

CONDITIONS OF APPROVAL

Plot Plan (PEN19-0047)

Page 1

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Plot Plan (PEN19-0047)

EFFECTIVE DATE:
EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

1. This approval shall expire three years 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. (MC 9.02.230)
2. 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 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. (MC 9.14.020)
3. This project is located within Specific Plan 209 (SP 209 Planning Area C). The provisions of the specific plan, the design manual, their subsequent amendments, and the Conditions of Approval shall prevail unless modified herein. (MC 9.13)
4. All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.
5. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
6. 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.
7. 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). (MC 9.02.080)
8. 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. (MC 9.02.030)
9. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

CONDITIONS OF APPROVAL

Plot Plan (PEN19-0047)

Page 2

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. The site has been approved for a Car Pros Kia dealership and services center. The approval includes Plot Plan approval for a 41,511 square foot sales and service facility to be constructed in two phases. Phase 1 includes construction of a 23,858 square foot two story sales facility, 13-bay service center, display parking and car wash. Phase 2 includes a 17,653 square foot expansion of the facility including the addition of 10 service bays, per the approved plans on file with the Planning Division. A change or modification shall require separate approval.
12. Prior to Issuance of grading or building permits for Phase 2 development, the applicant shall obtain approval of an Administrative Plot Plan for the actual final floor plan and elevations.
13. No external public address system shall be use in association with the Sales and Service Facility.
14. The dealership parking and display lots lighting shall be maintained in good repair and shall comply with the Municipal Code lighting standards.
15. To reduce single event noise impacts to below the level of 55 dBA beyond the boundaries of the property, delivery operations shall be limited to between the hours of 7:00 am and 8:00 pm. Loading or unloading activities shall be conducted from the designated loading area; at no time shall unloading of vehicles take place in the Public Right of Way. (MC 9.10.140,)
16. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security shall remain in place until the project is completed or the above conditions no longer exist. (Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard).
17. The owner or owner's representative shall establish and maintain a relationship with the City of Moreno Valley and cooperate with the Problem Oriented Policing (POP) program, or its successors.
18. The Police Chief may require the business owner to provide future security within the dealership parking or display lot to address issues that arise from the operation of the business.

Prior to Grading Permit

19. Prior to issuance of any grading permit, all Conditions of Approval, and Mitigation Measures shall be printed on the grading plans.
20. 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. No City permit or approval shall be issued until such fee is paid. (CEQA)
21. BIO-1 Pre-construction Burrowing Owl Survey. Preconstruction burrowing owl (BUOW) surveys shall be complete a maximum of 30 days prior to the start of construction. A total of 4

CONDITIONS OF APPROVAL

Plot Plan (PEN19-0047)

Page 3

focused BUOW preconstruction surveys shall be conducted on separate days, preferably during the BUOW breeding season (March 1 through August 31) (not including the initial habitat assessment and burrow survey). The survey area shall include the project site and the 150-meter survey area surrounding the project site pursuant to the Western Riverside County Regional Conservation Authority Burrowing Owl Survey Instructions for the Plan Area (2006).

If burrowing owls are observed during take avoidance surveys or incidentally during construction, the City of Moreno Valley Planning Division shall be notified, and avoidance measures implemented during the breeding season (March 1 through August 31). If burrowing owls are present during the non-breeding season (September 1 through February 28), burrowing owl exclusion measures may be implemented in accordance with the MSHCP.

