be illuminated during hours of darkness.
45. 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:

46. Post “No Loitering” signs upon written notice from the ABC.
47. Remove litter daily from the premises, adjacent sidewalks and parking lots under licensees’ control and sweep/clean these areas weekly.
48. Remove graffiti from premises and parking lot.
49. Have no more than 33% of the windows covered with advertising or signs.
50. The convenience store and gas station shall install 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.
51. The convenience store and gas station 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.
52. 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

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

A. Plans:

- i. Street Improvement Plan
- ii. Traffic Signal Plan
- iii. Street Light Plan
- iv. Landscape Plan offsite
- v. Precise Grading Plan
- vi. Erosion Control Plan
- vii. Sewer Improvement Plan
- viii. BCVWD Water Improvement Plan
- ix. Storm drain Improvement Plan
- x. Onsite composite utility Plan
- xi. Traffic Control Plan

B. Reports & Studies:

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

C. Permits and agreements:

- i. Permission to Grade and Construction agreements (if applicable)
- ii. Non-interference letters (if applicable)
- iii. WQMP Covenant and Agreement
- iv. City Grading Permit
- v. City Encroachment Permit
- vi. Performance Bond
- vii. Labor & Material Bond

viii. Maintenance Bond

D. Survey Documents:

- i. Right-of-way Dedications
- ii. Easement Dedications
- iii. Corner Record
- iv. Record of Survey

E. Fees: Prior to obtaining a building permit the applicant shall pay all applicable development fees as indicated on the fee schedule, current at the time of permit, available from the City, including, but not limited to the following:

- i. Fire Protection Impact
- ii. Police Facilities Impact
- iii. Public Facility
- iv. Streets and Bridges Impact
- v. Traffic Signal Impact
- vi. Railroad X'ing Impact
- vii. General Plan
- viii. Emergency Preparedness
- ix. Recycled Water Facility
- x. Sewer Application
- xi. Sewer Disposal Facility Fee (Connection)
- xii. Sewer service areas Fee
- xiii. MSHCP
- xiv. TUMF

54. The design of public infrastructure elements shall conform to the requirements of the City General Plan, City of Beaumont Standards, Riverside County Transportation Department (RCTD) Road Improvement Standards & Specification, Caltrans Standard Specifications and the Standard Specifications for Public Works Construction, current edition, as required by the City Engineer.

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, the City of Beaumont standards and practices, Approved Water Quality Management Plan, approved hydrology report, approved traffic impact analysis, and geotechnical recommendations.
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. The Applicant shall coordinate with affected utility companies and obtain any permits as necessary for the development of this project.
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.
59. The Applicant shall obtain an Encroachment Permit, as required, for all work within the public right-of-way.
60. The Applicant shall construct all public improvements during the initial phase and prior to the first certificate of occupancy. If phasing is proposed, a phasing plan must be provided to the Public Works Department which illustrates the constructed sequence and all interim conditions.
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.

MAPPING & SURVEYING

62. PRIOR TO THE START OF CONSTRUCTION: The applicant shall protect, reference, and reset any existing survey monuments pursuant to Business and Professions Code, Sections 8700 to 8805 (Land Surveyors Act).
63. PRIOR TO THE START OF CONSTRUCTION: The applicant shall have the property corners identify and clearly flagged. Any missing or obliterated corners shall be reestablished and set-in accordance with the Land Surveyors Act and Professional

Land Surveying Practices. All right-of-way dedications shall be monumented. As necessary, a Corner Record or Record of Survey shall be filed with the County of Riverside.

