



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

**PLANNING COMMISSION DATE:** September 8, 2020

**CITY COUNCIL DATE:** Tentative October 13, 2020

**PROJECT NAME:** 8<sup>TH</sup> & HIGHLAND SPRINGS

**PROJECT NOS.:** PP2020-0276, CUP2020-0046, CUP2020-0047, PM2020-0007 (TPM37938) & ENV2020-0012

**DESCRIPTION:**

**APPLICANT:** Evergreen Devco, Inc.

**LOCATION:** Southwest corner of 8<sup>th</sup> Street and Highland Springs Avenue

**APN:** 419-150-034

**PROJECT**

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

**STANDARD CONDITIONS**

1. The permit for the above referenced Conditional Use Permit and property consists of all Conditions of Approval herein. All Conditions of Approval for PP2020-0276, CUP2020-0046, CUP2020-0047 & PM2020-0007 (Tentative Parcel Map No. 37938) 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, and one (1) drive-thru restaurant located on the southwest corner of 8<sup>th</sup> Street and Highland Springs 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 PP2020-0276, Conditional Use Permit CUP

2020-0046, Conditional Use Permit CUP2020-0047, and Tentative Parcel Map No. 37938 (PM2020-0007). 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) Conditional Use Permit Time Limits and (J) Conditional Use Permit Lapse in Time.
7. This approval is subject to the City of Beaumont Municipal Code Section 16.32.040 Tentative Subdivision Maps and is subject to timing specified in Sections (B) Tentative Parcel Map Limits and (C) Tentative Parcel Map extensions of time.
8. 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 8<sup>th</sup> Street and Highland Springs Avenue.
9. Administrative Plot Plan and business license application review and approval are required prior to occupancy of the building or sales of any items.
10. The conditions as established by the State of California, Alcohol Beverage Control, shall be fully complied with in the operation of the business.
11. 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.
12. 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.
13. For Sales Tax Purposes, this location shall be the “Point-of-Sale” for all transactions conducted.

14. 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.
15. 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.
16. 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.
17. 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.
18. 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

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, convenience store and drive-thru restaurant shall be a 24-hour operation, 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. 2020-0047, 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 quick service restaurant proposed as part of PP2020-0276, CUP2020-0046, CUP2020-0047 & PM2020-0007, 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. 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.
38. Phased Construction Access: If construction is phased, each phase shall provide approved access for fire protection prior to any construction. Ref. CFC 503.1
39. 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.
40. 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
41. 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
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/exiting 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. Tentative Parcel Map
- ii. Parcel Map
- iii. Street Improvement Plan
- iv. Street Light Plan
- v. Landscape Plan offsite
- vi. Precise Grading Plan
- vii. Erosion Control Plan
- viii. Retaining wall Plan (for line and grade only)
- ix. Sewer Improvement Plan
- x. BCVWD Water Improvement Plan
- xi. Storm drain Improvement Plan
- xii. Onsite composite utility Plan
- xiii. Traffic Control Plan

B. Reports & Studies:

- i. Geotechnical Report
- ii. Soils Investigation Report w/ Infiltration study & Analysis
- iii. Stormwater Pollution Prevention Plan (SWPPP)



- iv. Final Hydrology and Hydraulics Report
- v. Preliminary Water Quality Management Plan (P-WQMP)
- vi. Final Water Quality Management Plan (F-WQMP)
- vii. Offsite Improvement Engineer's Cost Estimate (ECE)
- viii. Grading & Pad Certification
- ix. 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 Encroachment Permit
- vi. Performance Bond
- vii. Labor & Material Bond
- viii. Maintenance Bond

54. The design of public infrastructure elements shall conform to the requirements of the City General Plan, Water Quality Management Plan, Master Plans, City of Beaumont Standards, Riverside County Transportation Department (RCTD) Road Improvement Standards & Specification, 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 and the City of Beaumont standards and practices.
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 final map, 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. 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.

#### MAPPING

62. PRIOR TO FINAL MAP RECORDATION: The applicant shall provide securities guaranteeing the payment of the cost for all public improvements. The securities shall include Faithful Performance and labor and materials for 100% of the approved Engineer's Cost Estimate (ECE).
63. PRIOR TO FINAL MAP RECORDATION: The Applicant shall comply with Government Code Section 66436(a)(3) before approval of the final map and shall provide "no objection" letters from all public entities or utilities to the satisfaction of the City Engineer.
64. PRIOR TO FINAL MAP RECORDATION: When changes to an approved Tentative Map are proposed, a Substantial Compliance Exhibit, in the same scale as the Tentative Map, shall be submitted for review and approval by the City Engineer.
65. PRIOR TO FINAL MAP RECORDATION: Monuments shall be provided in accordance with Section 8771 of the Business and Professions Code. Cross-ties shall be set in top of curbs and tie sheets shall be submitted to the Public Works Department. Per the Subdivision Map Act, Section 66496, internal monuments

may be set at a later date if the applicant furnishes security guaranteeing the payment of the cost of setting such monuments.

