

**CITY OF PERRIS
DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING DIVISION**

CONDITIONS OF APPROVAL

**PARKWEST SPECIFIC PLAN AMENDMENT 03-0288
TENTATIVE TRACT MAP 31157(03-0019)**

January 30, 2007

PROJECT The proposed Specific Plan Amendment would: a) Remove the commercial designations on 32.0 acres; b) Reduce the acreage allocated to residential uses from 388.5 acres to 308.6 acres; c) Modify the range of lot sizes from 4,500-7,000 s.f. lots to 5,000-7,000 s.f. lots and townhomes; d) Decrease the amount of acreage dedicated to regional detention basin open space from 52.0 acres to 35.6 acres, which would be reserved to accommodate the future Perris Valley Storm Drain/San Jacinto River Plan Project or MSHCP; e) Dedicate approximately 90.2 acres along the eastern boundary of the property to MSHCP preservation (any portion not needed for regional detention purposes by the San Jacinto River Plan may be the subject of future development applications); f) Reconfigure the on-site circulation system in order to improve regional circulation, including regional access over the existing Perris Valley Storm Drain; and g) Accommodate the provision of an elementary school site on 12.3 acres. The school site may be developed with 57 additional single family units if a school is not constructed.

Tentative Tract Map 31157 (03-0019) proposes to subdivide 156.9 acres into 529 dwelling units, approximately 14.8 acres of community parkland, a 5.0 acre neighborhood park, and a 12.3 acre Elementary School site. This tract map would constitute Phase I of the Specific Plan.

APPROVED PLANS AND PROCESSES

1. **Approval Period.** In accordance with the Subdivision Map Act, the recordation of the final map shall occur within two (2) years from the approval date unless an extension is granted. The applicant may apply for a maximum of five (5) one-year extensions, to permit additional time to record the final map. A written request for extension shall be submitted to the Department of Planning and Community Development at least thirty (30) days prior to the expiration of Tentative Map approval.
2. **Approved Plans.** This approval is granted to subdivide a 156.9-acre property into 529 residential lots; a 5.0-acre Neighborhood Park; a 12.3-acre school site; and, a 14.8-acre Community Park as noted in the project description (above). The Final Map shall be substantially as shown on the Tentative Tract Map, prepared by Engineering Solutions, for ParkWest Associates, LLC, dated July 14, 2006, and consisting of three sheets, except as may be modified by the Conditions of Approval contained herein.
3. **Precedence of Conditions.** If any of the following Conditions of Approval alter a commitment made by the developer in the revised Parkwest Specific Plan text or map exhibits, the conditions enumerated herein shall take precedence.

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4. **Compliance with City Codes and Conditions.** Development of the property shall be in accordance with the mandatory requirements of all Perris City ordinances and laws and shall conform substantially to the approved Parkwest Specific Plan Amendment as filed in the office of the Perris Department of Community Development, unless otherwise amended. Such requirements include:
- a. *Development Services Department.* Prior to the issuance of a building permit for construction of any building or initiation of any use allowed by this approval, the applicant shall obtain clearance from the Development Services Department that all pertinent conditions of approval have been satisfied for the particular development phase or planning unit in question.
 - b. *Building Official/Fire Marshal.* The proposed project shall adhere to all requirements of the Building Official/Fire Marshal. Fire hydrants shall be located on the project site pursuant to the Building Official. Water, gas, sewer, electrical transformers, power vaults and separate fire/water supply lines (if applicable) must be shown on the final set of construction plans pursuant to the requirements of the Building Official. All Conditions of Approval shall be included on building plans.
 - c. *City Engineer.* The proposed project shall adhere to all requirements of the City Engineer, as indicated in the Conditions of Approval dated December 6, 2006. Developer shall design and install street improvements according to the street sections shown on the approved Tentative Tract Map, unless modified by the conditions set forth by the City Engineer.
5. **Outside Agencies.** Development of the property shall be in accordance with the plans and procedures of various Responsible Agencies. These include the following:
- a. *State and Federal Standards.* The project shall conform to all disabled access requirements in accordance with the State of California, Title 24, and Federal Americans with Disabilities Act (ADA).
 - b. *State Water Resources Control Board.* Prior to building permits, submit a copy of the Water Resources Control Board permit letter with WDID number.
 - c. *Southern California Edison.* Prior to issuance of building permits, the applicant shall contact the area service planner (Art Alvarado at 951 928-8323) for Southern California Edison to complete their required forms.
 - d. *School Districts.* The proposed project shall demonstrate payment of standard requirements and mitigation fees established by the Perris Elementary School District and Perris High School District.
 - e. *Riverside County Flood Control.* Prior to approval of any Final Tract Map, the developer shall obtain a written statement from the Riverside County Flood

