

Attachment 1C

Conditions of Approval

PPD No. 11-58

September 7, 2011

**CONDITIONS OF APPROVAL
PRECISE PLAN OF DESIGN (PPD) NO. 11-58**

COMMUNITY DEVELOPMENT DEPARTMENT

General

1. Within one year of this approval, the Precise Plan of Design shall be exercised by substantial construction or the permit/approval shall become null and void. In addition, if after commencement of construction, work is discontinued for a period of one year, the permit/approval shall become null and void.

PROJECT:

PPD NO. 11-58

EXPIRATION DATE:

July 6, 2012

2. The review authority may, upon application being filed 30 days prior to the expiration date and for good cause, grant a one-time extension not to exceed 12 months. The review authority shall ensure that the project complies with all current Development Code provisions.
3. In the event that this approval is legally challenged, the City will promptly notify the applicant of any claim or action and will cooperate fully in the defense of the matter. Once notified, the applicant agrees to defend, indemnify, and hold harmless the City, Redevelopment Agency (RDA), their affiliates officers, agents and employees from any claim, action or proceeding against the City of Loma Linda. The applicant further agrees to reimburse the City and RDA of any costs and attorneys fees, which the City or RDA may be required by a court to pay as a result of such action, but such participation shall not relieve applicant of his or her obligation under this condition.
4. Construction shall be in substantial conformance with the plan(s) approved by the Planning Commission. Minor modification to the plan(s) shall be subject to approval by the Director through a minor administrative variation process. Any modification that exceeds 10% of the following allowable measurable design/site considerations shall require the refilling of the original application and a subsequent hearing by the appropriate hearing review authority if applicable:
 - a. On-site circulation and parking, loading and landscaping;
 - b. Placement and/or height of walls, fences and structures;
 - c. Reconfiguration of architectural features, including colors, and/or modification of finished materials that do not alter or compromise the previously approved theme; and,
 - d. A reduction in density or intensity of a development project.
5. No vacant, relocated, altered, repaired or hereafter erected structure shall be occupied or no change of use of land or structure(s) shall be inaugurated, or no new business commenced as authorized by this permit until a Certificate of Occupancy has been issued by the Building Division. A Temporary Certificate of Occupancy may be issued by the Building Division subject to the conditions imposed on the use, provided that a deposit is filed with the Community Development Department prior to

the issuance of the Certificate, if necessary. The deposit or security shall guarantee the faithful performance and completion of all terms, conditions and performance standards imposed on the intended use by this permit.

6. This permit or approval is subject to all the applicable provisions of the Loma Linda Municipal Code, Title 17 in effect at the time of approval, and includes development standards and requirements relating to: dust and dirt control during construction and grading activities; emission control of fumes, vapors, gases and other forms of air pollution; glare control; exterior lighting design and control; noise control; odor control; screening; signs, off-street parking and off-street loading; and, vibration control. Screening and sign regulations compliance are important considerations to the developer because they will delay the issuance of a Certificate of Occupancy until compliance is met. Any exterior structural equipment, or utility transformers, boxes, ducts or meter cabinets shall be architecturally screened by wall or structural element, blending with the building design and include landscaping when on the ground.
7. The applicant shall comply with all of the Public Works Department requirements for recycling prior to issuance of a Certificate of Occupancy.
8. During construction of the site, the project shall comply with Section 9.20 (Prohibited Noises) of the Loma Linda Municipal Code and due to sensitive receptors in the surrounding neighborhood, construction activities shall be further restricted to cease between the hours of 6:00 p.m. and 7:00 a.m.
9. All Development Impact fees shall be paid to the City of Loma Linda prior to the issuance of any Building and/or Construction Permits.
10. Prior to issuance of any Building and/or Construction Permits, the applicant shall submit to the Community Development Department proof of payment or waiver from both the City of San Bernardino for sewer capacity fees and Redlands Unified School District for school impact fees.
11. The applicant to pay all required development impact fees to cover 100 percent of the pro rata share of the estimated cost of public infrastructure, facilities, and services.
12. To meet the City's affordable housing requirement, the proposed project is subject to an approved Development Agreement between the applicant and the Loma Linda Redevelopment Agency. Please contact Pam O'Camb, City Clerk and Redevelopment Agency Secretary at (909) 799-2819 for further information.
13. The developer shall provide infrastructure for the Loma Linda Connected Community Program, which includes providing a technologically enabled development that includes coaxial, cable and fiber optic lines to all outlets in each unit of the development. Plans for the location of the infrastructure shall be provided with the precise plan of design, which includes providing a technologically enabled development that includes coaxial, cable, and fiber optic lines to all outlets in each unit of the development. Plans for the location of the infrastructure shall be provided

