

RESOLUTION NUMBER 2025-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (PEN24-0064) FOR A SELF-STORAGE FACILITY LOCATED ON THE EAST SIDE OF MORENO BEACH DRIVE, SOUTH OF ALESSANDRO BOULEVARD (APN: 478-070-026)

WHEREAS, the City of Moreno Valley (“City”) is a general law city and a municipal corporation of the State of California, and

WHEREAS, SAFStor, (“Applicant”) submitted an application for a Conditional Use Permit (PEN24-0064) to develop a self-storage facility (“Proposed Project”) located on the east side of Moreno Beach Drive and south of of Alessandro Boulevard (APN 478-070-026) (“Project Site”); and

WHEREAS, Section 9.02.060 (Conditional Use Permits) of the Moreno Valley Municipal Code acknowledges that the purpose of conditional use permits are to allow the establishment of uses that may have special impacts or uniqueness such that their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location and that the conditional use permit application process involves the review of location, design and configuration of improvements related to the Proposed Project, and the potential impact of the Proposed Project on the surrounding area based on fixed and established standards; and

WHEREAS, the application for the Proposed Project has been evaluated in accordance with Section 9.02.060 (Conditional Use Permits) of the Municipal Code with consideration given to the City’s General Plan, Zoning Ordinance, and other applicable laws and regulations; and

WHEREAS, Section 9.02.060 (Conditional Use Permits) permits the City to impose conditions of approval upon projects for which a Conditional Use Permit is required, to address on-site improvements, off-site improvements, the manner in which the site is used and any other conditions as may be deemed necessary to protect the public health, safety and welfare to ensure that the Proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning) of the Municipal Code; and

WHEREAS, pursuant to the provisions of Section 9.02.200 (Public Hearing and Notification Procedures) of the Municipal Code and Government Code Section 65905, a public hearing was scheduled for March 27, 2025, and notice thereof was duly published, posted, and mailed to all property owners of record within 600 feet of the Project Site; and

WHEREAS, on March 27, 2025, the public hearing to consider the Proposed Project was duly conducted by the Planning Commission, at which time all interested persons were provided with an opportunity to testify and to present evidence; and

WHEREAS, at the public hearing, the Planning Commission considered whether each of the requisite findings specified in Section 9.02.060 of the Municipal Code could be made concerning the Proposed Project as conditioned by the Conditions of Approval; and

WHEREAS, on March 27, 2025, in accordance with the provisions of the California Environmental Quality Act (CEQA¹) and CEQA Guidelines², the Planning Commission has determined that the Proposed Project is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines 15332 for In-Fill Development which is applicable to this Proposed Project since: 1) the Proposed Project is consistent with the applicable General Plan designation and policies and all applicable zoning designation and regulations and applicable policies; 2) the Project Site is less than five acres in size and substantially surrounded by urban uses; 4) the Proposed Project will not result in any significant effects related to traffic, noise, air quality, or water quality; and 5) all required utilities and public services can adequately serve the site.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals and Exhibits

That the foregoing Recitals and attached exhibits are true and correct and are hereby incorporated by this reference.

Section 2. Notice

That pursuant to Government Code Section 66020(d)(1), notice is hereby given that the Proposed Project is subject to certain fees, dedications, reservations, and other exactions as provided herein, in the staff report and conditions of approval (collectively, "Conditions"); and these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions, and pursuant to Government Code Section 66020(d)(1) the applicant is hereby further notified that the ninety-day approval period in which you may protest these fees, dedications, reservations, and other exactions, has commenced upon the date of adoption of this Resolution.

¹ Public Resources Code §§ 21000-21177

² 14 California Code of Regulations §§15000-15387

Section 3. Evidence

That the Planning Commission has considered all evidence submitted into the Administrative Record for the Proposed Project, including, but not limited to, the following:

- (a) Moreno Valley General Plan and all other relevant provisions contained therein;
- (b) Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all other relevant provisions referenced therein;
- (c) Application for a Conditional Use Permit (PEN24-0064) and all documents, records and references contained therein;
- (d) Conditions of Approval for Conditional Use Permit (PEN24-0064) attached hereto as Exhibit A;
- (e) Staff Report prepared for the Planning Commission's consideration and all documents, records and references related thereto, and Staff's presentation at the public hearing;
- (f) Staff's determination that the Proposed Project is categorically exempt in compliance with the California Environmental Quality Act (CEQA) and CEQA Guidelines;
- (g) Testimony and/ or comments from Applicant and its representatives during the public hearing; and
- (h) Testimony and/or comments from all persons that was provided in written format or correspondence, at, or prior to, the public hearing.