Control District, in a form satisfactory to the City, indicating that the developer has adequately demonstrated the viability of proposed drainage facilities.

- f. *Riverside Transit Agency.* The developer shall provide bus pull-out areas and shelters within the adopted Specific Plan boundary, as required by RTA. The location and number of bus pull-outs shall be subject to the approval of the City of Perris, Riverside Transit Agency, and applicable school districts.
- g. *Airport Land Use Commission.* The Airport Land Use Commission found this project inconsistent with 1984/86 Airport Land Use Plan. In order to overrule the Airport Land Use Commission and approve the proposed project, the following conditions are required for any subdivision of the project site, as per PUC 21675.1:
 - i. *Avigation Easement.* Prior to project development, recordation of the map, or sale to any entity exempt from the Subdivision Map Act, the applicant shall grant to the City of Perris and to the March Inland Port Airport Authority an avigation easement in the form and manner approved by the City Attorney and shall cause such easement to be duly recorded in the office of the County Recorder.
 - ii. *Notice of Airport in Vicinity.* A Notice of Airport in the Vicinity and aerial photograph identifying the location of March ARB and the project site shall be displayed and distributed in model homes at the project site. The following statement is required for distribution.

NOTICE OF AIRPORT IN VICINTIY

“This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any are associated with the property before you complete your purchase and determine whether they are acceptable to you”.

- iii. *Disclosure.* Buyers shall be provided the “Notice of Airport in Vicinity” disclosure at the time of closing for the purchase of a home or residential lot.
- iv. *Noise Attenuation.* The applicant shall incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45 CNEL-decibel levels.
- v. *Lighting Plans.* Prior to issuance of Building Permits, lighting plans shall be reviewed and approved by an airport lighting consultant or

MARB/MIP.

vi. *Prohibited Uses:*

- Any use which would direct a steady light or flashing light of red, white, green or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following take off or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
- Any use which would reflect sunlight towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
- Any use which would generate excessive smoke or water vapor, attract concentrations of birds, or otherwise affect air navigation in the area.
- Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- Any unlawful storage of explosives or flammable materials.
- Obstructions of Federal Aviation Regulations, Part 77 Conical Surface.

6. **Fees.** The developer shall pay the following fees according to the timeline noted herein:

- a. The developer shall demonstrate payment of Stephen's Kangaroo Rat Mitigation Fees in effect at issuance of building permits.
- b. The developer shall pay all City Development Impact Fees as programmed in the associated Development Agreement.
- c. Prior to the issuance of building permits, the developer shall provide evidence of the payment of the required school fees. In recognition of the 12.3-acre school site provided in the tract, the developer may negotiate credits against such fees with the Perris Elementary School District.
- d. The developer shall pay Multi-Species Habitat Conservation Plan fees in effect at issuance of building permits.
- e. The developer shall pay Transportation Uniform Mitigation Fees in effect at issuance of building permits, except as credited for construction of TUMF facilities under an agreement approved by the City.

- f. Upon development of a Park and Ride Program by the City of Perris, the developer shall fund its fair share of an appropriate number of spaces toward the program, to the extent that the program exists when building fees are paid.
- g. The developer shall pay any outstanding property liens and development processing fees owed to the city prior to the issuance of building permits.

