

RESOLUTION NUMBER 2025-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (PEN24-0013) FOR THE DEVELOPMENT OF A 950 SQUARE FOOT COMMERCIAL BUILDING (DUTCH BROS COFFEE) SITUATED ON THE NORTH SIDE OF ALESSANDRO BOULEVARD, EAST OF PERRIS BOULEVARD AT 25040 ALESSANDRO BOULEVARD (479-220-017) IN THE NEIGHBORHOOD COMMERCIAL (NC) ZONE.

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

WHEREAS, Sabrina Rushing of Barghausen Consulting Engineers, Inc. ("Applicant") applied for a Conditional Use Permit (PEN24-0013) for the development of a 950 square foot commercial building (Dutch Bros Coffee) with a drive-through, associated parking and landscape improvements on a 0.51-acre parcel, situated on the north side of Alessandro Boulevard, east of Perris Boulevard ("Proposed Project") at 25040 Alessandro Boulevard (APN: 479-220-017) ("Project Site"); and

WHEREAS, the application for the Proposed Project was evaluated in accordance with Section 9.02.060 (Conditional Use Permit) of the Moreno Valley Municipal Code with consideration given to the Moreno Valley General Plan and other applicable laws and regulations; and

WHEREAS, consistent with the requirements of Section 9.02.060 (Conditional Use Permit) of the Moreno Valley Municipal Code, at a public hearing, the Planning Commission considered Conditions of Approval to be imposed upon Conditional Use Permit PEN24-0013 ("Conditional Use Permit"), which conditions were prepared by the Planning Division staff who deemed said conditions to be necessary to protect public health, safety, and welfare and to ensure the Proposed Project will be developed in accordance with the purpose and intent of Title 9 ("Planning and Zoning") of the Moreno Valley Municipal Code; and

WHEREAS, at the public hearing on July 10, 2025, in accordance with the provisions of the California Environmental Quality Act (CEQA¹) and CEQA Guidelines², the Planning Commission determined that the Proposed Project is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15332 for In-Fill Development Project, which is applicable to the 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 no more 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,

¹ Public Resources Code §§ 21000-21177

² 14 California Code of Regulations §§15000-15387

noise, air quality, or water quality; and 5) the Project Site can be adequately served by all required utilities and public services; and

WHEREAS, pursuant to the provisions of Section 9.02.200 (Public Hearing and Notification Procedures) of the Moreno Valley Municipal Code and Government Code Section 65905, a public hearing was scheduled for July 10, 2025, and notice thereof was duly published in the Press Enterprise Newspaper, posted at the Project Site, and mailed to all property owners of record within 600 feet of the Project Site; and

WHEREAS, on July 10, 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 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 Moreno Valley Municipal Code and set forth herein could be made concerning the Proposed Project as conditioned.

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 90 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.

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. Applications for Conditional Use Permit (PEN24-0013), and all documents, records, and references contained therein;
- d. Conditions of Approval for Conditional Use Permit (PEN24-0013), 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. Testimony, and/or comments from Applicant and its representatives during the public hearing; and
- g. Testimony and/or comments from all persons 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 in approving the Proposed Project:

- 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 no more 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 PEN24-0013, subject to the Conditions of Approval, attached hereto as Exhibit A and incorporated herein and as shown on the approved plan.

Section 8. **Repeal of Conflicting Provisions**

That all the provisions as heretofore adopted by the Planning Commission that 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.

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PASSED AND ADOPTED THIS 10th DAY OF JULY 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

Exhibits:

Exhibit A: Conditions of Approval for Conditional Use Permit PEN24-0013

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, Planning Commission Secretary of the City of Moreno Valley, California, do hereby certify that Planning Commission Resolution No. 2025-10 was duly and regularly adopted by the Planning Commission of the City of Moreno Valley at a regular meeting thereof held on the 10th day of July 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Planning Commission Members, Vice Chair, and Chair)

PLANNING COMMISSION SECRETARY

Exhibit A

Conditions of Approval

Conditional Use Permit (PEN24-0013)

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CITY OF MORENO VALLEY CONDITIONS OF APPROVAL Conditional Use Permit (PEN24-0013)

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. This approval is for PEN24-0013, Conditional Use Permit (CUP) for the development of a Dutch Bros Coffee Shop at 25040 Alessandro Boulevard (APN: 479-220-017). The project includes a drive-through, associated parking, and landscape improvements. A change or modification shall require separate approval. For a Conditional Use Permit, violation may result in revocation of the Conditional

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Use Permit.

