

SPECIFIC PLAN Case #: SP00218A1

Parcel: 761-230-009

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1 SP - HOLD HARMLESS

INEFFECT

The applicant or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside (COUNTY), its agents, officers, or employees from any claim, action, or proceeding against the COUNTY, its agents, officers, or employees to attack, set aside, void or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the SPECIFIC PLAN. The COUNTY will promptly notify the subdivider of any such claim, action, or proceeding against the COUNTY and will cooperate fully in the defense. If the COUNTY 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 COUNTY.

10. EVERY. 2 SP - SP PROJECT DESCRIPTION

INEFFECT

Specific Plan No. 218A1 shall consist of the following:

- a. Exhibit "A": Specific Plan Text.
- b. Exhibit "B": Specific Plan Conditions of Approval.
- c. Exhibit "C": Mitigation Reporting/Monitoring Program.

If any specific plan conditions of approval differ from the specific plan text or exhibits, the specific plan conditions of approval shall take precedence.

10. EVERY. 3 SP - DEFINITIONS

INEFFECT

The words identified in the following list that appear in all capitals in the attached conditions of Specific Plan No. 218A1 shall be henceforth defined as follows:

SPECIFIC PLAN = Specific Plan No. 218, Amendment No. 1.

CHANGE OF ZONE = Change of Zone No. 6454.

10. EVERY. 4 SP - ORDINANCE REQUIREMENTS

INEFFECT

The development of the property shall be in accordance with the mandatory requirements of all Riverside County

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10. EVERY. 4 SP - ORDINANCE REQUIREMENTS (cont.)

INEFFEC

ordinances including Ordinance Nos. 348 and 460 and state laws; and shall conform substantially with the adopted SPECIFIC PLAN as filed in the office of the Riverside County Planning Department, unless otherwise amended.

10. EVERY. 5 SP - LIMITS OF SP DOCUMENT

INEFFEC

No portion of the SPECIFIC PLAN which purports or proposes to change, waive or modify any ordinance or other legal requirement for the development shall be considered to be part of the adopted specific plan.

FIRE DEPARTMENT

10.FIRE. 1 SP-#56-IMPACT MITIGATION

INEFFEC

The project proponents shall participate in the fire protection impact mitigation program as adopted by the Riverside County Board of Supervisors.

10.FIRE. 2 SP-#87-OFF-SET FUNDING

INEFFEC

The fiscal analysis for this project should identify a funding source to off-set the shortage between the existing county structure fire tax and the needed annual operation and maintenance budget equal to approximately \$400.00 per dwelling unit and 25c per square foot for retail, commercial and industrial.

10.FIRE. 4 SP-#71-ADVERSE IMPACTS

INEFFECT

The proposed project will have a cumulative adverse impact on the Fire Department's ability to provide an acceptable level of service. These impacts include an increased number of emergency and public service calls due to the increased presence of structures and population. A portion of these impacts can be mitigated by developer participation in the fire mitigation program in the fire mitigation program which would provide funding for one-time capitol improvements such as land and equipment purchases and building construction. Costs necessary to maintain the increased level of service can be paartially off-set by the additional county structure tax accrued and would require an increase in the Fire Department's annual operating budget.

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10.FIRE. 4 SP-#71-ADVERSE IMPACTS (cont.)

Therefore the Riverside County Fire Department recommends approval of the specific plan subject to the following conditions and/or mitigations:

INEFFEC

10.FIRE. 5 SP-#86-WATER MAINS

All water mains and fire hydrants providing required fire flows shall be constructed in accordance with the appropriate sections of Riverside County Ordinance 460 and/or No.787, subject to the approval by the Riverside County Fire Department.

INEFFEC

10.FIRE. 6 SP-#96-ROOFING MATERIAL

All buildings shall be constructed with fire retardant roofing material as described in section 1503 of the Uniform Building Code. Any wood shingles or shakes shall have a Class B rating and shall be approved by the Fire Department prior to installation.

INEFFEC

10.FIRE. 7 SP-#97-OPEN SPACE

The Homeowner's Association or appropriate community service district shall be responsible for the maintenance of the open space areas. Prior to approval of any development plan for lands adjacent to open space areas, a fire protection/vegetation management plan shall be submitted to the Fire Department for approval.

INEFFECT

10.FIRE. 8 SP-#85-FINAL FIRE REQUIRE

Final fire protection requirements and impact mitigation measures will be determined when specific project plans are submitted.

INEFFECT

10.FIRE. 9 SP\*-#100-FIRE STATION

Based on national fire standards, one new fire station and/or engine company could be required for every 2,000 new dwelling units, or 3.5 million square feet of commercial/industrial occupancy. Given the project's proposed development plan, 1 fire station may be needed to meet anticipated service demands, given project densities.

