

## **CONDITIONS OF APPROVAL**

Conditional Use Permit (PEN24-0022)

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CITY OF MORENO VALLEY  
CONDITIONS OF APPROVAL  
Conditional Use Permit (PEN24-0022)  
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EFFECTIVE DATE:

EXPIRATION DATE:

### **COMMUNITY DEVELOPMENT DEPARTMENT**

#### **Planning Division**

1. This approval is for General Plan Amendment (PEN24-0023), Change of Zone (PEN24-0024), Conditional Use Permit for a Planned Unit Development (PEN24-0022) and Tentative Tract Map No. 37858 (PEN24-0021) for the development of a 37-lot single-family residential subdivision located on the north side of Cactus Avenue, east of Moreno Beach Drive at Bradshaw Circle (APNs: 478-090-018, 478-090-024 & 478-090-025).
2. 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
3. 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.
4. 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.
5. 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 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

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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.

6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris per the Municipal Code.
7. 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.
8. All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be consistent with this approval.
9. 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.

### Special Conditions

10. All site plans, grading plans, landscape and irrigation plans, and street improvement plans shall be coordinated for consistency with this approval.
11. Prior to occupancy or building final, as determined by the Planning Official, a basin maintained by an HOA or other private entity, landscape (trees, shrubs and groundcover) and irrigation shall be installed, and maintained by the HOA or other private entity with documentation provided to the Planning Division.
12. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

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13. Prior to grading plan approval, decorative block walls shall be provided along the street side for all corner lots. (MC 9.08.070)
14. The site shall be developed in accordance with the approved tentative map on file in the Community Development Department -Planning Division, the Municipal Code regulations, the General Plan, and the conditions contained herein per the Municipal Code.
15. A drought tolerant landscape palette shall be utilized throughout the tract in compliance with the City's Landscape Requirements. (9.17)
16. Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to and approved by the Planning Division. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective, MC)
17. All landscaped areas in perpetuity shall be maintained in a healthy and thriving condition, free from weeds, trash, and debris.
18. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise, it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration per the Municipal Code.
19. Prior to the issuance of grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.
20. Prior to any site disturbance and/or grading plan submittal, and or final map recordation, a mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant/owner. No City permit or approval shall be issued until such fee is paid. (CEQA)
21. Prior to grading plan approval, wall and fence plans shall be submitted to and approved by the Planning Division to include a six (6) foot high solid decorative (e.g. split face, color variation, pattern variation, or as approved by the Planning Official) block wall along the all tract perimeters.
22. Prior to occupancy or building final, as determined by the Planning Official, all required and proposed fences and walls shall be constructed/installed per the approved plans on file in the Planning Division per the Municipal Code.

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23. Single-family projects of 5 or more units in the R5, R3, R2, and RA2 or RS10 districts. Prior to approval of a precise grading plan, final front and street side yard landscape and irrigation plans shall be submitted to and approved by the Planning Division. The plans shall be prepared in accordance with the City's Municipal Code Landscape Requirements and include required street trees.
24. Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee.
25. Prior to recordation of the final subdivision map, the following documents shall be submitted to and approved by the Planning Division which shall demonstrate that the project will be developed and maintained in accordance with the intent and purpose of the approval:
  - a. The document to convey title
  - b. Deed restrictions, easements, or Covenants, Conditions and Restrictions to be recorded

The approved documents shall be recorded at the same time that the subdivision map is recorded. The documents shall contain provisions for general maintenance of the site, joint access to proposed parcels, open space use restrictions, conservation easements, guest parking, feeder trails, water quality basins, lighting, landscaping and common area use items such as general building maintenance (apartments, condominiums and townhomes) tot lot/public seating areas and other recreation facilities or buildings. The approved documents shall also contain a provision, which provides that they may not be terminated and/or substantially amended without the consent of the City and the developer's successor-in-interest. (MC 9.14.090)

In addition, the following deed restrictions and disclosures shall be included within the document and grant deed of the properties:

- a. The developer and homeowners association shall promote the use of native plants and trees and drought tolerant species.
- b. All lots designated for open space and or detention basins, shall be included as an easement to, and maintained by a Homeowners Association (HOA) or other private maintenance entity. All reverse frontage landscape areas shall also be maintained by the onsite HOA. Language to this effect shall be included and reviewed within the required Covenant Conditions and Restrictions (CC&Rs) prior to the approval of the final map.
- c. Maintenance of any and all common facilities.
- d. A conservation easement for lettered lots shall be recorded on the deed of the property and shown on the final map. Said easement shall include access restrictions prohibiting motorized vehicles from these areas.
- e. Oleander plants or trees shall be prohibited on open space lots adjacent to

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multi-use trails.