Section 4. Findings

That based on the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission makes the following findings:

- (a) The Proposed Project is consistent with the goals, objectives, policies and programs of the General Plan;
- (b) The Proposed Project complies with all applicable zoning and other regulations;
- (c) The Proposed Project will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity; and
- (d) The location, design and operation of the Proposed Project will be compatible with existing and planned land uses in the vicinity.

Section 5. Determination of Categorical Exemption

That the Planning Commission hereby determines that the Proposed Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15332 (In-Fill Development) since: 1) the Proposed Project is consistent with the applicable General Plan designation and policies

and all applicable zoning designation and regulations and applicable policies; 2) the Project Site is less than five acres in size substantially surrounded by urban uses; 3) the Project Site has no value, as habitat for rare, threatened or endangered species; 4) the Proposed Project will not result in any significant effects related to traffic, noise, air quality, or water quality; and 5) the Project Site can be adequately served by all required utilities and public services.

Section 6. **Notice of Exemption**

That the Planning Division is hereby directed to prepare, execute, and file a Notice of Exemption as required by Section 5.2 (Noticing Requirements) of the City’s Rules and Procedures for the Implementation of the California Environmental Quality Act and CEQA Guidelines Section 15062

Section 7. **Approval**

That based on the foregoing Recitals, Administrative Record and Findings, the Planning Commission hereby approves the Proposed Project (Conditional Use Permit PEN24-0064), subject to the Conditions of Approval, attached hereto as Exhibit A and incorporated herein.

Section 8. **Repeal of Conflicting Provisions**

That all the provisions as heretofore adopted by the Planning Commission that are in conflict with the provisions of this Resolution are hereby repealed.

Section 9. **Severability**

That the Planning Commission declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

Section 10. **Effective Date**

That this Resolution shall take effect immediately upon the date of adoption.

Section 11. **Certification**

That the Secretary of the Planning Commission shall certify to the passage of this Resolution.

PASSED AND ADOPTED THIS 27th DAY OF MARCH 2025.

CITY OF MORENO VALLEY
PLANNING COMMISSION

Alvin DeJohnette,
Chairperson

ATTEST:

Angelica Frausto-Lupo
Community Development Director

APPROVED AS TO FORM:

Steven B. Quintanilla,
City Attorney

Exhibit:

Exhibit A: Conditional Use Permit (PEN24-0064) Conditions of Approval

Exhibit A

Conditional Use Permit (PEN24-0064) Conditions of Approval

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Conditional Use Permit (PEN24-0064)

EFFECTIVE DATE:
EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

1. A change or modification to the land use or the approved site plans may require a separate approval. Prior to any change or modification, the property owner shall contact the City of Moreno Valley Community Development Department to determine if a separate approval is required.
2. In accordance with the Developer's obligation to defend, indemnify and hold harmless the City, including but not limited to as set forth in more detail in the Project's Conditions of Approval, Moreno Valley Municipal Code Section 9.02.310 (Indemnification of City for Discretionary Approvals), and the Project application, Developer shall enter into an Advanced Funding Agreement with the City no later than ten (10) calendar days from Planning Commission's approval of the Project. A copy of said Agreement is on file with the Community Development Director.
3. Any expansion to this use or exterior alterations will require the submittal of a separate application(s) and shall be reviewed and approved under separate permit(s), per the Municipal
4. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion, and dust per the Municipal Code.
5. This approval shall expire after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise, it shall become null and void and of no effect whatsoever. "Use" means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval per the Municipal Code.
6. The Developer shall defend, indemnify and hold harmless the City, city council, commissions, boards, subcommittees and the City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs

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of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any prior or current agreements by and among the City and the Developer; (ii) the current, concurrent and subsequent permits, licenses and entitlements approved by the City; (iii) any environmental determination made by the City in connection with the Project Site and the Project; and (iv) any proceedings or other actions undertaken by the City in connection with the adoption or approval of any of the above. In the event of any administrative, legal, equitable action or other proceeding instituted by any third party (including without limitation a governmental entity or official) challenging the legality, validity or adequacy of any of the above items or any portion thereof, the Parties shall mutually cooperate with each other in defense of said action or proceeding. Notwithstanding the above, the City, at its sole option, may tender the complete defense of any third party challenge as described herein. In the event the City elects to contract with special counsel to provide for such a defense, the City shall meet and confer with the Developer regarding the selection of counsel, and the Developer shall pay all costs related to retention of such counsel by the City.

7. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris per the Municipal Code.
8. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to occupancy or any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official per the Municipal Code.
9. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), require separate application and approval by the Planning Division. No signs are permitted in the public right of way per the Municipal Code.
10. All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be consistent with this approval.

Special Conditions

11. The site has been approved for a self-storage facility to include approximately 887 storage units. A change or modification shall require separate approval. For a Conditional Use Permit, violation may result in revocation of the Conditional Use Permit.

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12. If potential historic, archaeological, Native American cultural resources or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area must cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered during grading and other construction excavation, no further disturbance shall occur until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 5-days of the published finding to be given a reasonable opportunity to identify the "most likely descendant." The "most likely descendant" shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). (GP Objective 23.3, CEQA).

13. Community Benefit Donation. As voluntarily offered by the developer/owner or developer's/owner's successor-in-interest and accepted by the City Council in its capacity as the Board of Directors of the Moreno Valley Community Foundation, the developer/owner or developer's/owner's successor-in-interest shall pay to the Moreno Valley Community Foundation (Federal Tax ID: 26-1295880), which is a tax-exempt nonprofit entity organized under section 501(c)3 of the Internal Revenue Code, an amount not less than THREE HUNDRED FIFTY THOUSAND DOLLARS (\$350,000) prior to issuance of a grading permit for the project.

Prior to Building Permit

14. Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approved by the Planning Division. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Requirements and shall include:
 - a. Finger and end planters with required step outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.
 - b. Drought tolerant landscape shall be used.
 - c. Street trees shall be provided every 40 feet on center in the right of way.

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- d. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of the perimeter of a parking lot and per thirty linear feet of a building dimension for the portions of the building visible from a parking lot or right of way. Trees may be massed for pleasing aesthetic effects.
 - e. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view.
 - f. Landscaping on three sides of any trash enclosure.
 - g. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site.
15. Prior to issuance of building permits, the Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping. (GP Objective 43.30)
 16. Prior to issuance of building permits, screening details shall be addressed on the building plans for roof top equipment submitted for Planning Division review and approval through the building plan check process. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building.
 17. Prior to the issuance of building permits, the developer shall provide documentation that U.S. Postal Service to determined the appropriate type and location of mailboxes.
 18. Prior to the issuance of grading permits, decorative (e.g. colored/scored concrete or as approve by the Planning Official) pedestrian pathways across circulation aisles/paths shall be provided throughout the development to connect dwellings with open spaces and/or recreational uses or commercial/industrial buildings with open space and/or parking. and/or the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective)
 19. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
 20. Within thirty (30) days prior to any grading or other land disturbance, a pre-construction survey for Burrowing Owls shall be conducted pursuant to the established guidelines of Multiple Species Habitat Conservation Plan. The pre-construction survey shall be submitted to the Planning Division prior to any disturbance of the site and/or grading permit issuance.

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21. Prior to issuance of any grading permits, plans for any security gate system shall be submitted to and approved by to the Planning Division.
22. Prior to the issuance of grading permits, the site plan and grading plans shall show decorative hardscape (e.g. colored concrete, stamped concrete, pavers or as approved by the Planning Official) consistent and compatible with the design, color and materials of the proposed development for all driveway ingress/egress locations of the project. The pathways shall be shown on the precise grading plan.
23. Prior to issuance of grading permits, the location of the trash enclosure shall be included on the plans.
24. Prior to the issuance of a building permit, unless required differently by local, state or federal law, the developer/owner or developer's/owner's successor-in-interest shall pay all applicable impact or mitigation fees, including but not limited to Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee, Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)
25. Prior to issuance of building permit, detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be included in the Building Plans for review by the Planning Division. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used, shall include style, illumination, location, height and method of shielding per the City's Municipal Code requirements. After the third plan check review for lighting plans, an additional plan check fee will apply (Ord).

Prior to Building Final or Occupancy

26. Prior to building final, all required landscaping and irrigation shall be installed per plan, certified by the Landscape Architect and inspected by the Planning Division. (MC 9.03.040, MC 9.17).
27. Prior to building final, Planning approved/stamped landscape plans shall be provided to the Community Development Department – Planning Division on a CD disk.

Building & Safety Division

28. The proposed non-residential project shall comply with the latest Federal Law, Americans with Disabilities Act, and State Law, California Code of Regulations,

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Title 24, Chapter 11B for accessibility standards for the disabled including access to the site, exits, bathrooms, workspaces, trash enclosures, etc.

29. The appropriation from local tax from construction contracts to the local jurisdiction of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.

The qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:

- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
- b) must be registered as a retailer, not consumer, of materials, and
- c) have an executed contract over \$5 million to install materials at the jobsite.

The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project.

30. All new buildings 10,000 square feet and over, shall include building commissioning in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (OPR). All requirements in the California Green Building Standards Code sections 5.410.2 - 5.410.2.6 must be met.
31. All new structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Standards Code (California Code of Regulations, Title 24) including requirements for allowable area, occupancy separations, fire suppression systems, accessibility, etc.
32. Any construction within the city shall only be completed between the hours of seven a.m. to seven p.m. Monday through Friday, excluding holidays, and from eight a.m. to four p.m. on Saturday, unless written approval is first obtained from the Building Official or City Engineer per City of Moreno Valley Municipal Code (MC 8.14.040E).
33. Prior to the issuance of a building permit, unless required differently by local, state or federal law, the developer/owner or developer's/owner's successor-in-interest shall pay all applicable impact or mitigation fees, including but not limited to

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Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee, Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)

34. The proposed non-residential project shall comply with California Green Building Standards Code, Section 5.106.5.3, mandatory requirements for Electric Vehicle Charging Stations (EVCS).
35. The proposed project is subject to approval by the Moreno Valley Unified School District and all applicable fees and charges shall be paid prior to permit issuance. Contact MVUSD at 951.571.7500 Ext. 17376 for specific details.
36. Prior to plan check submittal, all new development, including residential accessory dwelling units (ADU's) are required to obtain a new property address. Address requests must be part of your initial application. The form can be obtained at the following link http://www.moval.org/city_hall/forms/building-safety/AddressRequest.pdf
37. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing fixtures shall be provided per the California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
38. Plans for onsite water & sewer shall be submitted to the Building & Safety Division for review/approval.
39. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code. Electronic/Digital signature is acceptable as all plan submittals are electronic reviews.
40. Contact the Building Safety Division for permit application submittal requirements. The following link gives the minimum plan submittal requirements: http://www.moval.org/city_hall/forms/building-safety/CommercialSubmittalRequirements.pdf.
41. Prior to permit issuance, every applicant shall submit a properly completed Waste Management Plan (WMP), as a portion of the building or demolition permit process. Contact the Solid Waste & Recycling Program at recycle@moval.org. (MC 8.80.030).
42. The proposed project is subject to approval by the Eastern Municipal Water District and all applicable fees and charges shall be paid prior to permit issuance. Contact

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EMWD at 951.928.3777, ext. 2081 for specific details.

ECONOMIC DEVELOPMENT DEPARTMENT (EDD)

43. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
44. New Moreno Valley businesses may adopt a “First Source” approach to employee recruitment that gives notice of job openings to Moreno Valley residents for one week in advance of public recruitment.
45. New Moreno Valley businesses are encouraged to hire local residents .
46. New Moreno Valley businesses are encouraged to provide a job fair flyer and/or web announcement to the City in advance of job recruitments, so that the City can assist in publicizing these events.
47. New Moreno Valley businesses may utilize the workforce recruitment services provided by the Moreno Valley Business & Employment Resource Center (“BERC”).

The BERC offers free assistance to Moreno Valley businesses recruiting and training potential employees. Complimentary services include:

- Job Announcements
- Applicant testing / pre-screening
- Interviewing
- Job Fair support
- Training space

FIRE DEPARTMENT

Fire Prevention Bureau

48. All Fire Department access roads or driveways shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
49. The Fire Department emergency vehicular access road shall be (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. The approved fire access road shall be in place during the time of construction. Temporary fire access roads shall be approved by the Fire Prevention Bureau. (CFC 501.4, and MV City Standard Engineering Plan 108d)
50. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of

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the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)

51. The appropriation from local tax from construction contracts to the local jurisdiction of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.
The qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
 - a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
 - b) must be registered as a retailer, not consumer, of materials, and
 - c) have an executed contract over \$5 million to install materials at the jobsite.The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project.
52. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4)
53. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)
54. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 509.1 and MVLT 440A-0 through MVLT 440C-0)
55. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve inches in height. (CFC 505.1, MVMC 8.36.060[1])
56. Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are

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established to prevent obstruction of such roads. (CFC 507, 501.3) a - After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

57. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in effect at the time of building plan submittal.
58. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)
59. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
60. Fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) feet and an unobstructed vertical clearance of not less than thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])
61. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9, MVMC 8.36.100[D])
62. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060, CFC 501.4)
63. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Code Official. All exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)
64. The minimum number of fire hydrants required, as well as the location and spacing