INEFFECT

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PLANNING DEPARTMENT

10.PLANNING. 1 SP - REQUIRED FOR AMENDMENTS

INEFFECT

Any amendment to the SPECIFIC PLAN, even though it may affect only one portion of the specific plan, shall be accompanied by a complete specific plan document, in both paper and electronic formats, which includes the entire specific plan, including both changed and unchanged parts.

10.PLANNING. 2 SP - MAINTAIN AREAS & PHASES

INEFFECT

All planning area and phase numbers shall be maintained throughout the life of the SPECIFIC PLAN, unless changed through the approval of a specific plan amendment accompanied by a revision to the complete specific plan document.

10.PLANNING. 3 SP - NON-IMPLEMENTING MAPS

INEFFECT

A land division filed for the purposes of phasing or financing shall not be considered an implementing development application for the purposes of the Planning Department's conditions of approval.

10.PLANNING. 5 SP - 90 DAYS TO PROTEST

INEFFECT

The project applicant has 90 days from the date of approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the imposition of any and all fees, dedications, reservations and/or other exactions imposed on this project as a result of the approval or conditional approval of this project.

10.PLANNING. 6 SP - RECYCLING PROGRAM

INEFFECT

All implementing development proposals shall be reviewed by the Riverside County Waste Management Department for compliance with Riverside County recycling requirements.

10.PLANNING. 7 SP - NO P.A. DENSITY TRANSFERS

INEFFECT

Density transfers between Planning Areas within the SPECIFIC PLAN shall not be permitted, except through the Specific Plan Amendment process.

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TRANS DEPARTMENT

10.TRANS. 1

SP - SP/TS CONDITIONS

INEFFEC'

The Transportation Department has reviewed the traffic study submitted by Endo Engineering for the referenced project. The study has been prepared in accordance with accepted traffic engineering standards and practices, utilizing County-approved guidelines. We generally concur with the findings relative to traffic impacts.

The study indicates that it is possible to achieve a Level of Service "C" for the following intersections (some of which will require additional construction for mitigation at the time of development):

- Jefferson Street (NS)/Avenue 50 (EW)
- Jefferson Street (NS)/Avenue 52 (EW)
- Jefferson Street (NS)/Avenue 54 (EW)
- Madison Street (NS)/Avenue 50 (EW)
- Madison Street (NS)/Avenue 52 (EW)
- Madison Street (NS)/Avenue 54 (EW)
- Madison Street (NS)/Airport Boulevard (EW)
- Madison Street (NS)/Avenue 58 (EW)
- Madison Street (NS)/Resort Village Access (EW)
- Madison Street (NS)/Avenue 60 (EW)
- Monroe Street (NS)/Avenue 50 (EW)
- Monroe Street (NS)/Avenue 52 (EW)
- Monroe Street (NS)/Avenue 54 (EW)
- Monroe Street (NS)/Airport Boulevard (EW)
- Monroe Street (NS)/Avenue 58 (EW)
- Monroe Street (NS)/Avenue 60 (EW)
- Monroe Street (NS)/North Primary Housing Access (EW)
- Monroe Street (NS)/South Primary Housing Access (EW)
- Monroe Street (NS)/Active Adult Village Access (EW)
- Monroe Street (NS)/Avenue 62 (EW)
- Active Adult Village Access (NS)/Avenue 60 (EW)

The Comprehensive General Plan circulation policies require a minimum of Level of Service "C". As such, the proposed project is consistent with this General Plan policy.

The associated conditions of approval incorporate mitigation measures identified in the traffic study which are necessary to achieve or maintain the required level of service.

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10.TRANS. 2 SP - SP/TUMF

INEFFEC

The proposed project is within the boundaries of the Coachella Valley Transportation Uniform Mitigation Fee District. Prior to the issuance of any building permits, the project proponent shall pay the mitigation fees in effect at the time building permits are issued.

10.TRANS. 3 SP - SP/WARRANTED T SIGNALS

INEFFEC'

The project is responsible for the following traffic signals when warranted through subsequent traffic studies done for development applicants within the boundaries of the Specific Plan:

- Madison Street/Avenue 58
- Madison Street/Country Club Village Access
- Madison Street/Avenue 60
- Active Adult Village/Avenue 60
- Monroe Street/ Avenue 58
- Monroe Street/ Avenue 60
- Monroe Street/North Primary Housing Village Access

10.TRANS. 5 SP - TRAFFIC SIGNAL MIT FEE

INEFFECT

In accordance with Riverside County Ordinance No. 748, this project shall be responsible for Traffic Signal Mitigation Program fees in effect at the time of final inspection.