12. Drive-up or drive-through speaker system shall not be detectable above daytime ambient noise levels beyond the property line boundaries and shall not exceed fifty-five (55) dBA at any one time beyond the boundaries of the property line per the Municipal Code.
13. The project site lighting shall be maintained in good repair and shall comply with the Municipal Code lighting standards.
14. The Police Chief may require the business owner to provide future security within the restaurant and the shopping center parking lot to address issues that arise from the operation of the business.
15. Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee.
16. Prior to building permit issuance, CC&Rs shall be submitted to the City for review addressing reciprocal access, shared parking, landscape maintenance, etc.
17. A minimum of one outdoor trash receptacle shall be provided on site for use by patrons for every required ten (10) parking spaces. (MC 9.09.080 C5)

Prior to Building Permit

18. Prior to the issuance of building permits, proposed covered trash enclosures shall be included in the Planning review of the Fence and Wall plan or separate Planning submittal. The trash enclosure(s), including the roof materials, shall be compatible with the architecture, color, and materials of the building(s) design. Trash enclosure areas shall include landscaping on three sides. Approved design plans shall be included in a Building submittal (Fence and Wall or building design plans). (GP Objective).
19. 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)
20. 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

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plans shall be prepared in accordance with the City's Landscape Requirements and shall include:

- a. A three (3) foot high decorative wall, solid hedge or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
- b. Drought tolerant landscape shall be used. Sod shall be limited to gathering areas. (or No sod shall be installed)
- c. Street trees shall be provided every 40 feet on center in the right of way.
- 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. Enhanced landscaping shall be provided at all driveway entries and street corner locations. 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 or pad in question.

- 21. 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)
- 22. Prior to issuance of a Building permit, the elevation plans shall include decorative lighting sconces or fixtures on all sides of the buildings of the complex facing a parking lot, courtyard, or plaza, or public right of way or open space to provide up-lighting and shadowing on the structures. Include drawings of the sconce or fixture details for each building within the elevation plans. The proposed lighting shall meet the intent of the lighting design and standards and shall be subject to the approval of the Community Development Director.
- 23. 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

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plan check review for lighting plans, an additional plan check fee will apply (Ord).

24. 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.
25. Prior to the issuance of grading permits, decorative pedestrian pathways (e.g., colored or scored concrete, or as approved by the Planning Official) shall be provided across internal circulation aisles and driveways within the project site to facilitate pedestrian movement. These pathways shall connect on-site pedestrian routes with adjacent existing pedestrian facilities, where applicable. The pathways shall be shown on the precise grading plan. (GP Objective)
26. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
27. 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, CEQA).
28. Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Building and Safety Division for review and approval by the Planning Division as follows: A. A maximum 6-foot high solid decorative block perimeter wall with pilasters and a cap shall be required adjacent to all residential zoned areas. B. 3-foot high decorative wall, solid hedge, or berm shall be placed in any setback

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areas between a public right of way and a parking lot for screening. C. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement. D. Proposed screening walls for truck loading areas and required loading docks shall also include decorative block walls with pilasters with a height of up to fourteen (14) feet to fully screen trucks (industrial and some situations with commercial uses). E. Walls and fences for visual screening are required when there are adjacent residential uses or residentially zone property. The height, placement, and design will be based on a site-specific review of the project. All walls are subject to the approval of the Planning Official. (MC)

29. Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:
 - a. The name (if applicable) and address of the development.
 - b. The developer's name, address, and a 24-hour emergency telephone number.
30. Prior to issuance of grading permits, the location of the trash enclosure shall be included on the plans.
31. Prior to issuance of any of any building permit, all Conditions of Approval shall be printed on the building plans.