FINAL MAPS

7. **Submittal for Final Map.** A final map application shall be submitted to the Planning Division with payment of appropriate fees for review and approval concurrently with application to the City Engineer. Prior to such application, the developer shall obtain the following clearances or approvals:
 - a. *Final Specific Plan.* Developer shall submit 20 Hard Copies and one pdf version of the approved Specific Plan, incorporating all language, text amendments, maps, and exhibits, as approved by the City Council and noted herein.
 - b. *Street Names.* The applicant shall obtain Planning Commission approval of all proposed street names prior to approval of Final Map.
 - c. *Financing Maps.* A final tract map may be filed and recorded for financing purposes only. No permits shall be issued until maps creating individual buildable lots are filed, and all appropriate conditions of approval have been met. Any Phasing Plan shall be reviewed and approved by the Development Services Department and the City Engineer. Each Phase of the project shall provide adequate drainage and at least two points of access to all lots.
8. **Recordation of Final Map.** Prior to recordation of the Final Map, the developer shall submit and obtain approvals on the following items:
 - a. Public improvement plans to the City Engineer. These plans shall include but not be limited to street, drainage, utility improvements, and dedications in accordance with Municipal Code Title 18.
 - b. Covenants, Conditions, and Restrictions (CC&Rs) to the Planning Division and the City Attorney's office. Approved CC&Rs shall be recorded with the final map.
 - c. Grading plans to the City Engineer, demonstrating compliance with National Pollution Discharge Elimination System requirements. The plans shall include a Storm Water Pollution Prevention Plan detailing water quality management controls and identifying Best Management Practices (BMPs) to control pollutant runoff. The applicant shall identify measures specified in Supplement A of the Riverside County Drainage Area Management Plans New Development Guidelines or other equally effective standard for implementing project BMPs, assignment of long-term maintenance responsibilities (specifying the developer, parcel owner, lessee, etc.) and shall reference the location(s) of structural BMPs.

- d. Any existing dedications that are not part of the current or future circulation system shall be vacated, provided that all utilities are abandoned or relocated, and no existing or future access to adjacent property owners is eliminated.
9. **Assessment Districts.** The project shall be annexed into any assessment, community facilities, or similar district that provides funding for maintenance, services, or public improvements that benefit the project. The costs and benefits shall be described in the applicable district and annexation documents. The Developer shall complete all actions required to complete such annexation prior to the issuance of a certificate of occupancy. This condition shall apply only to districts existing at the time the project is approved. Such districts may include but are not limited to the following:
- a. Landscape Maintenance District No. 1;
 - b. Flood Control Maintenance District No. 1 (may include Streets);
 - c. Maintenance District No. 84-1 (Street Lights and Traffic Signals);
 - d. South Perris Community Facilities District (Police and Fire);
 - e. Ramona Mobility Group District (Transportation Improvements); and
 - f. Road and Bridge Benefit District (Transportation Improvements).

GRADING

10. **Required Information.** Prior to the recordation of each final map for each phase of development in question, the following information shall be provided:
- a. Designation of areas of temporary borrowing or depositing of material.
 - b. Construction schedule, including the identification of areas which will be graded during the higher probability of rain months of January through March.
 - c. Hydrology and hydraulic concerns and mitigation.
11. **Conceptual Grading Plans.** Prior to any development within any planning area in Tentative Tract Map 31157, an overall Conceptual Grading Plan shall be submitted to the City of Perris for review and approval. This plan shall be used as a guideline for subsequent detailed grading plans for each phase of development and shall include:
- a. Techniques employed to prevent erosion and sedimentation during and after the grading process;
 - b. Approximate time frames for grading;
 - c. Identification of areas which may be graded during rain season (Jan-Mar), if any;
 - d. Preliminary pad and roadway elevations.
12. **Soils Report.** Prior to initial grading activities within the project site, a current detailed Soils Report and Geotechnical Study shall be prepared which analyzes on-site soil

conditions and slope stability and includes appropriate measures to control soil erosion.