22. BIO-2 Nesting Birds Survey. To the extent feasible, the project shall conduct vegetation removal outside of the nesting bird season (generally between February 15 and August 31). If vegetation removal is required during the nesting bird season, a nesting bird survey should be conducted for areas within 100-feet of the vegetation removal. Surveys shall be conducted by a qualified biologist(s) within three days of vegetation removal. If active nests are observed, a qualified biologist shall determine appropriate minimum disturbance buffers or other adaptive mitigation techniques (e.g., biological monitoring of active nests during construction-related activities, staggered schedules, etc.) to ensure that impacts to nesting birds are avoided until the nest is no longer active.
23. CR-1 Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist meeting Secretary of Interior's Professional Qualifications for Archaeology as defined at 36 CFR Part 61, Appendix A stating that the archaeologist has been retained to provide on-call services in the event archaeological resources are discovered. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a Cultural Resources Management Plan (CRMP) pursuant to the provisions of AB 52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting tribe is defined as a tribe that initiated the AB 52 Tribal consultation process for the Project, has not opted out of the AB 52 consultation process, and has completed AB 52 consultation with the City as provided for in California Public Resources Code Section 21080.3.2(b)(1) of AB 52 (Soboba Band of Luiseno Indians and Rincon Band of Luiseno Indians). Details in the Plan shall include:
 - a. Project grading and development scheduling;
 - b. The Project archeologist and the Consulting Tribes(s) as defined in CR-1 shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel that will conduct earthwork or grading activities that begin work on the Project following the initial Training must take the Cultural Sensitivity Training prior to beginning work and the Project archaeologist and Consulting Tribe(s) shall make themselves available to provide training on an as-needed basis;

CONDITIONS OF APPROVAL

Plot Plan (PEN19-0047)

Page 4

- c. The protocols and stipulations that the contractor, City, Consulting Tribe (s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.
24. CR-2 Prior to the issuance of a grading permit, the Applicant shall secure agreements with the Soboba Band of Luiseno Indians for tribal monitoring. The Applicant is also required to provide a minimum of 30 days advance notice to the tribes of all mass grading and trenching activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed. If the Native American Tribal Representatives suspect that an archaeological resource may have been unearthed, the Project Archaeologist or the Tribal Representatives shall immediately redirect grading operations in a 100-foot radius around the find to allow identification and evaluation of the suspected resource. In consultation with the Native American Tribal Representatives, the Project Archaeologist shall evaluate the suspected resource and make a determination of significance pursuant to California Public Resources Code Section 21083.2.
25. CR-3 In the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:
 - a. One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Department:
 - i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources.
 - ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure CR-1. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in CR-1. The location for the future reburial area shall be identified on a confidential exhibit on file with the City and concurred to by the Consulting Native American Tribal Governments prior to certification of the environmental document.
26. CR-4 The City shall verify that the following note is included on the Grading Plan: "If any suspected archaeological resources are discovered during ground -disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find."
27. CR-5 If potential historic or cultural 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 (36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate

CONDITIONS OF APPROVAL

Plot Plan (PEN19-0047)

Page 5

negative effects on the historic, or prehistoric 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 Consulting Native American Tribes as defined in CR-1 before any further work commences in the affected area.

28. CR-6 If human remains are discovered, no further disturbance shall occur in the affected area 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 24 hours of the published finding to be given a reasonable opportunity to identify the "most likely descendant". The "most likely descendant" shall then make recommendations and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). (GP Objective 23.3, CEQA).
29. GEO-1 Paleontological Resources. Prior to the issuance of the first grading permit, the applicant shall provide a letter to the City of Moreno Valley Building and Safety Division, or designee, from a paleontologist selected from the roll of qualified paleontologists maintained by Riverside County, stating that the paleontologist has been retained to provide services for the project. The paleontologist shall develop a Paleontological Resources Impact Mitigation Plan (PRIMP) to mitigate the potential impacts to unknown buried paleontological resources that may exist onsite for the review and approval by the City. The PRIMP shall require that the paleontologist be present at the pre-grading conference to establish procedures for paleontological resource surveillance. The PRIMP shall require paleontological monitoring of excavation that exceeds depths of four feet. The PRIMP shall state that the project paleontologist may re-evaluate the necessity for paleontological monitoring after 50 percent or greater of the excavations deeper than four feet have been completed.