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of fire hydrants, shall comply with the C.F.C., MVMC, and NFPA 24. Fire hydrants shall be located no closer than 40 feet to a building. A fire hydrant shall be located within 50 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6" x 4" x 2 1/2" x 2 1/2") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)

65. Fire Department access driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. (CFC 503 and MVMC 8.36.060, CFC 501.4)
66. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)
67. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4)
68. Plans for private water mains supplying fire sprinkler systems and/or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)
69. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5)
70. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:
 - a. Be signed by a registered civil engineer or a certified fire protection engineer;
 - b. Contain a Fire Prevention Bureau approval signature block; and
 - c. Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

FINANCIAL & MANAGEMENT SERVICES DEPARTMENT

Special Districts Division

71. Street Light Coordination/Advanced Energy Fees. Prior to the issuance of the 1st Building Permit for this project, the Developer shall pay New Street Light Installation Fees for all street lights required to be installed for this development. Payment will

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be collected by the Land Development Division. Fees are based on the street light administration/coordination and advanced energy fees as set forth in the City Fees, Charges, and Rates as adopted by City Council and effective at the time of payment. Any change in the project which increases the number of street lights to be installed requires payment of the fees at the then current fee. Questions may be directed to the Special Districts Administration at 951.413.3470 or SDAdmin@moval.org.

72. Park Maintenance Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or fund an endowment) to provide an ongoing funding source for the continued maintenance, enhancement, and/or retrofit of parks, open spaces, linear parks, and/or trails systems.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

Alternatively, the condition can be satisfied by the Developer funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to satisfy this condition.

73. Public Safety Services Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or fund an endowment) to provide an ongoing funding source for Public Safety operational services including but not limited to: Police Protection, Fire Protection & Suppression, Emergency Medical Response and Paramedic Services.

This condition must be fully satisfied prior to issuance of the 1st Certificate of

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Occupancy. This condition will be satisfied with the successful annexation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into the district, the qualified elector(s) will not protest the annexation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

Alternatively, the condition can be satisfied by the Developer funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to satisfy this condition.

74. Maintenance Responsibility. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
75. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee, form an association or fund an endowment) to provide an ongoing funding source for Street Lighting Services for capital improvements, energy charges, and maintenance. This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation into a special financing district. Annexation into a special financing district requires an annual payment of the special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of City Council review to consider annexation into the district, the qualified elector(s) will not protest the annexation but reserves the right to contest any future taxes that seem unfair, particularly if the financial impact of the tax is not in line with the benefits the property gains from the improvements to be installed and/or maintained or services provided. In compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, the special election process must be completed within a maximum of 90 days. Alternatively, the condition can be satisfied by the developer forming a property owner association that will be responsible for the improvements and any and all operation and maintenance costs for the improvements or by funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual

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obligation, as calculated by Special Districts Admin staff. The developer may contact SD Admin at 951.413.3470 or at SDAdmin@moval.org to satisfy this condition.

76. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the construction and maintenance of major infrastructure improvements, which may include but is not limited to thoroughfares, bridges, and certain flood control improvements. This condition will be applicable provided said district is under development at the time this project applies for the 1st Building Permit. This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of City Council review to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but reserves the right to contest any future taxes that seem unfair, particularly if the financial impact of the tax is not in line with the benefits the property gains from the improvements to be installed and/or maintained or services provided. In compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, the special election process must be completed within a maximum of 90 days. An alternative to satisfying this condition will be identified at such time as a special financing district has been established. The developer may contact SD Admin at 951.413.3470 or at SDAdmin@moval.org.
77. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the operation and maintenance of public improvements and/or services associated with impacts of the development. This condition will only be applicable provided said district is under formation at the time this project applies for the 1st Building Permit. This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of City Council review to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but reserves the right to

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contest any future taxes that seem unfair, particularly if the financial impact of the tax is not in line with the benefits the property gains from the improvements to be installed and/or maintained or services provided. In compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, the special election process must be completed within a maximum of 90 days. An alternative to satisfying this funding source will be identified at such time as a special financing district has been established. The developer may contact SD Admin at 951.413.3470 or at SDAdmin@moval.org.

PUBLIC WORKS DEPARTMENT

Land Development

78. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.
79. The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, also referred to as the Subdivision Map Act (SMA) per the Municipal Code.
80. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
81. The developer shall monitor, supervise and control all construction related activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:
 - (a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.
 - (b) Observance of working hours as stipulated on permits issued by the Land Development Division.
 - (c) The construction site shall accommodate the parking of all motor vehicles used

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by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements during the grading operations.