LANDSCAPING

13. **Landscaping.** Prior to issuance of building permits, the developer shall submit 3 copies of construction level Landscape and Irrigation Plans to the Community Development Department, accompanied by the appropriate filing fee. The plans shall be prepared by a registered landscape architect and include the location, number, genus species, and container size of the plants. Plants shall be consistent with Section 19.70 of the Perris Municipal Code. The cover page shall identify the total square footage of the landscaped area and note that it shall be maintained in accordance with Section 19.70 of the City Code. Water efficient fixtures and drought tolerant plants shall be utilized where possible. Required landscape areas specific to this project include front yards of all lots; side yards of corner lots; streetscapes on the project side for Evans Road, Nuevo Road, San Jacinto Avenue, Dunlap Driver, Street "A" Street "B" and Street "C"; landscaping of slopes and entry theme walls; streetscapes for both sides of all in-tract roadways; and landscaping of Lot A including the detention facility, soccer fields, and all undisturbed portions. The applicant shall install sidewalks throughout the project.
14. **Landscape Inspections.** The project applicant shall be aware and inform the on-site project or construction manager and the landscape contractor of their responsibility to call for landscape inspections. A minimum of three (3) landscape inspections are required in the following order, and the landscape inspection card shall be signed by the City's landscape inspector to signify approval at the following stages of landscape installation:
 - a. At installation of irrigation equipment, when the trenches are still open;
 - b. After soil preparation, when plant materials are positioned and ready to plant; and,
 - c. At final inspection, when all plant materials are installed and the irrigation system is fully operational.
15. **Walls and Fences.** Prior to issuance of building permits, the developer shall submit and obtain approval from the Department of Community Development, Planning Division of a block wall/vinyl fence plan. At a minimum, this plan shall include the following items:
 - a. A six-foot high, decorative block wall around the easterly project boundary and along entry drives into the tract, and on all residential property lines where side or rear yards adjoin a public street.
 - b. Stone-wrapped pilasters at corners and every 100 feet of decorative block wall.
 - c. Decorative block wall returns shall be provided between all residences.
 - d. Six-foot high, UV protected vinyl fences on side and rear property lines interior to the project. As an alternative, interior wood fencing may be utilized subject to the following standards:

- i. 12"x 12" minimum post holes filled with concrete, 2000 PSI Strength;
- ii. 4"x 4" post not to exceed 8' ft horizontally, 4"x 4" post shall be either treated lumber or redwood;
- iii. A minimum of two horizontal supports provided every 8 ft supported by mechanical connection; and,
- iv. Any variations proposed shall be approved by the Planning Manager and Building Official.

PARKS, RECREATION, AND OPEN SPACE

16. **Community Open Space.** The Master Land Use Plan contemplates development of a 5.0-acre neighborhood park (PA 19.A), a 14.8-acre community park (PA 19.B), an 18.0-acre community park (19.C), and 15.0 acres of landscape paseos. Park improvements will be developed as specified in the Specific Plan, but it is envisioned that the 5.0-acre neighborhood park and 14.8-acre community park will be constructed in the first phase of development. Upon completion they will be dedicated to the City of Perris, and annexed into the City's Parks Maintenance District. Thereafter, they will be operated and maintained by the City of Perris.
17. **Approval of Public Parks.** An Administrative Development Plan Review for improvement of the 5.0-acre Neighborhood Park and 14.8-acre Community Park shall be approved prior to recordation of final subdivision maps, in accordance with the phasing schedule and procedures specified in the Development Agreement and these conditions of approval. Generally, the public parks shall be designed as illustrated in the Conceptual Park Plans (Specific Plan Exhibits 15, and 16). The neighborhood park will consist of basketball, volleyball, and tennis courts, and the 14.8-acre community park will include baseball and softball fields. Each facility will include a concessions/restroom building, lighting, picnic and BBQ areas, and vehicle parking. It is contemplated that the park amenities will be developer constructed with costs credited against park fees.
18. **Landscape Maintenance District.** The public parks (PA 19.A and 19.B) shall be annexed into the City of Perris Landscape Maintenance District. This shall occur prior to or concurrent with the recordation of each final map, or as otherwise set forth in the Development Agreement.
19. **One Year Maintenance of Public Open Space.** The applicant shall maintain all parks, parkways, medians, off-site drainage facilities not accepted by Riverside County Flood Control District, and irrigation systems within streets or otherwise annexed into the Landscape Maintenance District for a period of one year after construction. The applicant shall pay one year cash deposit to ensure maintenance for one year. After one year, these operations shall be accepted by the Landscape Maintenance District.
20. **Installation of Plant Material.** Landscaping and permanent irrigation facilities shall be installed with street improvements in accordance with the approved Specific Plan