26. All undeveloped portions of the site in perpetuity shall be maintained in a manner that provides for the control of weeds, erosion, and dust per the Municipal.

### Prior to Building Permit

27. Prior to issuance of any building permit, all Conditions of Approval and Mitigation Measures shall be printed on the building plans.
28. 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)
29. Prior to the issuance of building permits, landscape and irrigation plans for areas maintained by the Homeowner's Association shall be submitted for review and approved by the Planning Division. The plans shall be prepared in accordance with the City's Landscape Development Guidelines. Landscaping is required for the sides and or slopes of all water-quality basin and drainage areas, while a hydroseed mix with irrigation is acceptable for the bottom of the basin areas. All detention basins shall include trees, shrubs, and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters, or other fence or wall approved by the Planning Official is required to secure all water quality and detention basins.
30. Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approved by the Planning Division. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Requirements and shall include:
  - a. 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.
  - 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)

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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. 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.

31. 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)
32. Prior to issuance of building permit, detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be included in the Building Plans for review by the Planning Division. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used, shall include style, illumination, location, height and method of shielding per the City's Municipal Code requirements. After the third plan check review for lighting plans, an additional plan check fee will apply (Ord).
33. Prior to the issuance of building permits, the developer shall provide documentation that U.S. Postal Service to determine the appropriate type and location of mailboxes.
34. At least thirty days prior to issuance of any grading permit, the developer shall retain a qualified archaeologist, provide a letter identifying the name and qualifications of the archaeologist to the Planning Division for approval, to monitor all ground disturbing activities in an effort to identify any unknown archaeological resources and to evaluate and recommend appropriate actions for any archaeological deposits exposed by construction activity.

At least thirty days prior to issuance of a grading permit, the applicant shall provide evidence that contact has been established with the appropriate Native American Tribe(s), providing notification of grading, excavation and the proposed monitoring

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program and to coordinate with the City and Tribe(s) to develop a cultural resources treatment and monitoring agreement. The agreement shall address treatment of known cultural resources, the designation, responsibilities and participation of Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.

A report documenting the proposed methodology for grading monitoring shall be submitted to and approved by the Planning Division prior to issuance of any grading permit. The monitoring archaeologist shall be empowered to stop and redirect grading in the vicinity of an exposed archaeological deposit until that deposit can be fully evaluated. The archaeologist shall consult with affected Tribe(s) to evaluate any archaeological resources discovered on the project site. Tribal monitors shall be allowed to monitor all grading, excavation and groundbreaking activities, and shall also have authority to stop and redirect grading activities in consultation with the project archaeologist.

The property owner shall relinquish ownership to the Tribe(s) of all Native American cultural resources, including sacred items, burial goods and all archaeological artifacts that are found on the project site for proper treatment and disposition. All sacred sites, should they be encountered with the project site, shall be avoided and preserved as the preferred mitigation.

If any inadvertent discoveries of subsurface archaeological or cultural resources occur during grading, the applicant, project archaeologist, and Tribe(s) shall assess the significance of such resources and shall meet and confer regarding mitigation of such resources. Avoidance is the preferred method of preservation of archaeological resources. If the applicant, project archaeologist and Tribe(s) cannot agree on the significance or mitigation for such resources, the issue(s) will be presented to the Planning Official with adequate documentation. The Official shall make a determination based on the provisions of CEQA and consideration of the religious beliefs, customs and practices of the Tribe(s).

35. Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval, or prior to or at grading plans submittal. No City permit or approval shall be issued until such fee is paid. (CEQA)
36. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

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37. 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).
38. Within thirty (30) days prior to any grading or other land disturbance, a pre-construction survey for Burrowing Owls shall be conducted pursuant to the established guidelines of Multiple Species Habitat Conservation Plan. The pre-construction survey shall be submitted to the Planning Division prior to any disturbance of the site and/or grading permit issuance.
39. Prior to issuance of any grading permits, plans for any security gate system shall be submitted to and approved by to the Planning Division.
40. Prior to the issuance of grading permits, decorative (e.g. colored/scored concrete or as approve by the Planning Official) pedestrian pathways across circulation aisles/paths shall be provided throughout the development to connect dwellings with open spaces and/or recreational uses or commercial/industrial buildings with open space and/or parking. and/or the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective)
41. Prior to the issuance of grading permits, the site plan and grading plans shall show decorative hardscape (e.g. colored concrete, stamped concrete, pavers or as approved by the Planning Official) consistent and compatible with the design, color and materials of the proposed development for all driveway ingress/egress locations of the project. The pathways shall be shown on the precise grading plan.
42. Prior to the issuance of grading permits, a temporary project identification sign shall

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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.

