



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

PLANNING COMMISSION DATE: May 11, 2021

PROJECT NAME: HIGH SANDS

PROJECT NOS.: PP2020-0280, CUP2020-0049, V2020-0088 & ENV2021-0014

DESCRIPTION: A request for the development of a drive-thru restaurant and an office building, and the remodel of an existing car wash on a 2.38-acre Project Site in the City of Beaumont. An additional 429 square feet will be added to the existing car wash building area of 3,801 square feet. No renovation of the existing auto service building is proposed. The proposed drive-thru restaurant will be 3,320 square feet and the proposed office building will be one-story and 6,392 square feet and are requesting a variance for reduced parking requirements.

APPLICANT: Ali Harb

LOCATION: 655, 675 & 695 Highland Springs Avenue

APN: 419-150-046, 419-150-027 & 419-150-026

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 PP2020-0280, CUP2020-0049 & V2020-0088 and other related approvals are still in effect.
2. The use hereby permitted is for the remodel of an existing carwash, and the establishment of a quick service restaurant with a drive-thru and a multi-tenant office building located at 655, 675 and 695 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 PP2020-0280, Conditional Use Permit CUP 2020-0049,

Variance V2020-0088 and Environmental ENV2021-0014. 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. Administrative Plot Plan and business license application review and approval are required prior to occupancy of the building or sales of any items.
8. 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.
9. 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.
10. For Sales Tax Purposes, this location shall be the "Point-of-Sale" for all transactions conducted.
11. 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.
12. 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.

13. The applicant shall be responsible for securing clearance, permits and approvals from all relevant agencies, including the Building Department, Fire Department, Health Department, and any other necessary departments or agencies.
14. 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.
15. 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.
16. The project shall comply the outdoor lighting (night sky) requirements of Beaumont Municipal Code Chapter 8.50.
17. 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.
18. Any new signage on the site is subject to a sign permit application from the City of Beaumont and shall be developed in conformance with the zoning ordinance of the Beaumont Municipal Code, Chapter 17.07.
19. The hours of operation for the carwash shall be a 7am to 9pm, seven (7) days a week, and the quick service restaurant hours of operation shall be from 6am to 11pm, seven (7) days a week. The multi-tenant office building hours of operation shall be 8am to 6pm, Monday through Friday.
20. Outdoor merchandise displays are not permitted as part of this project.
21. No outdoor activities are permitted within the parking area without an approved Temporary Use Permit.
22. Outdoor storage of motor vehicles is prohibited.
23. No vehicles may be parked on sidewalks, parkways, driveways, or alleys.
24. No vehicles may be parked on the premises for the purpose of offer for sale.

25. Noise from bells or loudspeakers shall not be audible beyond the property line at any time.
26. 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.
27. Future development beyond the carwash, quick service restaurant with a drive-thru carwash, and multiple tenant office building proposed as part of PP2020-0280, CUP2020-0049 & V2020-0088, shall be required to apply for the appropriate planning entitlement application(s) and provide the required CEQA analysis.

BUILDING DEPARTMENT CONDITIONS

28. 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:

29. 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 and shall be supplied by super fire hydrants with on 4" outlet and 2 – 2 ½" outlets. Where existing hydrants do not meet the standard, they shall be upgraded. 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.

30. 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
31. 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
32. Grading Permit Fire Department Review: Submittal to the Office of the Fire Marshal for Precise Grading Permit will be required.
33. 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.
34. Phased Construction Access: If construction is phased, each phase shall provide approved access for fire protection prior to any construction. Ref. CFC 503.1
35. Fire Sprinkler System: All new commercial structures 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.
36. 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
37. 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

38. 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

39. 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.

40. The address of the business shall be clearly visible from the front of the building and shall be illuminated during hours of darkness.

41. Remove litter daily from the premises, adjacent sidewalks and parking lots under licensees' control and sweep/clean these areas weekly.

42. Remove graffiti from premises and parking lot.

43. Have no more than 33% of the windows covered with advertising or signs.

44. 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.