Amendment as they pertain to plant and irrigation standards. The applicant shall have appropriate right-of-way improvements, landscaping, street lighting and irrigation installed and in good working order prior to final release.

21. **Content of Plans.** Improvement plans shall conform to the concepts, features, and standards established in the Specific Plan Amendment and the conditions enumerated herein, and shall be prepared by a licensed landscaped architect.

All landscape and irrigation plans shall provide drought resistant and/or native vegetation as feasible, automatic irrigation systems which minimize runoff, and a separate irrigation system for the conveyance and distribution of reclaimed water where feasible, and in accordance with Administrative Regulations of the State of California.

22. **Reclaimed Water.** All landscaping within designated Open Space areas shall be irrigated with reclaimed water, if available and appropriate for use, and shall include dual automatic irrigation system (separate systems for trees and lawns), as approved by City and EMWD.

If reclaimed water is not available at the project site upon issuance of the first building permit, this condition shall not apply.

UTILITIES

23. **Undergrounding.** All utilities such as Cable TV, telephone, and electrical distribution lines (including those which provide direct service to the project site and/or currently exist along public right-of-ways) adjacent to the site shall be placed underground. All underground utilities along with future stub-outs located within street right-of-ways shall be installed prior to final paving.
24. **Screening of Above-Ground Facilities.** Any above-ground utility service areas and enclosures that are installed on-site in conjunction with this project shall be screened from view with landscaping, decorative barriers, and/or noise attenuation treatments, as approved by the Planning Department.
25. **Plan of Services.** The Specific Plan Amendment shall conform to the Eastern Municipal Water District's Plan of Services letter dated June 9, 2004 (attached).
26. **Water and Sewage Facilities.** Water and sewage facilities shall be installed according to City of Perris and Eastern Municipal Water District (EMWD) requirements at no cost to the City. Developer shall pay all applicable EMWD fees for services. The project shall participate on a fee basis in any sewage sludge disposal infrastructure reuse program instituted by the EMWD.
27. **Required Right of Way.** Any project-related off-site construction pertaining to drainage, underground utilities, and street improvements must have necessary right-of-way and agency approvals, (i.e. City, Flood Control, EMWD) at no cost to the City. To the extent that any such rights-of-way are not within the scope of the Specific Plan

boundaries, the applicant shall be entitled to include acquisition costs of such rights-of-way for reimbursement in any Community Facilities District or similar financing method which does not impose any repayment obligation on the City of Perris.

28. **Waste Management.** The developer shall adhere to the City of Perris waste management and recycling plans, and shall only use the City-approved waste hauler for all construction and other waste disposal.