66. PRIOR TO FINAL MAP RECORDATION: 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.

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

A. 8th Street is designated as a Major Highway with a full-width dimension of 100-feet right-of-way to right-of-way (100-feet R/W width). 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 50-foot half-width.

B. Highland Springs is designated as an Arterial Highway with a full-width dimension of 110-feet right-of-way to right-of-way (110-feet R/W width). 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 55-foot half-width.

C. Any right-of-way required outside of the map boundary shall be dedicated per separate instrument, at the sole expense of the Applicant.

68. PRIOR TO FINAL MAP RECORDATION: The property line/right-of-way corner cutback at the southwest corner of the intersection of 8th Street and Highland Springs shall be verified and/or established, at the sole expense of the Applicant, per RCTD std. 805.

## 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 ANY OCCUPANCY PERMIT (COO): The Applicant shall deposit with the City, a fair share contribution for 16.3% (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 at 8th Street and Pennsylvania. The signals shall be estimated based on RCTD Ordinance 461 Specifications. Additionally, the fair share contribution shall include the cost of all improvements necessary for the following TIA recommendations:
- A. Restripe the northbound approach to provide one left turn lane and one shared through-right turn lane.
  - B. Restripe the southbound approach to provide one left turn lane and one shared through-right turn lane.
  - C. Restripe the eastbound approach to provide one left turn lane and one shared through-right turn lane.
  - D. Restripe the westbound approach to provide one left turn lane and one shared through-right turn lane.
71. 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.
72. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall install a bus stop on the southbound portion of Highland Springs Ave, located south of, and immediately after the intersection of 8th Avenue. The bus stop shall be designed as a "Far-Side Stop" per the Bus Stop Design Guidelines of the

Riverside Transit Agency or as directed by the Community Services Director and at a minimum include:

- A. Painted red curb as shown in figure 13: Curbside Stop Configuration for one bus
  - B. Bus stop sign as shown in figure 13: Curbside Stop Configuration for one bus
  - C. Bus Bench as shown in figure 19: Typical Bus Bench Design
  - D. An accessible 8ft x 20ft concrete area including sidewalk to allow for ADA compliant wheelchair loading/unloading pad.
  - E. Bus Shelter as shown in figure 20: Bus Shelter
73. PRIOR TO ISSUANCE OF ANY 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 street light plans.
74. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall construct all drive approaches in accordance with RCTD std. 207A, Commercial Driveway.
75. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall construct sidewalk adjacent to curb along 8th Street and Highland Springs, coincident with the project frontage, per RCTD std. 401. All conflicts with existing and proposed appurtenances must be shown on the plans and resolved in a manner consistent with ADA standards and requirements.
76. PRIOR TO ISSUANCE OF ANY 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. Perform a crack fill and slurry coat from street centerline to edge of gutter

- B. Grind (0.17' Min.) and overlay from street centerline to edge of gutter
- C. Full-section removal and replacement as necessary

77. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The applicant shall verify that the existing curb ramp at the southwest corner of the intersection of 8th Street and Highland Springs meets current ADA requirements as stated in the California Building Code Title 24, current edition. The applicant shall correct all deficiencies.

78. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The applicant shall design and install offsite landscaping and supporting irrigation system. All irrigation and landscaping associated with this project will be privately maintained.

#### SEWER IMPROVEMENTS

79. PRIOR TO ISSUANCE OF OCCUPANCY PERMIT (COO): The applicant shall construct sewer laterals from each structure to the nearest existing public sewer facility. The following sewer facilities are provided for reference only, the applicant shall be responsible to verify location, size, material and capacity:

- D. 8th Street- 10" VCP sewer per City Improvement Plan no. 433
- E. Highland Spring Avenue- 8" sewer per City Improvement Plan no. 406

80. PRIOR TO ISSUANCE OF OCCUPANCY PERMIT (COO): The applicant shall connect proposed lateral to the existing sewer mains per EMWD std. SB-176.

81. PRIOR TO ISSUANCE OF OCCUPANCY PERMIT (COO): The applicant shall construct sewer laterals per EMWD std. SB-177 and State Department of Health requirements for water line and sewer line separations both horizontally and vertically.

82. PRIOR TO ISSUANCE OF OCCUPANCY PERMIT (COO): The applicant shall design and construct onsite sewer per the latest edition of the California Plumbing Code (CPC) and City of Beaumont guidelines.

83. PRIOR TO CONNECTING TO A PUBLIC SEWERAGE SYSTEM: The applicant shall pay all applicable sewer connection fees.

#### WATER IMPROVEMENTS

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

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

86. 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.

