

**CITY OF BEAUMONT
SUBDIVISION
CONDITIONS OF APPROVAL**

**TENTATIVE PARCEL MAP NO. 35789
PLOT PLAN NO. 07-PP-12
APN: 419-020-059-6
SUNDANCE, LLC.**

<p>CITY COUNCIL APPROVAL DATE:</p> <p>February 5, 2008</p> <p>CITY COUNCIL MODIFICATION APPROVAL DATE:</p>
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1.0 STANDARD CONDITIONS

- 1.1 The following conditions of approval are for **TENTATIVE PARCEL NO. 35789 and PLOT PLAN 07-PP-12**, and consist of Conditions 1.1 through 1.13, Conditions 2.1 through 2.6, Conditions 3.1 through 3.10, Conditions 4.1 through 4.10, Conditions 5.1 through 5.13, Conditions 6.1 through 6.4, Conditions 7.1 through 7.2, Conditions 8.1 through 8.9; and pages 1 through 11, inclusive.
- 1.2 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 PARCEL NO. 35789, PLOT PLAN 07-PP-12 and ENVIRONMENTAL IMPACT REPORT NO. 90-2, and the Addenda thereto**, 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.
- 1.3 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.
- 1.4 This conditionally approved tentative map and plot plan will expire two (2) years after the original approval date of the tentative map, 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 Plot Plan will occur

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on January 8, 2008. Approval of the tentative map by the City Council will occur on February 5, 2008.

- 1.5 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.
- 1.6 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 Planning Director, if determined to be necessary, prior to release of the final conditions of approval. The amended map shall be in substantial conformance with Exhibit B.
- 1.7 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.
- 1.8 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 Director.
- 1.9 If human remains are encountered during grading and other construction excavation, work in the immediate vicinity shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code Section 7070.5.
- 1.10 In the event that significant Native American cultural resources are discovered during project development/construction, all work in the immediate vicinity shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be retained to assess the find. Work on the overall project may continue during this assessment period. If a Treatment Plan or cultural resources management plan is required, the developer shall be required to have the archaeologist consult with the relevant Native American authority regarding the disposition of any found artifacts.
- 1.11 The development and uses entitled pursuant to the permit shall comply with the Beaumont Municipal Code and all other applicable City of Beaumont ordinances and state and federal codes. The development of the premises shall conform substantially with that as shown on the plot plan, unless otherwise amended by these conditions of approval.
- 1.12 All subsequent submittals required by these conditions of approval, including but not limited to landscape plans, grading plans, building plans, improvement plans or

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mitigation monitoring plans, shall be subject to the payment of review fees by the permittee as set forth herein.

- 1.13 If deemed necessary by the Director of Planning, within thirty (30) days of approval by the Planning Commission ten (10) copies of an Amended Per Final Conditions set of the following Exhibits shall be submitted to the Planning Director and Public Works Director for review approval.

Exhibit "A" - Site Plan

Exhibit "B" - Grading and Erosion Control Plan

Exhibit "C" - Landscape and Irrigation Plan

2.0 AGENCY CONDITIONS

- 2.1 The subdivider shall comply with the requirements set forth in the City Public Works Director conditions, a copy of which is attached hereto.
- 2.2 The subdivider shall comply with the requirements of the Beaumont Police Department.
- 2.3 The subdivider shall comply with the requirements set forth by the Riverside County Fire Department.
- 2.4 The subdivider shall comply with the requirements as set forth by the Beaumont-Cherry Valley Water District.
- 2.5 The subdivider shall comply with the requirements as set forth by the Southern California Gas Company.
- 2.6 The subdivider shall comply with the requirement as set forth by the Beaumont Unified School District.