20. PRIOR TO A CERTAIN DATE

PLANNING DEPARTMENT

20.PLANNING. 1 SP - SUBMIT FINAL SP DOCUMENT

INEFFECT

Within sixty (60) days of the adoption of the final Board of Supervisors resolution, or prior to the submittal of any applications or the issuance of any permits, whichever comes first, twelve (12) copies of the final specific plan document shall be submitted to the Planning Department for distribution. The documents shall include the final Board of Supervisors resolution, the final specific plan conditions of approval and zoning ordinance, all changes required by these conditions of approval or made during the public hearings on the project, if any, and the Final EIR including the Addendum to EIR 232 and the Mitigation Monitoring Program. A detailed list of required items and their order can be obtained from the Planning Department.

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20. PRIOR TO A CERTAIN DATE

20.PLANNING. 2

SP - DURATION OF SP VALIDITY

INEFFECT

The SPECIFIC PLAN AMENDMENT shall remain valid for twenty (20) years from date of approval of the amendment. Should the entire project not be substantially built out in that period of time, the project proponent shall file an application for a specific plan amendment to extend the maximum life of the specific plan. For the purpose of this condition of approval, substantial buildout shall be defined as the issuance of the 2,200th building permit. The specific plan amendment will update the entire specific plan document to reflect current development requirements. Should this time period lapse without substantial build out or without the approval of an amendment extending this time period, the SPECIFIC PLAN AMENDMENT shall become null and void twenty years from the date of the adoption of the Board of Supervisors resolution for this amendment.

30. PRIOR TO ANY PROJECT APPROVAL

PARKS DEPARTMENT

30.PARKS. 1

SP - REGIONAL TRAILS

INEFFECT

In conjunction with the development of each individual planning area, the implementing projects must include the requirement for the dedication of trail easements and the construction of regional trails. These easements shall be located outside the road right-of-way.

The following regional trail segments must be dedicated and constructed:

Along the northern boundary of the project, which is also 58th Avenue, from Madison Street west to the project boundary.

Along the east side of Madison Avenue from 58th Avenue, south to the point south of 60th Avenue where the property boundary turns east from Madison Avenue and then along this northwest/southeast diagonal to the corner where the property boundary turns due east.

Along the south side of 60th Avenue from Madison Street to the southeastern corner of Planning Area 44, Park.

If the applicant chooses, in lieu of constructing any or

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30. PRIOR TO ANY PROJECT APPROVAL

30.PARKS. 1

SP - REGIONAL TRAILS (cont.)

INEFFEC

all the required regional trails, the applicant may deposit with the District a sum which will allow the District to construct the trail. Please consult with the District as to the current cost of trail construction.

The District will not accept a bond in lieu of fees. Whether the applicant pays fees or builds trails, the dedication of the trail easement is still required.

PLANNING DEPARTMENT

30.PLANNING. 1

SP - COMPLETE CASE APPROVALS

INEFFEC

Prior to approval of any tentative subdivision or parcel map or approval of any plot plan or use permit, the SPECIFIC PLAN AMENDMENT, the COMPREHENSIVE GENERAL PLAN AMENDMENT, and the CHANGE OF ZONE shall be approved by the Board of Supervisors and shall be effective.

30.PLANNING. 2

SP - STANDARDS FOR MAPS

INEFFECT

Prior to the approval of any subdivision, all lots created by land divisions within the SPECIFIC PLAN and the following Planning Areas, shall be designed and conditioned to have minimum lot sizes as follows:

- a. All lots within Planning Areas 2-6, 8-10, 12, 14-18, 22, and 51 shall have a minimum lot size of 6,050 square feet.
- b. All lots within Planning Areas 23-29, 31, 32, 34-47, 49, and 53 shall have a minimum lot size of 5,000 square feet.

30.PLANNING. 9

SP - RIGHT-TO-FARM NOTICE

INEFFECT

In addition required by Ordinance no. 625 (Riverside County Right-to-Farm Ordinance), the following text shall be incorporated into a "Local Option, Real Estate Transfer Disclosure Statement", pursuant to Civil Code 1102.6a to all prospective buyers of residential property within the Active Adult Village portion (Planning Areas 32, 33, 34, 35, or 36) of Specific Plan 218:

"Buyers of homes within this subdivision acknowledge and agree that the property they are buying is located in proximity to land zoned and currently used for agricultural



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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 9

SP - RIGHT-TO-FARM NOTICE (cont.)

