

CONDITIONS OF APPROVAL

Plot Plan (PEN23-0042)

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CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Plot Plan (PEN23-0042)

EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENT

Building & Safety Division

1. 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.
2. 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.
3. 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.

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4. 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.
5. 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).
6. 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.).
7. 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).
8. 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.
9. 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.
10. 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.
11. 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.
12. 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.
13. Prior to permit issuance, every applicant shall submit a properly completed Waste

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Management Plan (WMP), as a portion of the building or demolition permit process (MC 8.80.030).

14. 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.

ECONOMIC DEVELOPMENT DEPARTMENT (EDD)

15. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
16. 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.
17. New Moreno Valley businesses are encouraged to hire local residents.
18. 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.
19. 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

20. All Fire Department access roads or driveways shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
21. 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

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construction. Temporary fire access roads shall be approved by the Fire Prevention Bureau. (CFC 501.4, and MV City Standard Engineering Plan 108d)

22. 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 AHJ. (CFC 503 and MVMC 8.36.060)
23. 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.
24. 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)
25. 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)
26. 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 MVL 440A-0 through MVL 440C-0)
27. 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.

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(CFC 505.1, MVMC 8.36.060[I])

28. 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 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.
29. 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.
30. 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)
31. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
32. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)
33. 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 the thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])
34. 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])
35. 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)

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36. 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)
37. 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 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)
38. 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)
39. 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)
40. 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)
41. 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)
42. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering said waterflow for 2 hour(s) 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)
43. Dead-end streets and/or fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround for fire apparatus.
44. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC

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503.2.5)

45. 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

46. CFD 2014-01. 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 to fund the services 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/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 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 obligation, as calculated by Special Districts Admin staff. The Developer must

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contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to satisfy this condition.

47. Major Infrastructure SFD Major Infrastructure Financing District. 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 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. An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.
48. 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

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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.

49. Maintenance 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 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 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 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.

An alternative to satisfying this funding source will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

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50. **Public Safety 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 use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for Public Safety services, which may include but is not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. This condition will only 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 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.

An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

51. **Maintenance Responsibility.** The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
52. 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.
53. **Zones A and C.** The parcel(s) associated with this project is included in Moreno Valley Community Services District Zone A (Parks & Community Services) and Zone C (Arterial Street Lighting). Zone A is levied on the property tax bill on a per parcel or dwelling unit basis. Zone C is levied on the property tax bill on a per parcel basis. Zone A and Zone C are levied against all assessable parcels, and any subdivision thereof.
54. **Street Light Coordination/Advanced Energy Fees.** Prior to the issuance of the 1st

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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 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.

55. Damage. Any damage to existing landscape areas maintained by the City of Moreno Valley due to project construction shall be repaired/replaced by the Developer, or Developer's successors in interest, at no cost to the City of Moreno Valley.

PUBLIC WORKS DEPARTMENT

Land Development

56. A digital (pdf) copy of all approved improvement plans shall be submitted to the Land Development Division.
57. All applicable inspection fees shall be paid.
58. 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. [MC 9.14.220]
59. 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.
60. Any work performed within public right-of-way requires an encroachment permit.
61. The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land or adjusting property line boundaries, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). [MC 9.14.010]
62. The final approved conditions of approval (COAs) issued and any applicable

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Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.

63. 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 City Municipal Code 8.14.090. 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.
64. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
65. 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

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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.

66. 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. [GC 66462.5]
67. 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. [MC 9.14.210(B)(C)]
68. 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. [MC 9.14.110]
69. 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.
70. 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.
71. The proposed private storm drain system shall connect to the existing private storm drain in private easement at the southeasterly corner of the project. A storm drain manhole shall be placed at the property line to mark the beginning of the privately offsite maintained portion of the continued storm drain.

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72. This project shall submit civil engineering design 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 submittal consists of, but is not limited to, the following:
- a. Lot Line Adjustment/Parcel Merger (recordation prior to building permit issuance);
 - b. Rough grading w/ erosion control plan (prior to grading permit issuance);
 - c. Precise grading w/ erosion control plan (prior to Building Permit issuance);
 - d. Public Improvement Plan (e.g., Street/Storm Drain, Pavement Striping, Marking and Signing, Sewer/Water, etc.) (prior to Encroachment Permit Issuance or Building Permit, whichever first occurs);
 - e. Final drainage study (prior to grading plan approval);
 - f. Final WQMP (prior to grading plan approval);
 - g. Legal Documents (e.g., Easements, dedications, Lot/boundary Line Adjustment, etc. (prior to Building Permit issuance);
 - h. As-Built revision for all plans (prior to Occupancy release).
73. Water quality best management practices (BMPs) designed to meet Water Quality Management Plan (WQMP) requirement 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 or constructed per the approved design plans and once landscaping and irrigation has been installed. It and its maintenance shall be turned over to the private owner association (POA) or responsible party for maintenance.
74. 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.