87. 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.

88. 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.

#### GRADING AND DRAINAGE

89. PRIOR TO ISSUANCE OF A GRADING PERMIT: The stormwater generated within the development shall 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.

90. 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, 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;
  - 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.
91. 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.
92. 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.
93. 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.
94. 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.



95. 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.
96. 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. A portion of the project is within a Zone X- Other Flood Areas as shown on Flood Insurance Rate Map (FIRM) 06065C0812G.
97. 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.
98. 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.
99. 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.

100. PRIOR TO FOUNDATION TRENCHING: The applicant shall submit a soil compaction report to the City for review and approval.

101. 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:

- A. Fire Protection Impact
- B. Police Facilities Impact
- C. Public Facility
- D. Streets and Bridges Impact
- E. Traffic Signal Impact
- F. Railroad X'ing Impact
- G. General Plan
- H. Emergency Preparedness
- I. Recycled Water Facility
- J. Sewer Application
- K. Sewer Disposal Facility Fee (Connection)
- L. Lower Potrero Sewer
- M. Southern Trunk Main Sewer
- N. MSHCP
- O. TUMF

### **MITIGATION MEASURES**

102. BIO-1. If construction is scheduled to occur between February 1 and August 31, a breeding bird survey following the recommended guidelines of the MBTA may be required to determine if nesting is occurring. A qualified biologist shall conduct a breeding bird survey no more than 30 days prior to the start of construction to determine if nesting is occurring. If occupied nests are found, they shall not be disturbed unless the qualified biologist verifies through non-invasive methods that either (a) the adult birds have not begun egg-laying and incubation;

or (b) the juveniles from the occupied nests are capable of independent survival. If the biologist is not able to verify one of the above conditions, then no disturbance shall occur within a distance specified by the qualified biologist for each nest or nesting site. The qualified biologist will determine the appropriate distance in consultation with the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service.

103. 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.
104. 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. CUL-1 Unanticipated Discovery of Prehistoric and Archaeological Resources.
105. GEO-1: Overexcavation and recompaction within the proposed building areas should be performed to a minimum depth of four (4) feet below existing grade or two (2) feet below proposed shallow footing bottom, whichever is deeper. The overexcavation and recompaction should also extend laterally to a minimum of 5 feet beyond the outer edges of the proposed footings.
106. GEO-2: Within pavement and canopy areas, it is recommended that the overexcavation and recompaction be performed to a minimum depth of one (1) foot below existing grade or proposed grade, whichever is deeper. The overexcavation and recompaction should also extend laterally to a minimum of 2 feet beyond the pavement area.

107. GEO-3: Prior to placement of fill soils, the upper 10 to 12 inches of native subgrade soils should be scarified, moisture-conditioned to no less than the optimum moisture content and recompactd to a minimum of 95% (90% for fine grained, cohesive soils) of the maximum dry density based on ASTM D1557 Test Method.
108. GEO-4: Deep excavations for utilities and underground storage tanks shall be monitored to detect and professionally collect any fossils uncovered without impeding development. If required a paleontological monitoring program shall be prepared and filed with the City.
109. 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.
110. WQ-2: The ground immediately adjacent to the foundation shall be sloped away from the building at a slope of not less than 5 percent for a minimum distance of 10 feet.
111. WQ-3: Impervious surfaces within 10 feet of the building foundation shall be sloped a minimum of 2 percent away from the building and drainage gradients maintained to carry all surface water to collection facilities and off site. These grades should be maintained for the life of the project. Ponding of water should not be allowed adjacent to the structure. Over-irrigation within landscaped areas adjacent to the structure should not be performed.
112. WQ-4: Roof drains should be installed with appropriate downspout extensions out-falling on splash blocks so as to direct water a minimum of 5 feet away from the structures or be connected to the storm drain system for the development.
113. T-1: – Driveway 1 & 8th Street– install a stop control on the northbound approach and a right turn lane (driveway).
114. T-2: Highland Springs Avenue & Driveway 2 - install a stop control on the eastbound approach and a right turn lane (driveway).

115. T-3: 8th Street is an east-west oriented roadway located along the Project's northern boundary. According to the City of Beaumont Circulation Element, 8th Street is currently built out to its ultimate half-section. Curb, gutter, and sidewalk improvements are recommended, as needed for site access along the Project's frontage, consistent with the City's standards.
  
116. T-4: Highland Springs Avenue is a north-south oriented roadway located along the Project's eastern boundary. According to the City of Beaumont Circulation Element, Highland Springs Avenue is currently built out to its ultimate half-section. Curb, gutter, and sidewalk improvements are recommended, as needed for site access along the Project's frontage, consistent with the City's standards.

End of Conditions