Building & Safety Division

32. The proposed non-residential project shall comply with the latest Federal Law, Americans with Disabilities Act, and State Law, California Code of Regulations, Title 24, Chapter 11B for accessibility standards for the disabled including access to the site, exits, bathrooms, workspaces, trash enclosures, etc.
33. 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.
34. 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).
35. The proposed project is subject to approval by the Riverside County Department of Environmental Health. Any approval letter and/or approved Health plans (via PDF)

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shall be submitted to the City prior to permit issuance. Contact Environmental Health at 951-766-2824 for specific details.

36. The proposed development is subject to the payment of required development fees as required by the City's current Fee Ordinance at either 1) based on time of valid building application submittal, 2) prior to permit issuance, or 3) as determined by the City (via special ordinance, etc.).
37. 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 951.571.7690 Ext. 17376 for specific details.
38. Prior to construction 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 http://www.moval.org/city_hall/forms/building-safety/AddressRequest.pdf.
39. 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.
40. 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.
41. 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.
42. 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 (MC 8.80.030).
43. 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 EMWD at 951.928.3777 for specific details.
44. 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

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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.

- 45. Plans for onsite water & sewer shall be submitted to the Building & Safety Division for review/approval.
- 46. The proposed non-residential project shall comply with California Green Building Standards Code mandatory requirements for commercial buildings.

ECONOMIC DEVELOPMENT DEPARTMENT (EDD)

- 47. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
- 48. 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.
- 49. New Moreno Valley businesses are encouraged to hire local residents.
- 50. 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.
- 51. 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

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

FIRE DEPARTMENT

Fire Prevention Bureau

52. After the local water purveyor/company signs public improvement water system plans, the off-site water plans shall be submitted to the Fire Prevention Bureau for review and approval. Plans for private fire service mains supplying fire sprinkler systems and/or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. The minimum number of fire hydrants required, as well as the location and spacing 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 100' feet of the fire department connection for buildings protected with a required water based fire protection system. The size and number of outlets required for the approved fire hydrants are (6" x 4" x 2 ½" x 2 ½") The required public and private fire service main, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. (CFC 105, 507, 3313, Appendix C, NFPA 24, and RVC Fire Dept. Water Supply Standard)
53. 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)
54. 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), Moreno Valley Municipal Code, and related codes, which are in effect at the time of building plan submittal. Once all fire related permits have been approved, a fire final inspection shall be conducted prior to the building's occupancy. (CFC 105.3.3 and 106.2)
55. The Fire Department emergency vehicular access road shall be (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, have an unobstructed width of not less than twenty-four (24) feet. For structures 30 feet in height or greater, aerial fire apparatus deployment areas shall be provided at a

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minimum of two (2) sides of each structure by providing fire access road(s) to be a minimum of 34' in width. An unobstructed vertical clearance of not less than thirteen (13) feet six (6) inches shall be provided through fire apparatus access road. Turning radius for fire access roads shall be a minimum of 24' inside dimension with a 45' outside turning dimension. Fire Department access roads or driveways shall not exceed 12 percent grade. 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 the fire apparatus of the Fire Department shall be subject to approval by the City of Moreno Valley. Fire Department access driveways that are required to be over 150 feet in length shall be provided with a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. 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 only when necessary. 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 503, CFC 501.4 and MVMC 8.36.030)

56. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial and residential buildings per CFC Appendix B and Table B105.1(2), Table B105.1(1), and Table B105.2. The applicant/developer shall provide documentation to demonstrate the local water system is capable of delivering said water-flow for the required duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B and MVMC 8.36.060)
57. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)
58. The Fire Prevention Bureau is authorized to enforce the fire safety requirements during construction set forth in Chapter 33 of the California Fire Code. The project's fire department access and water supplies shall be in place prior to the issuance of any building permits. (CFC Chapter 33 and CBC Chapter 33)
59. 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)
60. All buildings shall be provided with premises identification in accordance with the Riverside County Fire Department Access Standards shall be in place prior to