In the event that paleontological resources are encountered, ground -disturbing activity within 100 feet of the area of the discovery shall cease. The paleontologist shall examine the materials encountered, assess the nature and extent of the find, and recommend a course of action to further investigate and protect or recover and salvage those resources that have been encountered.

Criteria for discard of specific fossil specimens will be made explicit. If a qualified paleontologist determines that impacts to a sample containing significant paleontological resources cannot be avoided by project planning, then recovery may be applied. Actions may include recovering a sample of the fossiliferous material prior to construction, monitoring work and halting construction if an important fossil needs to be recovered, and/or cleaning, identifying, and cataloging specimens for curation and research purposes. Recovery, salvage and treatment shall be done at the applicant's expense. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the paleontologist. Resources shall be identified and curated into an established accredited professional repository. The paleontologist shall have a repository agreement in hand prior to initiating recovery of the resource.

30. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
31. 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.

CONDITIONS OF APPROVAL

Plot Plan (PEN19-0047)

Page 6

32. Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:
 - a. A maximum 6 foot high solid decorative block perimeter wall with pilasters and a cap shall be required adjacent to all residential zoned areas.
 - b. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement in the Municipal Code.
 - c. Walls and fences for visual screening are required when there are adjacent residential uses or residentially zone property. The height, placement and design will be based on a site specific review of the project. All walls are subject to the approval of the Planning Official. (DC 9.08.070).
33. Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:
 - a. The name (if applicable) and address of the development.
 - b. The developer's name, address, and a 24-hour emergency telephone number.
34. Prior to issuance of grading permits, the location of the trash enclosure shall be included on the plans.

Prior to Building Permit

35. Prior to issuance of any building permit, all Conditions of Approval shall be printed on the building plans.
36. Prior to issuance of a building permit, the developer/property owner or developer's successor-in-interest shall pay all applicable impact fees due at permit issuance, including but not limited to Multi-species Habitat Conservation Plan (MSHCP) mitigation fees. (Ord)
37. Prior to building final, the developer/owner or developer's/owner's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)
38. Prior to the issuance of building permits, the developer shall provide documentation that contact was made to the U.S. Postal Service to determine the appropriate type and location of mailboxes.
39. Prior to approval of any building permits, plans for any security gate system shall be submitted to and approved by to the Planning Division.
40. 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. Finger and end planters with required step outs and curbing shall be provided every

CONDITIONS OF APPROVAL

Plot Plan (PEN19-0047)

Page 7

- 12 parking stalls as well as at the terminus of each aisle.
- c. Diamond planters shall be provided every 3 parking stalls.
 - d. Drought tolerant landscape shall be used. Sod shall be limited to gathering areas. (or No sod shall be installed)
 - e. Street trees shall be provided every 40 feet on center in the right of way.
 - f. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of the perimeter of a parking lot and per thirty linear feet of a building dimension for the portions of the building visible from a parking lot or right of way. Trees may be massed for pleasing aesthetic effects.
 - g. 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.
 - h. Landscaping on three sides of any trash enclosure.
 - i. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question (master plot plan). [only include items above that apply to the project]
41. Prior to or at building plan check submittal, two copies of a detailed, on -site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Planning Division for review and approval prior to the issuance of a building permit. 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. (MC 9.08.100, 9.16.280)
42. Prior to issuance of building permits, proposed covered trash enclosure (s) shall be included in the Planning review of the Fence and Wall plans. The trash enclosure (s), including the roof materials, shall be compatible with the architecture, color and materials of the building(s) design. Trash enclosure areas shall include landscaping on three sides unless located within the truck loading area. Approved design plans shall be included in a Building submittal (Fence and walls or building design plans). (GP Objective 43.6, DG)
43. 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)
44. Prior to issuance of building permits, screening details shall be addressed on the building plans for roof top equipment submitted for Planning Division review and approval through the building plan check process. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building.

CONDITIONS OF APPROVAL

Plot Plan (PEN19-0047)

Page 8

Prior to Building Final or Occupancy

45. 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).
46. Prior to building final, Planning approved/stamped landscape plans shall be provided to the Community Development Department – Planning Division on a CD disk.
47. 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. (MC 9.080.070).