### Prior to Building Final or Occupancy

43. Prior to building final, all required landscaping and irrigation shall be installed per plan, certified by the Landscape Architect and inspected by the Planning Division. (MC 9.03.040, MC 9.17).
44. Prior to building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division per the Municipal Code.

### Building & Safety Division

45. The proposed residential project (3 or more dwelling units) shall comply with the latest Federal Law, Americans with Disabilities Act, and State Law, California Code of Regulations, Title 24, Chapter 11A for accessibility standards for the disabled including access to the site, exits, kitchens, bathrooms, common spaces, pools/spas, etc.
46. 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

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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.

47. 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.
48. 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).
49. 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)
50. The proposed residential project shall comply with the California Green Building Standards Code, Section 4.106.4, mandatory requirements for Electric Vehicle Charging Stations (EVCS).
51. The proposed project is subject to approval by the Moreno Valley Unified School District and all applicable fees and charges shall be paid prior to permit issuance. Contact MVUSD at 951.571.7500 Ext. 17376 for specific details.
52. Prior to plan check submittal, all new development, including residential accessory dwelling units (ADU's) are required to obtain a new property address. Address requests must be part of your initial application. The form can be obtained at the following link [http://www.moval.org/city\\_hall/forms/building-safety/AddressRequest.pdf](http://www.moval.org/city_hall/forms/building-safety/AddressRequest.pdf)
53. 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.
54. Plans for onsite water & sewer shall be submitted to the Building & Safety Division for review/approval.

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55. 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.
56. Contact Building & Safety for permit application submittal requirements. The following link gives the minimum plan submittal requirements: [http://www.moval.org/city\\_hall/forms/building-safety/SFD-ADU-RoomAdditionPlanGuidelines.pdf](http://www.moval.org/city_hall/forms/building-safety/SFD-ADU-RoomAdditionPlanGuidelines.pdf).
57. Prior to permit issuance, every applicant shall submit a properly completed Waste Management Plan (WMP), as a portion of the building or demolition permit process. Contact the Solid Waste & Recycling Program at [recycle@moval.org](mailto:recycle@moval.org). (MC 8.80.030).
58. 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, ext. 2081 for specific details.

## **FIRE DEPARTMENT**

### **Fire Prevention Bureau**

59. All Fire Department access roads or driveways shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
60. The Fire Department emergency vehicular access road shall be (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. The approved fire access road shall be in place during the time of construction. Temporary fire access roads shall be approved by the Fire Prevention Bureau. (CFC 501.4, and MV City Standard Engineering Plan 108d)
61. 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)
62. 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

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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.

63. 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)
64. 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)
65. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 509.1 and MVLT 440A-0 through MVLT 440C-0)
66. 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.
67. 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.
68. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)

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69. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)
70. Fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) feet and an unobstructed vertical clearance of not less than thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])
71. 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])
72. 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)
73. 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 ½" x 2 ½") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)
74. 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)
75. 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)
76. 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)
77. 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

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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)

78. Prior to issuance of Certificate of Occupancy or Building Final, 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, MVMC 8.36.060[I])
79. Single Family Dwellings. Schedule "A" fire prevention approved standard fire hydrants (6" x 4" x 2 ½") shall be located at each intersection of all residential streets. Hydrants shall be spaced no more than 500 feet apart in any direction so that no point on the street is more than 250 feet from a hydrant. Minimum fire flow shall be 1000 GPM for 1 hour duration of 20 PSI. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, serving one and two-family residential developments, standard fire hydrants shall be provided at spacing not to exceed 1000 feet along the tract boundary for transportation hazards. (CFC 507.3, Appendix B, MVMC 8.36.060).
80. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5)
81. 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**

82. Prior to the issuance of the 1st Building Permit for this project, the developer shall pay New Street Light Installation Fees for all street lights required to be installed for this development. Payment will 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

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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](mailto:SDAdmin@moval.org).