with the precise grading plans and reviewed and approved by the City of Loma Linda prior to issuing grading permits.

14. The project shall comply with the City Art in Public Places Ordinance (LLMC Chapter 17.26), which establishes grounds for compliance for new enterprises to facilitate public art. The establishment of artistic assets will be financed and/or constructed by the development community as part of the development requirements.
15. The project shall comply with all non-exempt provisions of Measure V and shall pay the full amount or any recalculated development impact fees, including traffic impact fees, prior to occupancy.

Landscaping

16. Final landscape and irrigation plans shall be in substantial conformance with the approved conceptual landscape plan and these conditions of approval. Any and all fencing shall be illustrated on the final landscape plan.
17. Landscape plans shall depict the utility laterals, concrete improvements, and tree locations. Any modifications to the landscape plans shall be reviewed and approved by the Public Works and Community Development Departments prior to issuance of permits.
18. The applicant, property owner, and/or business operator shall maintain the property and landscaping in a clean and orderly manner and all dead and dying plants shall be replaced with similar or equivalent type and size of vegetation.

FIRE DEPARTMENT

19. All construction shall meet the requirements of the editions of the 2010 California Building Code (CBC) and the 2010 California Fire Code (CFC)/International Fire Code (IFC) as adopted and amended by the City of Loma Linda and legally in effect at the time of issuance of building permit.
20. Pursuant to CFC Section 903, as amended in Loma Linda Municipal Code (LLMC) Sections 15.28.230-450, the building(s) shall be equipped with automatic fire sprinkler system(s). Pursuant to CFC Section 901.2, plans and specifications for the fire sprinkler system(s) shall be submitted to Fire Prevention for review and approval prior to installation. Fire flow test data for fire sprinkler calculations must be current within the last 6 months. Request flow test data from Loma Linda Fire Prevention at (909) 799-2859.
21. Fire Department Impact Fees shall be assessed according to the rate legally in effect at the time of building permit issuance. Pursuant to LLMC Chapter 3.28, plan check and inspection fees shall be collected at the rates established by the City manager's Executive Order.

PUBLIC WORKS DEPARTMENT

22. The developer shall submit an engineered grading plan for proposed project.
23. All utilities shall be underground. The City of Loma Linda shall be the sewer purveyor.
24. All public improvement plans shall be submitted to the Public Works Department for review and approval.
25. Any damage to existing improvements as a result of this project shall be repaired by the applicant to the satisfaction of the City Engineer.
26. Prior to issuance of grading permits, the applicant shall submit to the City Engineer a Notice of Intent (NOI) to comply with obtaining coverage under the National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit from the State Water Resources Control Board. Evidence that this has been obtained (i.e., a copy of the Waste Dischargers Identification Number) shall be submitted to the City Engineer for coverage under the NPDES General Construction Permit.
27. All site drainage shall be handled on-site and shall not be permitted to drain onto adjacent properties. An erosion/sediment control plan and a Water Quality Management Plan are required to address on-site drainage construction and operation.
28. All necessary precautions and preventive measures shall be in place in order to prevent material from being washed away by surface waters or blown by wind. These controls shall include at a minimum: Regular wetting of surface or other similar wind control method, installation of straw or fiber mats to prevent rain related erosion. Detention basin(s) or other appropriately sized barrier to surface flow must be installed at the discharge point(s) of drainage from the site. Any water collected from these controls shall be appropriately disposed of at a disposal site. These measures shall be added as general notes on the site plan and a statement added that the operator is responsible for ensuring that these measures continue to be effective during the duration of the project construction.

Applicant signature

Date

Owner signature

End of Conditions