64. PRIOR TO ISSUANCE OF AN ENCROACHMENT PERMIT: The applicant shall dedicate all right-of-way necessary for the construction of all streets.
65. Sixth Street is designated as a Secondary Highway (88' ROW). 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 44-foot half-width ROW per the General Plan.
66. Pennsylvania Avenue is designated as a Major Highway (100' ROW). The City is requesting an additional four feet (4') to accommodate a safe and efficient lane configuration along Pennsylvania Avenue, at the intersection of Sixth Street per the City's "Pennsylvania Avenue Street Widening Project". The Applicant shall dedicate all additional right-of-way necessary to achieve the required 54-foot half-width ROW per the City's CIP project.
67. PRIOR TO ISSUANCE OF AN ENCROACHMENT PERMIT: The Applicant shall dedicate right-of-way at the southwest corner of the intersection of Sixth Street and Pennsylvania Avenue to accommodate a corner cutback per RCTD std. 805.
68. PRIOR TO ISSUANCE OF 1st OCCUPANCY PERMIT (COO): The applicant shall provide an easement over, across and which provides ingress and egress to 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.

STREET IMPROVEMENTS

69. PRIOR TO ISSUANCE OF 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).
70. PRIOR TO ISSUANCE OF 1ST OCCUPANCY PERMIT (COO): The applicant shall underground all overhead utilities coincident with the project boundary and as necessary to transition to existing facilities per Beaumont Municipal Code Section 17.04.100. Should any overhead utility be exempt from undergrounding, the applicant

shall relocate the utility and appurtenances as needed for safe and equitable operation of other improvements.

71. PRIOR TO ISSUANCE OF 1ST OCCUPANCY PERMIT (COO): The applicant shall enter into an improvement agreement with the City and provide a cash in lieu of construction for 100% of the estimated cost at the time of deposit, to improve the westbound off-ramp from the I-10 freeway as identified in the approved Traffic Impact Analysis report, summarized as follows:

- a. Widen the I-10 Westbound Off-Ramp to provide for one exclusive left turn lane and one exclusive right turn lane”

72.

- a. Widen the I-10 Westbound Off-Ramp to provide for one exclusive left turn lane and one exclusive right turn lane

73. PRIOR TO ISSUANCE OF 1st OCCUPANCY PERMIT (COO): The applicant shall construct all traffic signal improvements at the intersection of Pennsylvania Avenue and Sixth Street necessary for the development of this project. The southwest traffic signal poles and appurtenances will need to be relocated as part of the improvements.

74. PRIOR TO ISSUANCE OF 1st OCCUPANCY PERMIT (COO): The Applicant shall construct half-width improvements for Sixth Street in accordance with RCTD std. 94, coincident with the project boundary and as necessary to safety transition to the existing improvements.

75. PRIOR TO ISSUANCE OF 1st OCCUPANCY PERMIT (COO): The Applicant shall construct half-width improvements for Pennsylvania Avenue in accordance with the City’s “Pennsylvania Avenue Street Widening Project”.

76. PRIOR TO ISSUANCE OF 1ST OCCUPANCY PERMIT (COO): The Applicant shall have a Geotechnical Engineer investigate the existing roadway section of all streets coincident with the project frontage. The geotechnical report shall recommend one, or a combination of, the following conditions based on the existing condition and minimum requirements:

- a. Grind (0.17’ Min.) and overlay from street centerline to edge of pavement
- b. Full-section removal and replacement from street centerline to edge of pavement

77. PRIOR TO ISSUANCE OF 1ST 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.

78. PRIOR TO ISSUANCE OF 1ST OCCUPANCY PERMIT (COO): The Applicant shall work with staff to develop and implement traffic measures and/or devices to prohibit left turn maneuvers from the Sixth Street driveway and Pennsylvania Avenue Driveway.
79. PRIOR TO ISSUANCE OF 1ST 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.
80. PRIOR TO ISSUANCE OF 1ST 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.

GRADING AND DRAINAGE IMPROVEMENTS

81. PRIOR TO ISSUANCE OF A GRADING PERMIT: A Hydrology/Hydraulics report shall be submitted to the Public Works department. The project/report shall:
- a. Follow the general guidelines set forth by Riverside County Flood Control and Water Conservation District's (RCFC&WCD) Hydrology Manual.
 - b. 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. Underground storm drain facilities shall be designed to accommodate a 100-year storm flow;
 - c. Examine the 2, 5 and 10-year storm frequencies in combination with the 1,3,6 and 24-hour storm durations utilizing the RCFC&WCD synthetic unit hydrograph method;
 - d. 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.
82. 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.