3.0 RECORDATION CONDITIONS

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

- 3.1 The subdivider shall submit written clearances to the Public Works Director that all pertinent requirements from the following agencies have been met:

County Fire Department

City Police Department

City Community and Economic Development Department

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Beaumont Cherry Valley Water District
Beaumont Unified School District

- 3.2 All 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 Director. Street names shall be subject to the approval of the Public Works Director. Secondary access shall be offered for dedication and improved from the tract map boundary to a City maintained road as approved by the Public Works Director prior to recordation. The final street sections, configurations and improvements shall be subject to the approval of the Public Works Director.
- 3.3 All delinquent property taxes, special taxes and assessments shall be paid to the Riverside County Tax Collectors Office.
- 3.4 Easements, when required for roadway slopes, drainage facilities, utilities, etc., shall be shown on the final map if they are located within the land division boundary. All offers of dedication and conveyances shall be submitted and recorded as directed by the Public Works Director.
- 3.5 Utilities shall be installed underground as approved by the Public Works Director.
- 3.6 The maintenance and management of common open space areas and common facilities shall be conducted as set forth herein and approved by the Director of Planning. All provisions of said condition shall be satisfied prior to map recordation.
- 3.7 A hydrology study, to the satisfaction of the Public Works Director, shall be prepared and approved prior to recordation. Said hydrology study shall be based upon methodology which is acceptable to the Riverside County Flood Control and Water Conservation District, and shall address the potential impacts of the project, as well as downstream impacts resulting from the project, and shall identify the level of responsibility of the project in correcting any downstream problems.
- 3.8 Prior to recordation, the subdivider shall work with the City and the Public Works Director to establish the necessary financing and implementation measures to ensure the provision of a fair share of such necessary facilities.
- 3.9 A total of 20 final, blue-line, final maps shall be submitted to the Public Works Department for final distribution to the agencies.

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- 3.10 All perimeter walls and/or walls that front streets must be block wall. No wood fencing shall be permitted in this project.

4. DEVELOPMENT STANDARD CONDITIONS

All the following conditions shall be satisfied prior to the commencement of any use allowed by this permit:

- 4.1 Site improvements shall be constructed in accordance with the following provisions:
- 4.1.a On-site driveways and parking areas shall be surfaced with asphalt or concrete as approved by the Public Works Director. Handicapped parking shall be provided consistent with City standards.
- 4.1.b Utilities shall be installed underground as approved by the Public Works Director.
- 4.2 All signage shall be developed in conformance with the zoning ordinance of the Beaumont Municipal Code. Building mounted signage shall be in the form of channel letters and shall comply with relevant city sign standards. A master sign program shall be submitted subject to approval of the Director of Planning that conforms with the provisions of the Beaumont Municipal Code for a commercial complex.
- 4.3 Any proposed outside lighting shall be hooded and directed so as not to shine directly upon adjoining property or public rights-of-way and shall comply with the City of Beaumont's Outdoor Lighting Ordinance.
- 4.4 Color and materials samples for the building shall be submitted for the approval of the Director of Planning prior to issuance of building permits. The front of the building shall employ at least two paint colors and/or textures to improve architectural/visual interest. Roofing materials are to be of earth toned color to match the cultured stone textures on the elevations.
- 4.5 Buildings E, F, and H shall contain enhanced street elevations with additional window elements or enhanced landscaping subject to the approval of the Director of Planning.
- 4.6 Any walls to be built along the surrounding property lines must be block walls.
- 4.7 All trash enclosures are required to have metal doors. Chain link gates are not

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permitted.

- 4.8 Any approved roof-mounted equipment shall be fully-screened from public view as approved by the Director of Planning.
- 4.9 Developer shall participate in the Beaumont implementation of the Transportation Uniform Mitigation Fee Program; and Developer, as a condition of approval, shall enter into an Improvement Credit Agreement with the City of Beaumont.
- 4.10 A traffic signal shall be installed at the intersection of Highland Springs Avenue and Driveway 1 to the satisfaction of the Director of Public Works prior to ~~building occupancy at the site~~ **issuance of additional permits on pad sites.**

5.0 GRADING CONDITIONS

- 5.1 Prior to the issuance of GRADING PERMITS, the subdivider shall comply with all the following grading conditions:
 - a. The land divider or developer shall submit five (5) prints of a comprehensive grading plan to the Public Works Director which complies with the Uniform Building Code, Chapter 70, the Beaumont Municipal Code and as may be additionally provided for in these conditions.
 - b. A grading permit shall be obtained from the City Public Works Department prior to commencement of any grading.
 - c. Graded land shall be provided with erosion control measures as approved by the Public Works Director.
 - d. All utility service areas and enclosures shall be screened from view with landscaping and decorative barriers or baffle treatments, as approved by the Planning Director. Utilities shall be placed underground wherever feasible.
 - e. Landscaping plans shall incorporate the use of specimen accent trees (24" box minimum) at key visual focal points within the project.
 - f. Where street trees cannot be planted within the right-of-way of interior streets and project parkways due to insufficient road right-of-way, they shall be planted outside of the road right-of-way.
 - g. Landscaping plans shall incorporate native, low water using and drought tolerant plants where appropriate.
 - h. All specimen trees on the subject property shall be shown on grading plans. Trees intended for retention and/or removal shall be so noted on the project grading plans.