COMMUNITY DEVELOPMENT DEPARTMENT

Building Division

48. 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, work spaces, etc.
49. Prior to submittal, all new development, including residential second units, are required to obtain a valid property address prior to permit application. Addresses can be obtained by contacting the Building Safety Division at 951.413.3350.
50. Contact the Building Safety Division for permit application submittal requirements.
51. 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 2016 California Green Building Standards Code, sections 5.410.2 - 5.410.2.6 must be met.
52. 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 obtained from the city building official or city engineer (Municipal Code Section 8.14.040.E).
53. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
54. The proposed development is subject to the payment of applicable processing fees as required by the City's current Fee Ordinance at the time a building permit application is submitted or prior to the issuance of permits as determined by the City.
55. The proposed project will be subject to approval by the Eastern Municipal Water District and all applicable fees and charges shall be paid prior to permit issuance. Contact the water district at 951.928.3777 for specific details.
56. All new structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Code, (CBC) Part 2, Title 24, California Code of Regulations including requirements for allowable area, occupancy separations, fire suppression systems, accessibility, etc. The current code edition is the 2016 CBC.
57. The proposed non-residential project shall comply with 2016 California Green Building

CONDITIONS OF APPROVAL

Plot Plan (PEN19-0047)

Page 9

Standards Code, Section 5.106.5.3, mandatory requirements for Electric Vehicle Charging Station (EVCS).

58. 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 2016 California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
59. Prior to permit issuance, every applicant shall submit a properly completed Waste Management Plan (WMP), as a portion of the building or demolition permit process. (MC 8.80.030)

FIRE DEPARTMENT

Fire Prevention Bureau

60. 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)
61. 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)
62. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve inches in height. (CFC 505.1, MVMC 8.36.060[I])
63. 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.
64. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
65. 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])
66. 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])
67. 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)

CONDITIONS OF APPROVAL

Plot Plan (PEN19-0047)

Page 10

68. Plans for private water mains supplying fire sprinkler systems and /or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)
69. 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 B 105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 1,750 GPM 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)
70. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall: a. Be signed by a registered civil engineer or a certified fire protection engineer; b. Contain a Fire Prevention Bureau approval signature block; and c. Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

FINANCIAL & MANAGEMENT SERVICES DEPARTMENT

Moreno Valley Utility

71. 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.
72. 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 /or 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, switches, conductors, transformers, and “bring-up” facilities including electrical capacity to serve the identified development and other adjoining, abutting, or benefiting projects as determined by Moreno Valley Utility – collectively referred to as “utility system”, to and through the development, along with any appurtenant real property easements, as determined by the City Engineer 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

CONDITIONS OF APPROVAL

Plot Plan (PEN19-0047)

Page 11

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.

73. 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.
74. 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.

PUBLIC WORKS DEPARTMENT

Land Development

75. The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). [MC 9.14.010]
76. The final approved conditions of approval (COAs) and any applicable Mitigation Measures issued by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
77. The developer shall monitor, supervise and control all construction related activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:
 - a. Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.
 - b. Observance of working hours as stipulated on permits issued by the Land Development Division.
 - c. The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.
 - d. All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements during the grading operations.

Violation of any condition, restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedy as noted in 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.

78. 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.