INEFFEC

operations (the "Agricultural Operations"). It is the policy of the State of California and the County of Riverside that no agricultural activity, operation, or facility, or appurtenances thereof, conducted or maintained for commercial purposes, and in a lawful manner consistent with proper and accepted customs and standards, as established by similar agricultural operations in the same locality, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after it has been in operation for more than three years if it was not a nuisance at the time it began. The phrase 'agricultural activity, operation, or facility, or appurtenance thereof' includes, but is not limited to the cultivation and tillage of soil, the production, cultivation, growing, and harvesting of any agricultural commodity, including timber, viticulture, apiculture, horticulture, the raising of livestock, fur bearing animals, fish or poultry, and any practices performed by a farmer or on a farm as incident to or in conjunction with such farming operations, including preparation for market, delivery to storage or to market, or to carriers for transportation to market."

"The Agricultural Operations which typically occur during the day, but which may occur at night include the use of heavy machinery which may generate noise and dust. Applications of agricultural chemicals that are applied within state and local permit requirements may have noticeable odors associated with their application. Organic fertilizers may be employed that generate their own objectionable odors. When and if frost and/or freezing conditions occur, helicopters may be employed at low altitudes to stir up the air and prevent freezing. Workers traveling to and from agricultural property to engage in work may generate additional traffic and noise on public streets in the vicinity."

"Seller has no control over the Agricultural Operations, including its hours of operation or any potential changes in those hours of operation. Buyer is purchasing the Property with knowledge of the existence of the Agricultural Operations. Buyer is also aware that this Notification and consent may limit Buyer's rights to object in the future to the continuance of the Agricultural Operations and/or the manner of such operations as conducted in a lawful manner consistent with proper and accepted customs and standards."

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 10 SP - EA REQUIRED

INEFFEC

An environmental assessment shall be conducted to determine potential environmental impacts resulting from each tract, change of zone, plot plan, specific plan amendment, or any other discretionary permit required to implement the SPECIFIC PLAN, unless said proposal is determined to be exempt from the provisions of the California Environmental Quality Act. The environmental assessments shall be prepared as part of the review process for these implementing projects. At a minimum, the environmental assessment shall utilize the evaluation of impacts addressed in the Environmental Impact Report prepared for the SPECIFIC PLAN.

30.PLANNING. 11 SP - SPECIAL STUDIES REQUIRED

INEFFEC

The following special studies/reports shall accompany implementing development applications in the planning areas listed below:

Study / Report	Planning Area
a. Hazardous Waste Investigation Study	none
b. Detailed Preliminary Grading	All planning Areas
c. Slope Stability Plan	23
d. Liquefaction	All
e. Archaeological Survey	All
f. Biological Survey	None
g. Erosion and Sedimentation Control Plan	None
h. Wetlands Study	none
i. Acoustical Study	2, 9, 12, 22, 23-25, 45, 49, 51, and 53
j. Other (as determined by subsequent environmental assessments)	All Planning Areas

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 12 SP - MITIGATION MONITORING

INEFFEC

EXHIBIT C  
MITIGATION MONITORING

An amendment to the California Environmental Quality Act ("CEQA"), codified as Public Resources Code Section 21081.6, required the preparation of a program to ensure that all mitigation measures are fully and completely implemented. The Addendum to the Environmental Impact Report prepared for the SPECIFIC PLAN imposes certain mitigation measures on the project. Certain conditions of approval for the SPECIFIC PLAN constitute self contained reporting / monitoring programs for certain mitigation measures. At the time of approval of subsequent development applications, further environmental reporting / monitoring programs will be established to ensure that all mitigation measures are appropriately implemented.

30.PLANNING. 16 SP - MEET PHASE CONDITIONS

INEFFEC

Prior to the approval of any implementing land division or development application, a condition shall be placed on that project requiring that, prior to the issuance of the first building permit for the construction of any use contemplated by this approval, the applicant shall first obtain clearance from the Riverside County Planning Department that all pertinent conditions of approval have been satisfied for the specific plan for the phase of development in question.

30.PLANNING. 17 SP - PLANNING AREA LEGAL

INEFFECT

Prior to the approval of any land division or development permit (use permit, plot plan, etc.) within the SPECIFIC PLAN, a condition of approval shall be applied requiring that, prior to the recordation of any final map or issuance of any building permit within a Planning Area of said specific plan, the first applicant, or their successor-in-interest, for a final map or building permit within each Planning Area shall submit to the Planning Department correct legal descriptions for the Planning Area(s) within which the proposed project is located.