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

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annexation, but reserves the right to contest any future taxes that seem unfair, particularly if the financial impact of the tax is not in line with the benefits the property gains from the improvements to be installed and/or maintained or services provided. In compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, the special election process must be completed within a maximum of 90 days. Alternatively, the condition can be satisfied by the developer forming a property owner association that will be responsible for the improvements and any and all operation and maintenance costs for the improvements or by funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by City staff. The developer may contact SD Admin at 951.413.3470 or at [SDAdmin@moval.org](mailto:SDAdmin@moval.org) to satisfy this condition.

86. Prior to City Council action authorizing the recordation of the map, 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 Building Permit. This requirement 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 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](mailto:SDAdmin@moval.org) to satisfy this requirement.

87. Prior to City Council action authorizing the recordation of the map, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or fund an endowment) to provide an ongoing funding source for Public Safety operational services including but not limited to: Police Protection, Fire Protection & Suppression, Emergency Medical Response and Paramedic Services. This requirement must be fully satisfied prior to issuance of the 1st Building Permit. 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

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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 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](mailto:SDAdmin@moval.org) to satisfy this requirement.

88. 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.
89. 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 (whichever is greater). 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.
90. 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

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installed and/or maintained or services provided. In compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, the special election process must be completed within a maximum of 90 days. An alternative to satisfying this funding source will be identified at such time as a special financing district has been established. The developer may contact SD Admin at 951.413.3470 or at SDAdmin@moval.org.

## **PUBLIC WORKS DEPARTMENT**

### **Land Development**

91. A completed/signed application required prior to permit issuance.
92. A valid City business license for contractors/sub-contractors is required (at least receipt showing payment).
93. Approved Certificate of Liability Insurance (COI) for designated permit signer (indicated on application) required prior to permit issuance/extension.
94. Provide a construction schedule prior to permit issuance.
95. One (1) 24"x36" and one (1) 11"x17" paper copy of the approved plans required prior to permit issuance.
96. A pre-construction meeting with project engineer and all necessary field personnel required prior to permit issuance.
97. 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.
98. An approved traffic control plan required prior to permit issuance.
99. Any work performed within public right-of-way requires an encroachment permit.
100. 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

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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.

101. 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.
102. 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.
103. 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.
104. 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),

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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.

105. If improvements associated with this project are not initiated within two (2) years of the date of approval of the Public Improvement Agreement (PIA), the City Engineer may require that the engineer's estimate for improvements associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the PIA or issuance of a permit. [Municipal Code]
106. 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]
107. 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.
108. 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.
109. For single family residential subdivisions, all lots shall drain to the street at a minimum surface grade of 2.0% and on-site drainage shall be conveyed onto the street with subsurface drains at a minimum grade of 0.5% per current City Standards MVSI-152 and MVSI-153A. No cross-lot or over the sidewalk drainage shall be allowed.

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110. 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 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)
111. 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

112. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events per the Municipal Code.
113. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity.
114. 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

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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) Offsite water quality BMPs on Bradshaw Circle shall be required per the approved P-WQMP.
115. 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.
116. 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.
117. 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

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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

118. 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]
119. A completed/signed application required prior to permit issuance.
120. A valid City business license for contractors/sub-contractors is required (at least receipt showing payment).
121. Provide a construction schedule prior to permit issuance.
122. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the implementation and maintenance of erosion control measures. At least twenty-five (25) percent of the required security shall be in the form of a cash deposit with the City. [Municipal Code]
123. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [Municipal Code]
124. One (1) 24"x36" and one (1) 11"x17" paper copy of the approved plans required prior to permit issuance.
125. A pre-construction meeting with project engineer and all necessary field personnel required prior to permit issuance.
126. An active SWPPP and WDID required prior to permit issuance.

### Prior to Map Approval

127. All proposed street names shall be submitted for review and approved by the City Engineer per the Municipal Code.
128. A copy of the Covenants, Conditions and Restrictions (CC&R's) shall be submitted for review and approved by the City Engineer. The CC&R's shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project. In addition, for single-family residential development, bylaws and articles of incorporation shall also be included

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as part of the maintenance agreement for any water quality BMPs.

129. Under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System (NPDES) as mandated by the Federal Clean Water Act, this project is subject to establishing a Home Owners Association (HOA) to finance the maintenance of the "Water Quality BMPs". Any lots which are identified as "Water Quality BMPs" shall be owned in fee by the HOA.
130. The developer shall guarantee the completion of all related improvements required for this project by executing a Public Improvement Agreement (PIA) with the City and posting the required security. [Municipal Code]
131. All street dedications shall be free of all 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.