CONDITIONS OF APPROVAL

Plot Plan (PEN19-0047)

Page 12

79. The developer shall protect downstream properties from damage caused by alteration of drainage patterns (i.e. concentration or diversion of flow, etc.). Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. [MC 9.14.110]
80. The maintenance responsibility of the proposed storm drain line shall be clearly identified. Storm drain lines within private property will be privately maintained and those within public streets will be publicly maintained.
81. The proposed private storm drain system shall connect to the existing Riverside County Flood Control and Water Conservation District (RCFC&WCD) Moreno Area Drainage Plan Line "G" located within Pettit Street. 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. The minimum storm drain size within the public right of way shall be 24 inches.
82. 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. Rough grading w/ erosion control plan (prior to grading permit issuance);
 - b. Precise grading w/ erosion control plan (prior to building permit issuance);
 - c. Final drainage study (prior to rough grading plan approval);
 - d. Final WQMP (prior to rough grading plan approval);
 - e. Dedication at proposed driveway locations (prior to rough grading plan approval);
 - f. As-Built revision for all plans (prior to Occupancy release);
83. Water quality best management practices (BMPs) designed to meet Water Quality Management Plan (WQMP) requirements for single-family residential 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). The Homeowner's Association shall enter into an agreement with the City for basin maintenance.

Prior to Grading Plan Approval

84. Resolution of all drainage issues shall be as approved by the City Engineer.
85. 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 [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.

CONDITIONS OF APPROVAL

Plot Plan (PEN19-0047)

Page 13

86. 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, secondary overflow device, spillways, etc.
87. 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.

88. 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 (revised May 11, 2018). 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 three (3) modular wetland systems. 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. The HCOC will be mitigated by limiting the discharge from the site to a flow rate no greater than 110% of the pre-development 2-year peak flow.
 - 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.

CONDITIONS OF APPROVAL

Plot Plan (PEN19-0047)

Page 14

- 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.
89. 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.
90. 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.
91. 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.
92. The developer shall pay all remaining plan check fees.
93. 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.
94. 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

95. 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)]
96. For non-subdivision projects, a copy of the Covenants, Conditions and Restrictions (CC&Rs) shall be submitted for review by the City Engineer. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and /or public utility easements as may be

CONDITIONS OF APPROVAL

Plot Plan (PEN19-0047)

Page 15

relevant to the project.

97. A digital (pdf) copy of all approved grading plans shall be submitted to the Land Development Division.
98. 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)]
99. 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]
100. The developer shall pay all applicable inspection fees. Prior to Improvement Plan Approval
101. 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.
102. The developer shall submit clearances from all applicable agencies, and pay all applicable plan check fees.
103. Any missing or deficient existing improvements along the project frontage within Moreno Beach Drive, Auto Mall Drive, and Pettit Street shall be constructed or secured for construction. The City Engineer may require the ultimate 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.
104. 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.
105. 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 for trench repairs may be allowed for emergency repairs or as specifically approved by the City Engineer.
106. 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 Encroachment Permit

107. A digital (pdf) copy of all approved improvement plans shall be submitted to the Land Development Division.
108. All applicable inspection fees shall be paid.
109. Any work performed within public right-of-way requires an encroachment permit.

CONDITIONS OF APPROVAL

Plot Plan (PEN19-0047)

Page 16

Prior to Building Permit

110. 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.
111. For Commercial/Industrial projects, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.
112. 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.
113. In order to construct the proposed service reception area, a lot line adjustment shall be submitted for review, approval, and recordation.

Prior to Occupancy

114. All outstanding fees shall be paid.
115. All required as-built plans submitted for review and (prepared by a registered/licensed civil engineer) shall be approved by the City Engineer per the current submittal requirements.
116. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
117. For commercial, industrial and multi-family projects, in compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of certificate of occupancy issuance. 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 the following requirements:
 - a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
 - i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
 - ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.
 - b. Notify the Special Districts Division of the intent to request building permits 90 days

CONDITIONS OF APPROVAL

Plot Plan (PEN19-0047)

Page 17

prior to their issuance and the financial option selected. The financial option selected shall be in place prior to the issuance of certificate of occupancy. [California Government Code & Municipal Code]

118. The developer shall complete all public improvements in conformance with current City standards, except as noted in the Special Conditions, including but not limited to the following:
 - a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights (<MVU: SL-2 / SCE: LS-2>), 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. Under grounding 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.
119. For commercial, industrial and multi-family projects, a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant" 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 "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant" can be obtained by contacting the Land Development Division.
120. 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.
121. 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

CONDITIONS OF APPROVAL

Plot Plan (PEN19-0047)

Page 18

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.