30.PLANNING. 18 SP - SCHOOL MITIGATION

INEFFECT

Prior to the approval of any implementing land division or development permit (use permit, plot plan, etc.), a

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 18 SP - SCHOOL MITIGATION (cont.)

INEFFEC

condition of approval shall be applied to said implementing development requiring that impacts to the Coachella Valley Unified School District will be mitigated in accordance with California State law.

30.PLANNING. 29 SP - QUARTERLY SP ACTIVITY RPT

INEFFEC

Prior to the approval of any land division or development permit (use permit, plot plan, etc.) within the SPECIFIC PLAN, the following condition shall be applied to the land division or development permit to read as follows:

The master developer, and any subsequent developer, shall submit quarterly activity reports to the Planning Department beginning with the ISSUANCE OF THE FIRST BUILDING PERMIT. The report shall list all issued grading permits, building permits, and final inspections and occupancy permits, and tract and lot numbers; and shall include monthly subtotals and cumulative Specific Plan project totals. ALL PERMIT ISSUANCE SHALL CEASE IF REPORTS ARE NOT SUBMITTED ON THE FIRST OF MARCH, JUNE, SEPTEMBER, AND DECEMBER OF EVERY YEAR UNTIL THE ENTIRE SPECIFIC PLAN IS COMPLETELY BUILT OUT.

30.PLANNING. 30 SP - Archeological Monitoring

INEFFEC

Prior to the approval of any and each land division or development permit (use permit, plot plan, etc.), a condition shall be applied to the implementing project stating that:

"Monitoring of mitigation measures related to excavation and possible preservation of archeological resources shall occur prior to site grading activities through an agreement with a qualified archeologist. The project proponent shall provide to the Planning Department a copy of the agreement. The agreement shall include, but not be limited to, the mitigation and monitoring procedures to be implemented during the course of grading. The mitigation measures shall include, but not be limited to: surface collection, recordation of petroglyphs, cataloguing of artifacts, recordation of features, and Torres-Martinez tribe consultation. The Planning Department shall not issue grading permits unless the proposed mitigation and monitoring procedures conform substantially to those procedures described in Addendum

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 30                    SP - Archeological Monitoring (cont.)

INEFFEC

No. 1 to Environmental Impact Report No. 232."

30.PLANNING. 31                    SP - Archeological Report

INEFFEC

Prior to the approval of any and each land division or development permit (use permit, plot plan, etc.), a condition shall be applied to the implementing project stating that:

"Prior to the issuance of building permits, a post excavation report shall be provided to the Planning Department. The report shall include, but not be limited to, the mitigation and monitoring procedures that were implemented in the process of grading for this project. Building permits shall not be issued unless the mitigation and monitoring procedures that were implemented substantially conform to the procedures recommended by the pre-grading agreement described in condition 30.PLANNING.30."

30.PLANNING. 32                    SP - Avenue 62 buffering

INEFFEC

Prior to the approval of any implementing land division project within the SPECIFIC PLAN (i.e. tract map or parcel map), the following condition shall be placed on the implementing project PRIOR TO BUILDING PERMITS:

"Any residential development adjacent to Avenue 62 shall be buffered by the width of a regulation golf fairway of three hundred feet (300') for the length of the frontage of the project along Avenue 62."

This condition shall remain in full force and effect for the duration of the project unless a change of use occurs on the property immediately to the south, whereupon the above condition may be considered as NOT APPLICABLE.

TRANS DEPARTMENT

30.TRANS. 1                        SP - AMEND GENERAL PLAN

INEFFECT

The project proponent shall submit an application to amend the following General Plan Roads to the following classifications:

- a. Downgrade Madison Avenue south of 58th Avenue from an

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30.TRANS. 1 SP - AMEND GENERAL PLAN (cont.)

INEFFEC

Urban Arterial Highway (134'ROW) to an Arterial Highway (110'ROW).

b. Downgrade Avenue 60 from an Arterial Highway (110'ROW) to a Secondary Highway (88' ROW) east of Monroe Street to the project boundary.

30.TRANS. 2 SP - TS/TS REQUIRED

INEFFEC

Site specific traffic studies will be required for all subsequent development proposals within the boundaries of Specific Plan No. 218 in accordance with Traffic Study Guidelines.

100. PRIOR TO ISSUE GIVEN BLDG PRMT

PLANNING DEPARTMENT

100.PLANNING. 3 SP - COUNT RES BUILD PERMITS

INEFFEC

This condition is applied to assist the Planning Department with tracking the build-out of the SPECIFIC PLAN by automatically counting all the issuance of all new residential building permits on the County's Land Management System which are electronically associated with the Specific Plan.