Violation of any condition, restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedy as noted in the City Municipal Code. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

82. Local tax from construction contracts may be allocated to the local jurisdiction of the specific construction jobsite. This is accomplished by a contractor or subcontractor electing to obtain a construction site sub-permit for the jobsite. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are eligible for this election. This qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to be eligible for a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:

a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),

b) must be registered as a retailer, not consumer, of materials, and

c) have an executed contract over \$5 million to install materials at the jobsite.

The \$5 million threshold applies to individual contracts held by a contractor or subcontractor and not the total project value. The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor will require that the subcontractor or other contractors provide the City of Moreno Valley with either a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project. The Prime Contractor will provide the City with a list of subcontractors associated with the project.

83. In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. If unsuccessful, the Developer shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. [Government Code]

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84. If improvements associated with this project are not initiated within two (2) years of the date of approval of the Public Improvement Agreement (PIA), the City Engineer may require that the engineer's estimate for improvements associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the PIA or issuance of a permit. [Municipal Code]
85. The developer shall protect downstream properties from damage caused by alteration of drainage patterns (i.e. concentration or diversion of flow, etc). Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. [Municipal Code]
86. Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer.
87. The maintenance responsibility of the proposed storm drain line shall be clearly identified. Storm drain lines within private property will be privately maintained and those within public streets will be publicly maintained. A storm drain manhole shall be placed at the right-of-way line to mark the beginning of the publicly maintained portion of this storm drain.
88. This project shall submit civil engineering plans, reports and/or documents (prepared by a registered/licensed civil engineer) for review and approval by the City Engineer per the current submittal requirements, prior to the indicated threshold or as required by the City Engineer. The first submittal consists of, but is not limited to, the following:
 - a) Final drainage study (prior to grading plan approval);
 - b) Final WQMP (prior to grading plan approval);
 - c) Rough grading w/ erosion control plan (prior to precise grading permit issuance);
 - d) Precise grading w/ erosion control plan (prior to building permit issuance);
 - e) Water or Water/Sewer plan (prior to building permit issuance);
 - f) Legal Documents (e.g., easement(s), dedication(s), Lot Line Adjustment, etc.) (recordation required prior to building permit issuance);
 - g) Improvement plans (street, storm drain, traffic signal, signing and striping) (prior to encroachment permit issuance);
 - h) As-Built revision for all plans (prior to Occupancy release).
89. Water quality best management practices (BMPs) designed to meet Water Quality Management Plan (WQMP) requirements for development shall not be used as a construction BMP. Water quality BMPs shall be maintained for the entire duration of

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the project construction and be used to treat runoff from those developed portions of the project. Water quality BMPs shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. Water quality BMPs shall be graded per the approved design plans and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to an established Homeowner's Association (HOA).

90. For non-subdivision projects, execution of a Public Improvement Agreement (PIA) and/or security (in the form of a cash deposit or other approved means) may be required as determined by the City Engineer. [Municipal Code]
91. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
92. Any work performed within public right-of-way requires an encroachment permit.

Prior to Grading Plan Approval

93. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events per the Municipal Code.
94. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity.
95. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the approved P-WQMP, as well as in full conformance with the document: "Water Quality Management Plan - A Guidance Document for the Santa Ana Region of Riverside County" dated October 22, 2012. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements for BMPs and sources of funding for BMP implementation. Please note a) Final design and sizing details of all BMPs must be provided in the first submittal of the F-WQMP. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance document; b) The Applicant shall substantiate the applicable Hydrologic Condition

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of Concerns (HCOC) in Section F of the F-WQMP if exemptions do not apply; c) All proposed LID BMP's shall be designed in accordance with the RCFC&WCD's Design Handbook for Low Impact Development Best Management Practices, dated September 2011; d) The proposed LID BMP's as identified in the project-specific P-WQMP shall be incorporated into the Final WQMP; e) The NPDES notes per City Standard Drawing No. MVFE-350-0 shall be included in the grading plans; f) Post-construction treatment control BMPs, once placed into operation for post-construction water quality control, shall not be used to treat runoff from construction sites or unstabilized areas of the site; g) Prior to precise grading plan approval, the grading plan shall show any proposed trash enclosure to include a cover (roof) and sufficient size for dual bin (1 for trash and 1 for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building & Safety Division.