122. The Developer shall construct the following public improvements:

- a. Moreno Beach Drive - remove the existing sidewalk and replace per City Standard No. MVSI-115 Series, dual ADA ramps per City Standard No. MVSI- 114A-1 at the northeast corner of Moreno Beach Drive and Auto Mall Drive
- b. Auto Mall Drive - project main entrance curb returns with ADA ramps per City Standard No. MVSI-114A-1, and ensure ADA compliance with the existing public sidewalk along the project frontage. No decorative pavers shall be placed within the public right-of-way.
- c. Pettit Street - driveway approach per City Standard Plan No. MVSI-112-C, street light per City Standard Plan No. MVLT-400A-1, and ensure ADA compliance with the existing public sidewalk along the project frontage. No decorative pavers shall be placed within the public right-of-way.

123. Street lights shall be constructed per City Standard Plan No. MVLT-400A-1. One (1) street light is required on Pettit Street east of Auto Mall Drive.

Special Districts Division

- 124. 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.
- 125. Street Light Authorization forms for all street lights that are conditioned to be installed as part of this project must be submitted to the Special Districts Division for approval, prior to street light installation. The Street Light Authorization form can be obtained from the utility company providing electric service to the project, either Moreno Valley Utility or Southern California Edison. For questions, contact the Special Districts Division at 951.413.3480 or specialdistricts@moval.org.
- 126. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
- 127. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services District Zone A (Parks & Community Services) and Zone C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual parcel taxes for Zone A and Zone C for operations and capital improvements.

Prior to Building Permit

128. Prior to the issuance of the first building permit for this project, the Developer shall pay Advanced Energy fees for all applicable Residential and Arterial Street Lights required for this

CONDITIONS OF APPROVAL

Plot Plan (PEN19-0047)

Page 19

development. Payment shall be made to the City of Moreno Valley and collected by the Land Development Division. Fees are based upon the Advanced Energy fee rate in place at the time of payment, as set forth in the current Listing of City Fees, Charges, and Rates adopted by City Council. The Developer shall provide a copy of the receipt to the Special Districts Division (specialdistricts@moval.org). Any change in the project which may increase the number of street lights to be installed will require payment of additional Advanced Energy fees at the then current fee. Questions may be directed to the Special Districts Division at 951.413.3480 or specialdistricts@moval.org.

129. This project has been identified to potentially be included in the formation of a Map Act Area of Benefit Special District for the construction of major thoroughfares and/or freeway improvements. The property owner(s) shall participate in such District and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but will retain the right to object any eventual assessment that is not equitable should the financial burden of the assessment not be reasonably proportionate to the benefit the affected property obtains from the improvements to be installed. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option when submitting an application for the first building permit to determine whether the development will be subjected to this condition. If subject to the condition, the special election requires a 90 day process in compliance with the provisions of Article 13C of the California Constitution. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100).
130. This project is conditioned for a proposed district to provide a funding source for the operation and maintenance of public improvements and /or services associated with new development in that territory. The Developer shall satisfy this condition with one of the options outlined below.
- a. Participate in a special election for maintenance/services and pay all associated costs of the election process and formation, if any. Financing may be structured through a Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the City; or
 - b. Establish an endowment fund to cover the future maintenance and /or service costs. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance. If the first building permit is pulled prior to formation of the district, this condition will not apply. If the district has been or is in the process of being formed the Developer must inform the Special Districts Division of its selected financing option (a. or b. above). The option for participating in a special election requires 90 days to complete the special election process. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution.
- The financial option selected shall be in place prior to the issuance of the first certificate of occupancy for the project.
131. This project is conditioned to provide a funding source for the following special financing program(s):
- a. Street Lighting Services for capital improvements, energy charges, and maintenance.
- The Developer's responsibility is to provide a funding source for the capital improvements and the continued maintenance. The Developer shall satisfy this

CONDITIONS OF APPROVAL

Plot Plan (PEN19-0047)

Page 20

condition with one of the options below.