83. PRIOR TO ISSUANCE OF A GRADING PERMIT: The applicant shall design stormwater generated within the development to be captured into appropriate drainage facilities. The stormwater shall be treated per the requirements of the WQMP. The drainage facilities shall be designed to accommodate a 100-year storm flow event.
84. PRIOR TO ISSUANCE OF A GRADING PERMIT: The Applicant shall design and include 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 submit for review and approval, a soils/ geology report.
86. 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.
87. 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.
88. 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.
89. 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.
90. 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.
91. PRIOR TO ISSUANCE OF A GRADING PERMIT: A final project-specific Water Quality Management Plan (F-WQMP) shall be submitted to Public Works Department. The WQMP shall incorporate, but not limited to, the following: site design BMP's,

applicable source control BMP's, treatment control BMP's, long term operation and maintenance requirements, and inspection and maintenance checklist. Maintenance and funding requirements shall be outlined in the WQMP for the maintenance of the development BMP's. The post construction Best Management Practices (BMPs) outlined in the approved final project-specific WQMP shall be incorporated in the improvement plans.

92. PRIOR TO ISSUANCE OF 1ST OCCUPANCY PERMIT (COO): The applicant shall ensure that all WQMP BMP's are fully operational and a maintenance mechanism is in place.
93. 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.
94. PRIOR TO FOUNDATION TRENCHING: The applicant shall submit a soil compaction report to the City for review and approval.

SEWER IMPROVEMENTS

95. PRIOR TO IMPROVEMENT PLAN APPROVAL: The applicant shall ensure that the downstream sewer facilities have sufficient capacity.
96. 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 public sewerage system in accordance with the Master Sewer Plan, Beaumont Municipal Code, Eastern Municipal Water District (EMWD), and Health Department requirements. No septic systems are permitted.
97. PRIOR TO CONNECTING TO A PUBLIC SEWERAGE SYSTEM: The applicant shall pay all applicable sewer connection fees.

WATER IMPROVEMENTS

98. PRIOR TO ISSUANCE OF OCCUPANCY PERMIT (COO): The applicant shall be responsible for obtaining potable water and reclaimed water for the development.

99. PRIOR TO ISSUANCE OF OCCUPANCY PERMIT (COO): The applicant shall comply with the requirements of the Beaumont Cherry Valley Water District.
100. PRIOR TO ISSUANCE OF 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.
101. PRIOR TO ISSUANCE OF 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.
102. PRIOR TO ISSUANCE OF 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

103. BIO-1: Vegetation suitable for nesting birds should be removed outside of the nesting bird season. The nesting bird season typically occurs from February 15 to August 31. If grading and clearing activities must occur during the nesting season, a nesting bird survey should be conducted within seven days prior to the start of any ground disturbing activities to determine if any nesting birds occur within the Project Site. If nesting birds are not found within the Project Site, no further actions will be required. If nesting birds are observed, no impacts shall occur within 250 feet (500 feet for raptors) for any active nests. Moreover, construction activity may only occur within 250 feet of an active nest at the discretion of the project's biological monitor.
104. BIO-2: A pre-construction survey for burrowing owls should be conducted 30-days prior to the start of future ground clearing activities to ensure no burrowing owls have moved onto the site since the initial surveys conducted in May 2020. Owls observed during the pre-construction survey will be documented and passive relocation may be necessary, under the direction of CDFW as per The California Burrowing Owl Consortium, 1993. If burrowing owls have colonized the site prior to initiation of site

development, the Project Proponent should inform the Regional Conservation Authority (RCA) and the wildlife agencies.

105. BIO-3: Drainage: The Proposed Project shall not create additional flow offsite. Measures should be taken to assure that project stormwater discharge is no greater in volume and velocity than the current undeveloped conditions and that the water leaving the site complies with all applicable water quality standards.