96. The developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:
 - a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.
 - b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.
 - c. All improvement plans are substantially complete and appropriate clearance letters are provided to the City.
 - d. A soils/geotechnical report (addressing the soil's stability and geological conditions of the site) shall be submitted to the Land Development Division for review. A digital (pdf) copy of the soils/geotechnical report shall be submitted to the Land Development Division.
97. The developer shall select Low Impact Development (LID) Best Management Practices (BMPs) designed per the latest version of the Water Quality Management Plan (WQMP) - a guidance document for the Santa Ana region of Riverside County.
98. The developer shall submit recorded slope easements from adjacent property owners in all areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.
99. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared in conformance with the State's current Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request.

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100. For projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB) which shall be noted on the grading plans.

Prior to Grading Permit

101. A receipt showing payment of the Area Drainage Plan (ADP) fee to Riverside County Flood Control and Water Conservation District shall be submitted. [Municipal Code]
102. For non-subdivision projects, a copy of the Covenants, Conditions and Restrictions (CC&Rs) shall be submitted for review by the City Engineer. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project. Alternatively, a separate instrument that includes reciprocal drainage easements and reciprocal access may be submitted for review and approval.
103. If the developer chooses to construct the project in phases, a Construction Phasing Plan for the construction of on-site public or private improvements shall be submitted for review and approved by the City Engineer.
104. Provide a construction schedule prior to permit issuance.
105. Prior to the payment of the Development Impact Fee (DIF), the developer may enter into a DIF Improvement Credit Agreement to secure credit for the construction of applicable improvements. If the developer fails to complete this agreement prior to the timing specified above, credits may not be given. The developer shall pay current DIF fees adopted by the City Council. [Municipal Code and Ordinance]
106. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the implementation and maintenance of erosion control measures. At least twenty-five (25) percent of the required security shall be in the form of a cash deposit with the City. [Municipal Code]
107. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [Municipal Code]
108. One (1) 24"x36" and one (1) 11"x17" paper copy of the approved plans required prior to permit issuance.
109. A pre-construction meeting with project engineer and all necessary field personnel

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required prior to permit issuance.

110. An active SWPPP and WDID required prior to permit issuance.
111. Prior to the payment of the Transportation Uniform Mitigation Fee (TUMF), the developer may enter into a TUMF Improvement Credit Agreement to secure credit for the construction of applicable improvements. If the developer fails to complete this agreement by the timing specified above, credits may not be given. The developer shall pay current TUMF fees adopted by the City Council. [Municipal Code and Ordinance]
112. Prior to issuance of a grading permit, the project applicant shall submit an engineer's cost estimate for a raised landscape median along the project frontage on Moreno Beach Drive for the City Engineer's approval.

Prior to Improvement Plan Approval

113. The developer shall submit clearances from all applicable agencies.
114. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVSI-160 series, etc.) throughout this project.
115. Drainage facilities (i.e. catch basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
116. The hydrology study shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of current City standards shall apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the City Engineer. [Municipal Code]
117. For non-subdivision projects, all street dedications shall be free of encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.
118. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be

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determined by the City Engineer.

119. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.

Prior to Building Permit

120. An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of the approved compaction report shall be submitted to the Land Development Division. All pads shall meet pad elevations per approved grading plans as noted by the setting of "blue-top" markers installed by a registered land surveyor or licensed civil engineer.
121. The developer shall be required to merge the two existing parcels within the project into a single parcel.
122. For non-subdivision projects, all street dedications shall be free of encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.
123. A walk through with a Land Development Inspector shall be scheduled to inspect existing improvements within public right of way along project frontage. Any missing, damaged or substandard improvements including ADA access ramps that do not meet current City standards shall be required to be installed, replaced and/or repaired. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.
124. Certification to the line, grade, flow test and system invert elevations for the water quality control BMPs shall be submitted for review and approved by the City Engineer (excluding models homes).
125. Prior to issuance of a building permit, the project applicant shall pay to the City of Moreno Valley the estimated cost for a raised median along Moreno Beach Drive. The raised median will be constructed at a future date when warranted.

Prior to Occupancy

126. All required as-built plans (prepared by a registered/licensed civil engineer) shall be

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- submitted for review and approved by the City Engineer per the current submittal requirements.
127. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
 128. The developer shall complete all public improvements in conformance with current City standards, including but not limited to the following:
 - a. Applicable Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, undersidewalk drains, landscaping and irrigation, medians, pavement tapers/transitions and traffic control devices as appropriate.
 - b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
 - c. City-owned utilities.
 - d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.
 - e. Undergrounding of all existing and proposed utilities adjacent to and on-site per the Municipal Code.
 - f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.
 129. As applicable, a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant", "Maintenance Agreement for Water Quality Improvements located in the public right-of-way" and/or a "Declaration of Restrictive Covenants (encroachment on City easement)" shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific WQMP. A boilerplate copy of the covenants and agreements can be obtained by contacting the Land Development Division.
 130. The applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:
 - a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP).
 - b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted for review and approved by the City Engineer.
 131. The Developer shall comply with the following water quality related items:
 - a. Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
 - b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
 - c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and

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- d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
- e. Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
- f. Obtain approval and complete installation of the irrigation and landscaping.