- i. Participate in a special election (mail ballot proceeding) and pay all associated costs of the special election and formation, if any. Financing may be structured through a Community Services District zone, Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the City; or
- ii. Establish a Property Owner's Association (POA) or Home Owner's Association (HOA) which will be responsible for any and all operation and maintenance costs

The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option when submitting the application for building permit issuance. The option for participating in a special election requires approximately 90 days to complete the special election process. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution.

The financial option selected shall be in place prior to the issuance of the first certificate of occupancy for the project and prior to acceptance of any improvements.

132. Prior to building permit if Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide for, but not limited to, stormwater utilities services for the continuous operation, remediation and/or replacement, monitoring, systems evaluations and enhancement of on-site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, a funding source needs to be established. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option for the Commercial National Pollution Discharge Elimination System (NPDES) program when submitting the application for the first building permit issuance (see Land Development's related condition). Participating in a special election the process requires a 90 day period prior to the City's issuance of a building permit. This allows adequate time to be in compliance with the provisions of Article 13D of the California Constitution. (California Health and Safety Code Sections 5473 through 5473.8 (Ord. 708 Section 3.1, 2006) & City of Moreno Valley Municipal Code Title 3, Section 3.50.050.)
133. This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for Public Safety services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the property owner shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance to determine the requirement for participation. If the first building permit is pulled prior to formation of the district, this condition will not apply. If the condition applies, the special election will require a minimum of 90 days prior to issuance of the first building permit. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution. (California Government Code Section 53313 et. seq.)

CONDITIONS OF APPROVAL

Plot Plan (PEN19-0047)

Page 21

Transportation Engineering Division

134. Conditions of approval may be modified or added if a phasing plan is submitted for this development.
135. Project driveways shall conform to City of Moreno Valley Standard No. MVSI-112C-0 for Commercial Driveway Approaches. Any after-hour security gate at the driveway entrance shall be set back at a minimum of 25 feet from the property line to accommodate 1 vehicle queuing in front of the gate.
136. All proposed on-site traffic signing and striping should be accordance with the latest California Manual on Uniform Traffic Control Devices (CAMUTCD).
137. Prior to final approval of the landscape plans and construction plans for any type of fencing or monument sign, the project plans shall demonstrate that sight distance at the project driveway conforms to City Standard Plan No. MVSI-164A-0 through MVSI-164C-0. Trees, plants, shrubs, fence and monument sign shall not be located in an area that obstructs the drivers' line-of-sight.
138. 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 along the project frontages. Signing and striping plans shall be prepared per the latest edition of the California Manual on Uniform Traffic Control Devices (CAMUTCD) and current City of Moreno Valley Standard Plans by a qualified registered civil or traffic engineer.
139. Prior to the final approval of the street improvement plans, a communication conduit plan shall be prepared by a registered civil engineer to install new communication conduit and pull boxes under sidewalk along the project frontage of Moreno Beach Drive per City Standard Plan No. MVSI-186-0.
140. Prior to issuance of an encroachment permit for work within the public right -of-way, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer shall be required for plan approval by the City Traffic Engineer.

Prior to Building Final or Occupancy

141. Prior to issuance of Certificate of Occupancy, all signing and striping shall be installed per current City Standards and the approved plans.
142. Prior to issuance of Certificate of Occupancy, communication conduit and pull boxes along the project frontage of Moreno Beach Drive shall be installed under sidewalk per the approved plans to the satisfaction of the City Engineer.

PARKS & COMMUNITY SERVICES DEPARTMENT

143. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services District Zone A (Parks and Community Services). All assessable parcels therein shall be subject to the annual Zone 'A' charge for operations and capital improvements. Proof of such shall be supplied to Parks and Community Services upon Final Map and at Building Permits.