### Prior to Improvement Plan Approval

132. 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.
133. The developer shall submit clearances from all applicable agencies.
134. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVS1-160 series, etc.) throughout this project.
135. Drainage facilities (i.e. catch basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
136. The hydrology study shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of current City standards shall apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the City Engineer. [Municipal Code]
137. Any missing or deficient existing improvements along the project frontage shall be constructed or secured for construction. The City Engineer may require the ultimate

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structural section for pavement to half-street width plus 18 feet 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.

138. 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.
139. 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.
140. The developer shall be required to construct Cactus Avenue (Minor Arterial MVS1-105A-2) along the project frontage half-width street improvements plus 12' wherever the street section is not per said standard.
141. The developer shall be required to construct full width street improvements for all of Bradshaw Circle from its easterly intersection at Cactus Avenue to its westerly intersection at Cactus Avenue wherever the street section is not per Standard MVS1-107A-0.

### Prior to Building Permit

142. 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.
143. For all subdivision projects, the map shall be recorded (excluding model homes).  
[Municipal Code]
144. 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

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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.

145. 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

146. 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.
147. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
148. 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, under-sidewalk 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.
149. As applicable, a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant", "Maintenance Agreement for Water Quality Improvements located in the public right-of-way" and/or a "Declaration of Restrictive Covenants (encroachment on City easement)" shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific WQMP. A boilerplate copy of the covenants and agreements can be obtained by contacting the Land Development Division.
150. The applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:

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- 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.
151. 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.

### Moreno Valley Utility

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

The Developer shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City all utility infrastructure including but not limited to, conduit, equipment, vaults, ducts, wires (including fiber optic cable), switches, conductors, transformers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining, abutting,

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or benefiting projects as determined by Moreno Valley Utility – collectively referred to as “utility system” (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all “utility services” to and within the project. For purposes of this condition, “utility services” shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. “Utility services” shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval.

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

154. Existing Moreno Valley Utility electrical infrastructure shall be preserved in place. The developer will be responsible, at developer’s expense, for any and all costs associated with the relocation of any of Moreno Valley Utility’s underground electrical distribution facilities, as determined by Moreno Valley Utility, which may be in conflict with any developer planned construction on the project site.
155. This project shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City fiber optic cable improvements consisting of fiber optic cable, splices and termination equipment to serve the identified development and other adjoining, abutting, or benefiting projects as determined by Moreno Valley Utility along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all “fiber optic services” to and within the project.
156. This project shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to Moreno Valley Utility fiber optic cable improvements consisting of conduit, and pull boxes to serve the identified development and other adjoining, abutting, or benefiting projects as determined by Moreno Valley Utility along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all “fiber optic services” to and within the project.
157. This project is subject to a Reimbursement Agreement. The Developer is responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project.
158. If this project will include the installation and interconnection of any generating or

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energy storage equipment, this project shall submit an application, coordinate and receive approval from the Moreno Valley Electric Utility. For the most recent application requirements and for submitting interconnection applications, email [mvusolar@moval.org](mailto:mvusolar@moval.org) or go to our website at <https://www.moval.org/mvu/solar-prog.html>. All interconnection applications shall be submitted to the Moreno Valley Electric Utility by email to [mvusolar@moval.org](mailto:mvusolar@moval.org).

159. 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

160. Conditions of approval may be modified or added if a phasing plan is submitted for this development.
161. Main project entrances shall conform to City of Moreno Valley Standard Plans No. MVSI-112A~D-0 for commercial driveway approaches.
162. Cactus Avenue is classified as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. MVSI-105A-1. Any improvements to the roadway shall be per City standards or as approved by the City Engineer. Improvements to Cactus Avenue shall include transition to the existing pavement east and west of the project limits.
163. Communication conduit along Cactus Avenue shall be required per City Standard Plan No. MVSI-186-1.
164. Prior to issuance of a Building Final or Certificate of Occupancy, all approved street improvements shall be installed to the satisfaction of the City Engineer.
165. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets within the project area.

### PARKS & COMMUNITY SERVICES DEPARTMENT

166. This project is subject to current Quimby Fees.
167. Prior to the issuance of a building permit, unless required differently by local, state

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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)