45. 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

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

A. Plans:

i. Parcel Merger

- ii. Lot Line Adjustment
- 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 (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:

- xiv. Right-of-way Dedications
- xv. Easement Dedications
- xvi. Parcel Merger
- xvii. Lot Line Adjustment
- xviii. Corner Record
- xix. Record of Survey

47. 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.
48. 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.
49. 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.
50. The Applicant shall coordinate with affected utility companies and obtain any permits as necessary for the development of this project.
51. 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.
52. The Applicant shall obtain an Encroachment Permit, as required, for all work within the public right-of-way.
53. Phasing: The applicant is intending to phase the project per "Phased Construction Exhibit" dated 12/08/2020 by MTH2 Engineering, Inc. All Public improvements shall be constructed during the initial phase (Phase I). Phase I facilities shall not be dependent on subsequent phases e.g. water Quality devices, storm water attenuation, sewer facilities, etc. All services and utilities shall be brought onsite for future connection of subsequent phases.

MAPPING & SURVEYING

54. 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).
55. PRIOR TO ISSUANCE OF ANY BUILDING PERMIT: The applicant shall merge parcels where proposed or existing structures cross parcel lines. Building setbacks must comply with the Planning Department requirements for the proposed merged lots.
56. PRIOR TO ISSUANCE OF ANY BUILDING PERMIT: The applicant shall fully execute a Lot Line Adjustment (LLA) with the intent to isolate the car wash facility on a single lot with consideration of access requirements.
57. PRIOR TO ISSUANCE OF ANY BUILDING PERMIT: The applicant shall verify and/or set all property corners, r/w corners, and centerline monuments. Subsequently, the applicant shall cause the surveyor to file the appropriate documents and records to the County of Riverside.
58. PRIOR TO ISSUANCE OF A GRADING PERMIT: 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.
59. PRIOR TO ISSUANCE OF AN ENCROACHMENT PERMIT: The applicant shall dedications all right-of-way necessary for the construction of all streets, per separate instrument.
- a. Highland Springs is designated as an Arterial. 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 right-of-way per General Plan.
60. PRIOR TO ISSUANCE OF AN ENCROACHMENT PERMIT: The Applicant, at its sole expense, shall obtain all right-of-way or easement acquisitions necessary to implement any portion or condition of this project, including public improvements; off-site grading & construction; offsite street requirements; offsite sewer requirements; storm drain improvements; or any other requirement or condition.

STREET IMPROVEMENTS

61. 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).
62. 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 50% of the estimated cost at the time of deposit, to construct the following improvements:
- a. A median, fully improved, coincident with the limits of the project and any additional length necessary for the safe and efficient transition to existing medians, existing improvements, or median start/stop.
63. 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.
64. 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.
65. PRIOR TO ISSUANCE OF 1st OCCUPANCY PERMIT (COO): The Applicant shall construct half-width improvements for Highland Springs, coincident with the project boundary and as necessary to safety transition to the existing improvements. The improvements shall include:
- a. 8" Curb and Gutter per RCTD std. 201; alignment per RCTD std. 92. Curb height may be increased to mitigate the 10-year storm event, as directed by the City Engineer.
 - b. Sidewalks shall be curb-adjacent type per RCTD std. 401, unless otherwise directed by the Planning Department.
 - c. Street structural sections shall be designed with a Traffic Index per soils recommendations (9.5 minimum). Soils investigations shall be used by the Engineer to determine an appropriate R-value and the pavement and base

thickness based on the established Traffic Index. In no case shall the minimum pavement section be less than 6" AC/9" AB. Pavement shall be per Greenbook specifications with a base course of B-PG 64-10-R0 and a 2" thick final course of C2- PG 64-10-R0.

66. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall work construct geometric traffic medians (Pork Chops) to prohibit left turn maneuvers from the Highland Springs driveways. The median may be constructed with mountable curb and must meet all ADA requirements. Additional right-of-way shall be dedicated is median extend beyond the required street right-of-way. All driveways shall be right in & right out.
67. 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
68. 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.

GRADING AND DRAINAGE IMPROVEMENTS

69. 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.
70. 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.
71. 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.
72. 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.

73. 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.
74. 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.
75. 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.
76. 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.
77. 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.
78. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (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
79. PRIOR TO FOUNDATION TRENCHING: The applicant shall submit a soil compaction report to the City for review and approval.
80. 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. Sewer Areas Benefit Fee
- m. MSHCP
- n. TUMF

SEWER IMPROVEMENTS

- 81. PRIOR TO ISSUANCE OF OCCUPANCY PERMIT (COO): The applicant shall connect proposed lateral to the existing sewer mains per EMWD std. SB-176.
- 82. 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.
- 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.