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Replacement trees for those to be removed shall also be shown on the project grading plans.

- i. All trees shall be minimum double-staked. Weaker and/or slow-growing trees shall be steel-staked.
- 5.2 No grading permits shall be issued for any proposed new structures outside the areas shown on the approved tentative map unless otherwise approved by the Planning Director and the Public Works Director.
- 5.3 If grading is proposed for five (5) or more acres or is part of a larger project that will disturb five (5) or more acres it shall require a National Pollutant Discharge Elimination System (NPDES) Construction General Permit from the State Water Resources Control Board. Grading permits shall not be issued until the Public Works Director has determined that the project has complied with the current City requirements for compliance with the NPDES Construction General Permit.
- 5.4 If the project grading is to be phased, prior to issuance of a grading permit, an overall conceptual grading plan shall be submitted to the Public Works Director and Planning Director for approval. The plan shall be used as a guideline for subsequent detailed grading plans for individual phases of development and shall include the following:
 - a. Techniques which will be utilized to prevent erosion and sedimentation during and after the grading process.
 - b. Approximate time frames for grading and identification of areas which may be graded during the higher probability rain months of December through March.
 - c. Preliminary pad and roadway elevations.
 - d. Areas of temporary grading outside of a particular phase.
- 5.5 Driveways shall be designed so as not to exceed a fifteen (15) percent grade.
- 5.6 The subdivider shall provide evidence to the Public Works Director that all off-site grading areas have recorded grading and drainage easements and that maintenance responsibilities have been assigned as approved by the Public Works Director.
- 5.7 A qualified paleontologist shall be retained by the subdivider for consultation and comment on the proposed grading with respect to potential paleontological impacts. Should the paleontologist find the potential is high for impact to significant resources, a pre-grade meeting between the paleontologist, the City Public Works Director and the grading contractor shall be arranged. When necessary, the paleontologist or representative shall have the authority to temporarily divert, redirect, or halt grading activity to allow recovery of fossils. The paleontologist shall submit in writing to the Planning Director the results of

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the initial consultation and details of the fossil recovery plan if recovery was deemed necessary.

- 5.8 The subdivider shall pay at his or her sole expense and shall notify the Public Works Director in writing that the appropriate California Department of Fish and Game notification pursuant to Sections 1601/1603 of the California Fish and Game Code has taken place, or obtain an "Agreement Regarding Proposed Stream or Lake Alteration" (Section 1601/1603 Permit) should any grading be proposed within or along the banks of any natural watercourse. Copies of any agreement shall be submitted to the Public Works Director with the notification.
- 5.9 The subdivider shall pay at his or her sole expense and shall notify the Public Works Director in writing that the alteration of any watercourse or wetland complies with the U.S. Army Corps of Engineers (Corps) Nationwide Permit Conditions, or obtain a permit under Section 404 of the Clean Water Act should any grading or construction be proposed within or alongside the banks of the any watercourse or wetland where the Corps has jurisdiction. Copies of any agreements shall be submitted to the Public Works Director along with the notification.
- 5.10 Grading plans shall be submitted to the Public Works Director for review and approval. The plans shall include an erosion and siltation control element, as necessary, to prevent graded and cleared areas from being eroded, resulting in the transport of sediment into the watercourses and downstream where it may affect downstream properties and habitat. Approval of the grading plans is required to fulfill monitoring requirements of the California Environmental Quality Act (CEQA)..
- 5.11 Lots shall be graded to drain to the street. Lot drainage shall be indicated on all grading plans.
- 5.12 The subdivider shall submit two (2) copies of a soils report to the Public Works Director. The report shall address the soils stability and geologic conditions of the site as approved by the Public Works Director.
- 5.13 Prior to the issuance of a grading permit, the developer shall cause to be prepared Conditions, Covenants and Restrictions (CC&R's) for the review and approval of the Planning Director, which shall include provisions requiring formation of a property owners' association which shall be responsible for the ownership and maintenance of any water quality basin, conservation area, open space or other facility required to be constructed, set aside or improved for purposes set forth in any regulatory permit, including but not limited to those issued by the State of California or the U.S. Army Corps of Engineers. The CC&R's shall be recorded and in force prior to the issuance of any occupancy permit or final building inspection.