HYDROLOGY AND FLOOD CONTROL

29. **San Jacinto River Plan.** Drainage and flood control facilities shall be installed in accordance with the Riverside County Flood Control and Water Conservation District Master Plan, the City of Perris requirements and standards, and the San Jacinto River Plan. The plan will be prepared in accordance with the requirements of the San Jacinto River Flood Control project and the Army Corps of Engineers 404 permit for said project. The developer shall demonstrate compliance with this condition by obtaining a written statement from the Riverside County Flood Control District, in a form satisfactory to the City.
30. **10-Year and 100-Year Storm Events.** Drainage and flood control facilities shall be designed in accordance with City of Perris and Riverside County Flood Control District design standards to provide protection from the 100-year storm event. The 10-year storm flow shall be contained within the curb, and the 100-year storm flow shall be contained within the street right-of-way. When either of these criteria is exceeded, additional drainage facilities shall be installed.
31. **Pad Elevation.** All pads created within the Specific Plan Area shall be designed to have an elevation at least one foot above the 100 year flood plain.
32. **Construction of Storm Water Facilities.** The proposed storm drain facilities shown in Exhibits 24 and 25 of the Specific Plan Amendment shall be constructed, as approved by the City Engineer. Construction of off-site drainage channels may also be required.
33. **Timing of Construction.** Flood control facilities within each building phase shall be constructed prior to or concurrently with the initial development within that building phase. They shall be operational prior to occupancy of the first unit in such phase. The applicant shall provide for on-site storm drain pipes and catch basins to convey the major runoff, in addition to mitigation of the nuisance runoff.
34. **Maintenance of Storm Water Facilities.** Drainage and storm drain facilities shall be maintained by the City of Perris. Maintenance responsibilities of the drainage and storm drain facilities shall be established prior to the recording of final maps for the development of the Specific Plan area.
35. **Perpetuate Existing Grade.** The property's street and lot grading shall perpetuate the existing natural drainage patterns with respect to tributary drainage area. No ponding or concentration of water to upstream and downstream properties shall be permitted.

36. **Storm Water Pollution Prevention.** Prior to recordation of the Final Map, the applicant shall submit Grading Plans to the City Engineer, demonstrating compliance with National Pollution Discharge Elimination System requirements. The plans shall include a Storm Water Pollution Prevention Plan detailing water quality management controls and identifying Best Management Practices (BMPs) to control pollutant runoff. The applicant shall identify measures specified in Supplement A of the Riverside County Drainage Area Management Plans New Development Guidelines or other equally effective standard for BMPs, assignment of long-term maintenance responsibilities (specifying the developer, parcel owner, lessee, etc.) and shall reference the location(s) of structural BMPs

CONSTRUCTION PRACTICES

37. **Approved Hours.** Construction activity and equipment maintenance is limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Saturday. Construction may not occur on Sundays or State holidays, without prior consent of the Building Official. Non-noise generating activities (e.g., interior painting) are not subject to these restrictions.
38. **Noise Attenuation.** Stationary construction equipment that generates noise in excess of 65 dBA at the project boundaries must be shielded and located at least 100 feet from occupied residences. An equipment area with appropriate acoustic shielding shall be designated on building and grading plans. To the extent feasible, equipment and shielding shall remain in the designated location throughout construction.
39. **Truck Routes.** Construction routes are limited to City of Perris designated truck routes. Route plans must include approved construction hours and be given to all subcontractors.
40. **Dust Reduction.** Water trucks or sprinkler systems shall be used during clearing, grading, earth moving, excavation, or transportation of cut or fill materials to prevent dust from leaving the site and to create a crust after each day's activities cease. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
41. **Dust Monitor.** A person or persons shall be designated to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. The name and telephone number of such persons shall be provided to the City.
42. **Fencing.** A six-foot temporary chain link fence is required along the perimeter of each phase during construction. The fence shall limit access between Planning Areas and restrict access onto roadways to those shown on individual tract maps.
43. **Site Maintenance.** All public streets affected by construction must be maintained on a daily basis during construction. Maintenance shall include dust control, street sweeping, interim paving and patching, and similar street maintenance procedures. A cash deposit of an amount to be determined by the City Engineer to guarantee maintenance of all

public right-of-ways must be posted, prior to issuance of grading permits and shall remain on deposit for a period of 90 days following completion of construction.