MITIGATION MEASURES

89. BIO-1: Nesting bird surveys shall be conducted by a qualified Biologist prior to any construction activities taking place during the nesting season to avoid potentially taking any birds or active nests. In general, impacts to all bird species (common and special status) will be avoided by conducting work outside of the nesting season (generally March 15th to September 15th), and conducting a worker awareness training. However, if all work cannot be conducted outside of the nesting season, a project-specific Nesting Bird Management Plan will be prepared to determine suitable buffers.
90. BIO-2: To avoid attracting predators of the species of concern, the Project Site shall be kept as clean of debris as possible during construction and operations. All food-related trash items shall be enclosed in sealed containers and regularly removed from the site(s). The contractor and Project Applicant shall ensure that employees abide by this BMP.

Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the Proposed Project footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the project and shall be specified in the construction plans. Construction limits will be fenced with an orange snow screen. Exclusion fencing should be maintained until the completion of all construction activities. Employees shall be instructed that their activities are restricted to the construction areas.

91. CR-1: A qualified archaeologist shall oversee excavations in the younger alluvial deposits (Holocene) during the first two days of ground disturbance. If the archaeologist determines it necessary, an archaeological monitoring program shall be implemented. The monitoring program shall be conducted in accordance with current

professional guidelines and protocols. The program should be designed to be flexible and account for changes in findings through the management of the resources in a professional manner and via evaluation in accordance with the current CEQA criteria. If Native American resources are identified, a Native American (Morongo) representative should be included in any monitoring program.

92. CR-2: If, at any time, human remains or suspected human remains are identified within the Project Site, the Contractor will halt work in the immediate vicinity of the find and establish a buffer zone around the find. If the archaeological consultant is on-site, the archaeological consultant will oversee the level of protection. The City will be immediately notified and the City will contact the County Coroner (within 24 hours). The Coroner has the authority to examine the find in situ and make a determination as to the nature of the find:

a) If the remains are determined to be human, the Coroner will determine whether or not they are likely of Native American origin. If so, the Coroner will contact the Native American Heritage Commission and the Commission will name the Most Likely Descendent (MLD). In consultation between the City, Property Owner, MLD, and consulting archaeologist, the disposition of the remains will be defined. If there is a conflict, the Native American Heritage Commission will act as a mediator.

b) If the remains are determined to be archaeological, but not of Native American origin, the City, Property Owner and archaeological consultant will determine the management of the find and the removal from the site. The Property Owner would be responsible for any costs related to the removal, analysis, and reburial.

c) If the remains are determined to be of forensic value, the Coroner will arrange for the removal of the remains and oversee the analysis and disposition.

93. GEO-1: Should older Quaternary Alluvial deposits be encountered during site preparation activities, a qualified paleontologist shall oversee the excavations to ensure that any paleontological specimens are identified, recovered, analyzed, reported, and curated in accordance with CEQA and the County of Riverside policies and guidelines. This program should be conducted while these older deposits are impacted and while the paleontological consultant deems the program necessary.

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

95. 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.

- 96.N-2: During construction, the contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptor nearest the Project Site, which is the adjacent residence west of the site.
- 97.N-3: During construction, the contractor shall ensure that all diesel-powered equipment, as applicable, be shut off and not left to idle when not in use.
- 98.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.
- 99.N-5: The contractor shall ensure that jackhammers, pneumatic equipment and all other portable stationary noise sources be shielded, and noise shall be directed away from sensitive receptors during project construction.
100. 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.
101. N-7: During construction, the contractor shall limit haul truck deliveries to the same hours specified for construction equipment.
102. N-8: Vibrator rollers, or any other equivalent vibratory equipment, shall not be utilized within 10 feet and large bulldozers within two feet of the portion of the western property line that lies adjacent to existing residential structures.
103. T-1: Highland Springs Avenue (NS) at Eighth Street (EW) – #1
- Restripe northbound lanes to provide a second through lane. This improvement is as noted “By Others” because it is a requirement of another development as noted in the Highland Springs and 8th Retail Traffic Impact Analysis (Urban Crossroads, April 23, 2020).
104. T-2: Highland Springs Avenue (NS) at Project South Driveway – #3
- Install right-turn-only sign for the hours of 3:00 to 6:00 PM on the Walgreen’s westbound-east leg driveway. This improvement is an optional interim measure, as the City planned Highland Springs Avenue median will provide future access restrictions for minor driveways.

End of Conditions