Prior to Grading Plan Approval

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75. Resolution of all drainage issues shall be as approved by the City Engineer.
76. 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 including proposed and existing to which proposed is connecting. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
77. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. This may include, but not be limited to, sump conditions. Emergency overflow discharging across private property will require a flowage easement from that property owner.
78. A final project-specific Water Quality Management Plan (WQMP) shall be submitted for review and approved by the City Engineer, which:
- a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
 - b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
 - c. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
 - d. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.
- A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division. A digital (pdf) copy of the approved final project-specific Water Quality Management Plan (WQMP) shall be submitted to the Land Development Division.
79. 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.
- a. The Applicant has proposed to incorporate the use of a subsurface infiltration BMP. Final design and sizing details of all BMPs must be provided in the first

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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.

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 and Safety Division.

80. 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.

81. Grading plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.

82. 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.

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83. 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.
84. The developer shall pay all remaining plan check fees.
85. 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.
86. 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.
87. Any proposed trash enclosure shall include a solid cover (roof) and sufficient size for dual bin (one for trash and one for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building & Safety Division. The trash enclosure shall be ADA compliant, and the ADA compliant path of travel between the building and enclosure shall be shown on the grading and paving plan.
88. 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

89. A receipt showing payment of the Area Drainage Plan (ADP) fee to Riverside County Flood Control and Water Conservation District shall be submitted. [MC 9.14.100(O)]
90. 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, drainage easements, private and/or public utility easements as may be relevant to the project.
91. 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.

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92. A digital (pdf) copy of all approved grading plans shall be submitted to the Land Development Division.
93. 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. [MC 8.21.160(H)]
94. 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. [MC 8.21.070]
95. 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. [Ord. 835 § 2.1, 2012] [MC 3.44.060] It is noted that no TUMF eligible improvements have been identified in the planning phase of this project.
96. 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. [Ord. 695 § 1.1 (part), 2005] [MC 3.38.030, 040, 050]

Prior to Improvement Plan Approval

97. 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.
98. The developer shall submit clearances from all applicable agencies, and pay all applicable plan check fees.
99. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVS1-160 series, etc.) throughout this project.
100. 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

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be provided.

101. 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. [MC 9.14.110 A.2]
102. All public improvement plans (prepared by a licensed/registered civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
103. Any missing or deficient existing improvements along the project frontage within the right-of-way shall be constructed or security provided for construction.
104. 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.
105. 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

106. 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.
107. For non-subdivision projects, the developer shall guarantee the completion of all related public improvements required for this project by executing a Public Improvement Agreement (PIA) with the City and posting the required security. [MC

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9.14.220]

108. Prior to building permit issuance, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.
 - a. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard MVSI-112C-0, on Heacock Street and Ironwood Avenue.
109. 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.
110. 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.
111. 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.

Prior to Occupancy

112. All outstanding fees shall be paid.
113. 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.
114. The final/precise grade certification shall be submitted for review and approved by the City Engineer prior to occupancy.
115. The developer shall complete all public improvements in conformance with current City standards and approved plans, except as noted in the Special Conditions, including but not limited to the following:
 - a. Street improvements including, but not limited to: sidewalks, drive approaches, pedestrian ramps, and street lights undersidewalk drains, landscaping and irrigation, and traffic control devices as appropriate.
 - b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain

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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. [MC 9.14.130]

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

116. Punch list work for improvements in the public right-of-way shall be completed and approved for acceptance by the City Engineer, prior to Occupancy.

117. For commercial, industrial and multi-family projects, a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant", "Maintenance Agreement for Water Quality Improvements located in the public right-of-way", if necessary, and a "Declaration of Restrictive Covenants (encroachment on City easement)", if necessary, 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.

118. 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.

119. 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.

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Moreno Valley Utility

120. 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.

Transportation Engineering Division

121. All project driveways shall conform to City of Moreno Valley Standard Plans No. MVSI-112A~D-0 for commercial driveway approaches. Access shall be as follows:

- Southerly Driveway on Heacock: Full Access
- Northerly Driveway on Heacock: Full Access (No Truck Access)
- Driveway on Ironwood: Right-in and Right-out Only

122. Each gated entrance shall be provided with the following:

- A storage lane with a minimum of 75 feet queuing length for entering traffic.
- Signing and striping.
- A separate pedestrian entry.

All of these features must be kept in working order.

123. Heacock Street is designated as an Arterial Road (100' RW/76' CC) per City of Moreno Valley Standard MVSI-104A-0. Any improvements undertaken by this project shall be consistent with the City's standards for this facility or as approved by the City Engineer.

124. Ironwood Avenue is designated as a Minor Arterial Road (88' RW/64' CC) per City of Moreno Valley Standard MVSI-105A-1. Any improvements undertaken by this project shall be consistent with the City's standards for this facility or as approved by the City Engineer.

125. Communication conduit along the project frontages may be required per City Standard Plan No. MVSI-186-0.

126.

127. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer may be required for plan approval, as required by the City Traffic Engineer.

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128. Prior to issuance of a certificate of occupancy, any street improvements, included signing and striping, shall be installed to the satisfaction of the City Engineer.
129. 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.

PARKS & COMMUNITY SERVICES DEPARTMENT

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