SITE AND ARCHITECTURAL DESIGN

44. **Tract Identification.** Provide community entry statements, including theme walls, monumentation and enhanced landscaping at each entrance to the tract. Theme walls and monuments shall not occur within the public right-of-way. Tract Identification shall be subject to the review and approval by the Community Development Department and shall be consistent with the Parkwest Specific Plan as amended.
45. **Unit Identification.** Each unit in the tract shall include a lighted address fixture. This fixture shall allow for replacement of the bulbs, and shall be reviewed and approved by the Department of Planning and Community Development and the Police Department.
46. **Administrative Development Plan Review.** After recordation of any Final Map and prior to issuance of building permits, the applicant shall obtain approval of an Administrative Development Plan Review (ADPR) for the architecture, plotting, conceptual landscape and fencing of all production units within the tract. The ADPR must also indicate street furnishing details such as mailbox stand details, benches, bollards, bus stop enclosures, and lighting standards. These details shall be consistent with Section 3.0 of the amended Specific Plan. The applicant shall provide one single-story product type which shall be plotted on at least 50 percent of street corners and at regular intervals throughout the tract (i.e., every fourth or fifth unit). Side entry garages are encouraged and shall be incorporated as feasible and as approved through the development plan review process. Also, the majority of units in the tract (other than corner lots) shall locate the wider side yard and the curb-cut/driveway on the same side of the lot. This is to provide opportunities for RV parking and generally improved access to rear yards.
47. **Phasing.** Any Phasing Plan shall be reviewed and approved by the Community Development Department and the City Engineer. Each Phase of the project shall provide adequate drainage and at least two points of access to all lots. A phasing plan shall be submitted with the Administrative Development Plan Review application.
48. **Window Treatments.** All facades abutting a public street, tract boundary, or a downhill slope having an elevation change in excess of 20 feet shall provide elevation enhancements including window treatments such as shutters, awnings, or similar on the facade.
49. **Mechanical Equipment.** All mechanical equipment, including air conditioning units, pool equipment, etc., shall be screened from the public right-of-way by a view obscuring fence, wall, or landscaping to the satisfaction of the Planning Division.
50. **Spark Arresters.** All spark arresters in the proposed tract shall be screened by sheet metal enclosures, or other material acceptable to the Building Official, and painted the according to the approved paint palette.

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51. **Energy Conservation.** To improve local air quality, the applicant shall incorporate the following energy-conservation features into the project (as feasible):
- a. Low NO_x water heaters per specifications in the Air Quality Attainment Plan;
 - b. Heat transfer modules in furnaces;
 - c. Light colored water-based paint and roofing materials;
 - d. Passive solar cooling/heating; and,
 - e. Energy efficient appliances and lighting.
52. **Street Paving.** Public streets in each tract, planning area, or phase of development shall be paved and accessible prior to the issuance of building permits for the first production unit.
53. **Setbacks.** The minimum setbacks shall be as set forth in the Parkwest Specific Plan as amended.
54. **Disclosure Statements.** The developer shall record a disclosure on each unit and provide a disclosure to the purchaser of each unit indicating that *the project is within a dam inundation area and is subject to flooding in the event of a dam failure*. The disclosure shall also indicate the potential noise impacts from March Air Reserve Base. The developer shall provide an acknowledgement of the disclosure by each purchaser to the City, and each disclosure shall be included on the Final Map prior to recordation.
55. **Indemnification/Hold Harmless.** The developer/applicant shall indemnify, protect, defend, and hold harmless, the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City, or any agency or instrumentality thereof, or any of its officers, employees and agents, to attack, set aside, void, annul, or seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body. City shall promptly notify the developer/applicant of any claim, action, or proceeding for which indemnification is sought and shall further cooperate fully in the defense of the action.
56. **Development Agreement.** In the event City and the developer enter into a development agreement and if there are conflicts between the provisions of said agreement and the above conditions, the development agreement shall prevail.
57. **Mitigation Measures.** The applicant shall be responsible for imposing Mitigation Measures as indicated in approved Mitigated Negative Declaration (2220).