Toxics: In concert with drainage requirements, the Proposed Project is subject to Riverside Water Quality Management Plan (WQMP) for Urban Runoff, Santa Ana Region, adopted September 17, 2004, and the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharge Associated with Construction Activity (General Permit). Implementation of both the WQMP and the general permit would reduce potential impacts of toxics to the MSHCP conservation area to a level of less than significant.

Lighting: Night lighting shall be directed in such a way as to protect wildlife species from direct night lighting.

Invasive Species: No invasive species from MSHCP shall be included in any landscaping for the Proposed Project.

Barriers: As needed, the Proposed Project should include the incorporation of rocks/boulders fencing, walls, signage and/or other appropriate measures to minimize unauthorized public access, domestic animal predation and illegal trespass and dumping into the MSHCP Conservation Area. Any barriers shall be outside of the MSHCP Conservation Area.

Grading: Project related grading would be outside of any MSHCP Conservation Areas.

106. CR-1: A qualified archaeologist shall oversee excavations in the younger alluvial deposits during the first two days of ground disturbance. If the archaeologist determines it necessary, an archaeological monitoring program shall be implemented. The monitoring program should be in accordance with current professional guidelines and protocols. The program should be flexible and account for changes in findings by

treating resources in a professional manner and evaluated in accordance with current CEQA criteria.

107. CR-2: If any bones are uncovered during the course of project-related ground disturbance and the archaeologist determines that it is likely human, all appropriate cultural resources and health and safety laws will be followed and the developer will work with the NAHC-appointed Most Likely Descendent to determine appropriate measures for avoidance and preservation or other suitable treatment.

108. GEO-1: During construction, the upper foundation soils should be over-excavated and recompact. All grading and backfills should be performed in accordance with the City of Beaumont Grading Ordinance. It is the responsibility of the owner to ensure that the information and recommendations contained in the soils report are brought to the attention of the architect and engineer for the project and incorporated into design plans, and necessary steps are taken to ensure that contractor and subcontractor carry out the recommendations. The City Engineer would inspect the work to ensure compliance.

109. GEO-2: Drainage should be directed to established swales and then to appropriate drainage structures. Water, either natural or irrigation, should not be permitted to pond or saturate the surface soils. It is the responsibility of the owner to ensure that the information and recommendations contained in the soils report are brought to the attention of the architect and engineer for the project and incorporated into design plans, and necessary steps are taken to ensure that contractor and subcontractor carry out the recommendations. The City Engineer would inspect the work to ensure compliance.

110. GEO-3: Should Paleontological resources be encountered during excavation and grading activities all work would cease until appropriate salvage measures are established. If required, the Project Applicant shall prepare and file with the City a paleontological monitoring program. The City will ensure compliance.

111. WQ-1: The Project Proponent shall implement all permanent, structural BMPs and Operations BMPs as listed in the final WQMP to be approved by the City.

112. N-1: During all project site excavation and grading on-site, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.
113. N-2: The contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the Project Site.
114. N-3: Equipment shall be shut off and not left to idle when not in use.
115. N-4: The contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the project site during all project construction.
116. N-5: Jackhammers, pneumatic equipment and all other portable stationary noise sources shall be shielded, and noise shall be directed away from sensitive receptors.
117. N-6: The project proponent shall mandate that the construction contractor prohibit the use of music or sound amplification on the project site during construction.
118. N-7: The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment.
119. T-1: PRIOR TO ISSUANCE OF 1ST OCCUPANCY PERMIT (COO): The applicant shall enter into an improvement agreement with the City and provide a cash in lieu of construction for 100% of the estimated cost at the time of deposit, to improve the west-bound off-ramp from the I-10 freeway as identified in the approved Traffic Impact Analysis report, summarized as follows:
 - a. Widen the I-10 Westbound Off-Ramp to provide for one exclusive left turn lane and one exclusive right turn lane”

End of Conditions