6. LANDSCAPING & IRRIGATION CONDITIONS

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Prior to the issuance of permits the following conditions shall be satisfied as approved by the Planning Director:

- 6.1 Three (3) sets of detailed landscaping and irrigation plans shall be submitted pursuant to the Conditions of Approval with a processing fee as stated on the current Schedule of Development Fees to the Community and Economic Development Department.
- 6.2 All landscape materials and irrigation improvements shall be installed and fully operational prior to final inspection and occupancy.
- 6.3 A minimum of fifty (50) percent of on-site trees shall be of 24 inch box size or larger.
- 6.4 Detailed landscaping and irrigation plans shall be submitted to and approved by the Planning Commission for the phase of development in process. The plans shall address all areas and aspects of the tract requiring landscaping and irrigation to be installed including, but not limited to, parkway planting, recreation trail, street trees, slope planting, common area and/or park landscaping. The plans shall be certified by a landscape architect, and shall provide for the following:
 - a. Permanent automatic irrigation systems shall be installed on all landscaped areas requiring irrigation. Low water use systems shall be specified.
 - b. Landscape screening where required shall be designed to be opaque up to a minimum height of six (6) feet at maturity.

7.0 BUILDING CONDITIONS

Prior to the issuance of BUILDING PERMITS, all the following conditions shall be satisfied:

- 7.1 The subdivider shall submit written clearances to the Planning Director that all pertinent requirements from the following agencies have been met:

City Public Works Department
Beaumont Unified School District
Beaumont-Cherry Valley Water District

A detailed wall and fencing plan shall be submitted to and approved by the Planning Director and shall show all project walls and fencing. A typical elevation of all walls and fences shall be shown on the wall and fencing plan. The wall plan shall be consistent with the acoustical report and recommendations prepared for the project.

- 7.2 All utility connections and easements shall be placed underground and shall not encroach into the driveway area unless otherwise approved by the Public Works Director.

8.0 FINAL INSPECTION/OCCUPANCY CONDITIONS

Prior to the FINAL BUILDING INSPECTION or issuance of OCCUPANCY PERMITS, which ever occurs first, all the following conditions shall be satisfied:

- 8.1 Wall and fence locations shall conform to the approved wall fencing plan and approved landscape and irrigation plans. All walls and fences shall be constructed subject to the approval of the Planning Director.
- 8.2 All lighting shall be in compliance with the City's Outdoor Lighting Ordinance. The Ordinance governs all outdoor lighting, pole mount, wall or building mount, landscape lighting and Parks. Front and rear porch lighting are included on Residential Standards.
- 8.3 All landscaping and irrigation shall be installed in accordance with approved plans. If the seasonal conditions do not permit planting, interim landscaping, and erosion control measures shall be utilized as approved by the Planning Director and the Public Works Director.
- 8.4 A licensed landscape architect shall provide a Compliance Letter to the Planning Director and the Public Works Director stating that the landscape and irrigation system has been installed in compliance with the approved landscaping and irrigation plans and conditions of approval. The Compliance Letter shall be submitted at least three (3) working days prior to any final building inspection or issuance of any occupancy permits, whichever occurs first.
- 8.5 All landscaping and irrigation shall be installed in accordance with approved plans and shall be verified by a City field inspection at the direction of the Planning Director.
- 8.6 All building addresses shall be illuminated.
- 8.7 The subdivider shall submit to the Planning Director a duly and completely executed agreement with a CFD or other maintenance entity approved by the Planning Director which demonstrates to the satisfaction of the City Attorney, Planning Director and Public Works Director that the subdivider has provided for the dedication and maintenance of landscaping, irrigation and open space areas. Model homes shall be exempt from this condition.
- 8.8 Access roads, street improvements, all agency requirements, parking areas and security lighting shall be constructed in accordance with approved improvement plans and specifications.
- 8.9 Clearance shall be obtained from the Riverside County Fire Department, and all fire protection improvements shall be in place as approved by the Fire Chief.

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