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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 an approved size, in contrasting color and properly illuminated (internally/externally.) For Multi-Family Dwelling Projects and Buildings that are set back from the primary roads more than 150 feet or otherwise not visible from the public road shall be provided with an address monument to display the address in accordance with the Riverside County Fire Department Access Standards. All residential dwellings shall display street numbers in a prominent location on the street side of the residence in such a position that the numbers are easily visible to approaching emergency vehicles. The numbers shall be located consistently on each dwelling throughout the development. The numerals shall be no less than four (4) inches in height and shall be low voltage lighted fixtures. (CFC 505.1 and RVC Fire Access Standards)

FINANCIAL & MANAGEMENT SERVICES DEPARTMENT

Special Districts Division

61. 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 trail systems. This requirement must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This requirement will be satisfied with the successful annexation (i.e. special election process) into a special financing district. Annexation into the 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 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 requirement 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 requirement.
62. 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)

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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 requirement must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This requirement 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 City Council meeting 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 requirement 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 requirement.

63. 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

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has been established. The developer may contact SD Admin at 951.413.3470 or at SDAdmin@moval.org.

64. 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 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.
65. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
66. The ongoing maintenance of any water quality BMP (e.g. Bioswale) constructed in the public right of way shall be the responsibility of a property owner association or the property owner.

PUBLIC WORKS DEPARTMENT

Land Development

67. A completed/signed application required prior to permit issuance.
68. A valid City business license for <UPDATE> is required (at least receipt showing payment).
69. Approved Certificate of Liability Insurance (COI) for designated permit signer

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(indicated on application) required prior to permit issuance/extension.

70. Provide a construction schedule prior to permit issuance.
71. One (1) 24"x36" and one (1) 11"x17" paper copy of the approved plans required prior to permit issuance.
72. 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.
73. An approved traffic control plan required prior to permit issuance.
74. Any work performed within public right-of-way requires an encroachment permit.
75. 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.
76. 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.
77. 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 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.

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78. 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.
79. 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]
80. 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.
81. 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 grading permit issuance); d) Precise grading w/ erosion control plan (prior

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to building permit issuance); e) Water or Water/Sewer plan (prior to building permit issuance); f) Map (recordation required prior to building permit issuance); g) Improvement plans (street, storm drain, traffic signal, signing and striping) (prior to building permit issuance); h) As-Built revision for Rough grading plan (prior to building permit issuance); i) All other As-Built revision plans (prior to Occupancy release).

82. 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 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).

Prior to Grading Plan Approval

83. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity.
84. 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 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

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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.

85. 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.

86. 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.

87. Landscape & Irrigation plans (prepared by a registered/licensed landscape architect) for water quality BMPs shall be submitted for review and approved by the City Engineer per the current submittal requirements, if applicable.

Prior to Grading Permit

88. 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]

89. A completed/signed application required prior to permit issuance.

90. 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. 8.21.070

91. 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

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project. 8.21.070

92. One (1) 24"x36" and one (1) 11"x17" paper copy of the approved plans required prior to permit issuance.
93. A pre-construction meeting with project engineer and all necessary field personnel required prior to permit issuance.

Prior to Improvement Plan Approval

94. The developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, all access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless otherwise approved by the City Engineer.
95. The developer shall submit clearances from all applicable agencies.
96. Any missing or deficient existing improvements along the project frontage within Alessandro Blvd. shall be constructed or secured for construction. The City Engineer may require the ultimate structural section for pavement to full width or provide core test results confirming that existing pavement section is per current City Standards; additional signing & striping to accommodate increased traffic imposed by the development, etc.
97. 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

98. 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.
99. For Commercial/Industrial projects, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

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100. 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.
101. 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).

Prior to Occupancy

102. All required as-built plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
103. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
104. 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.
105. 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.

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106. 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
 - 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.

PARKS & COMMUNITY SERVICES DEPARTMENT

107. 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)