Moreno Valley Utility

- 132. This project requires the installation of electric distribution facilities. A non-exclusive easement shall be provided to Moreno Valley Utility and shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.
- 133. This project requires the installation of electric distribution facilities. The developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer shall execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City all utility infrastructure including but not limited to, conduit, equipment, vaults, ducts, wires (including fiber optic cable), switches, conductors, transformers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining, abutting, or benefiting projects as determined by Moreno Valley Utility – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all "utility services" to and within the project. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the

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project to the Moreno Valley Utility owned and controlled electric distribution system .

134. Existing Moreno Valley Utility electrical infrastructure shall be preserved in place. The developer will be responsible, at developer's expense, for any and all costs associated with the relocation of any of Moreno Valley Utility's underground electrical distribution facilities, as determined by Moreno Valley Utility, which may be in conflict with any developer planned construction on the project site.
135. This project shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City fiber optic cable improvements consisting of fiber optic cable, splices and termination equipment to serve the identified development and other adjoining, abutting, or benefiting projects as determined by Moreno Valley Utility along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all "fiber optic services" to and within the project.
136. This project shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to Moreno Valley Utility fiber optic cable improvements consisting of conduit, and pull boxes to serve the identified development and other adjoining, abutting, or benefiting projects as determined by Moreno Valley Utility along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all "fiber optic services" to and within the project.
137. This project may be subject to a Reimbursement Agreement. The Developer is responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project.
138. If this project will include the installation and interconnection of any generating or energy storage equipment, this project shall submit an application, coordinate and receive approval from the Moreno Valley Electric Utility. For the most recent application requirements and for submitting interconnection applications, email mvusolar@moval.org or go to our website at <https://www.moval.org/mvu/solar-prog.html>. All interconnection applications shall be submitted to the Moreno Valley Electric Utility by email to mvusolar@moval.org.
139. This project shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to Moreno Valley Utility electric streetlight improvements consisting of streetlight poles, mast-arms, fixtures conduit, wiring, terminations and pull boxes to serve the identified development and other adjoining, abutting, or benefiting projects as determined by the Land Development Department along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all "street light services" to and within the project.

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Transportation Engineering Division

140. The project driveways shall conform to City Standard Plan No. MVSI-112C-0 for Commercial Driveway Approaches.
141. Access at the driveways shall be allowed as follows:
 - Northerly Driveway (Shared Driveway): Right-turn in/out only
 - Southerly Driveway: Right-turn in/out onlySigning and striping shall be provided as necessary. Access shall be restricted by means of a striped median and ultimately, a raised median.
142. Moreno Beach Drive is classified and shall be improved as a Divided Major Arterial (134'RW/110'CC) per City Standard Plan No. MVSI-101A-1 to the satisfaction of the City Engineer. Necessary transition and/or interim improvements shall be designed and constructed in accordance with the approved alignment exhibit.
143. An irrevocable shared access agreement shall be provided for APNs 478-070-0029 and 478-070-026 prior to approval of grading plan.
144. Class II bike lanes shall be provided along the project frontage in accordance with the City's Bike Master Plan.
145. Prior to final approval of any landscaping or monument sign plans, the project plans shall demonstrate that sight distance at the project driveways conforms to City Standard Plan No. MVSI-164A, B, C-0.
146. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared for Moreno Beach Drive per City of Moreno Valley Standard Plans - Section 4 and the approved interim alignment exhibit.
147. Prior to the final approval of the street improvement plans, the plans shall provide all the necessary lane transitions from proposed striping to downstream and upstream existing conditions to accommodate striped median, travel lanes, and bike lanes.
148. Prior to the issuance of the certificate of occupancy, all improvements including signing and striping shall be completed to the satisfaction of the City Engineer.
149. Prior to the final approval of the street improvement plans, an alignment exhibit shall be prepared to determine the ultimate and interim lane widths, intersection geometry, and public right-of-way dedications along Moreno Beach Drive between Alessandro Boulevard and Brodiaea Avenue.

PARKS & COMMUNITY SERVICES DEPARTMENT

150. This project is subject to current Development Impact Fees.