

## **CONDITIONS OF APPROVAL**

Tentative Tract Map (PEN20-0063)

Conditional Use Permit

(PEN20-0065)

Page 1

CITY OF MORENO VALLEY  
CONDITIONS OF APPROVAL  
Tentative Tract Map (PEN20-0063)  
Conditional Use Permit (PEN-0065)

EFFECTIVE DATE:

EXPIRATION DATE:

## **COMMUNITY DEVELOPMENT DEPARTMENT**

### Planning Division

1. A change or modification to the land use or the approved site plans may require a separate approval. Prior to any change or modification, the property owner shall contact the City of Moreno Valley Community Development Department to determine if a separate approval is required.
2. 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)
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. (MC 9.02.030)
4. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
5. 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)
6. 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)
7. 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.

## CONDITIONS OF APPROVAL

Tentative Tract Map (PEN20-0063)

Page 2

### Special Conditions

8. Prior to grading plan approval, Basin fencing shall include wrought iron fencing with pilasters.
9. Prior to building final, 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.
10. Prior to issuance of building permits, final front and street side yard landscape and irrigation plans, and slope landscape plans and basin landscape plans, shall be approved.
11. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.
12. The grading plans shall show all easements including an easement for trail purposes for the Juan Bautista de Anza trail per the Tentative Tract Map.
13. 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, General Plan, and the conditions contained herein. (MC 9.14.020)
14. 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)
15. A drought tolerant landscape palette shall be utilized throughout the tract in compliance with the City's Landscape Requirements. (9.17)
16. This tentative map and Conditional Use Permit for the Planned Unit Development shall expire three years after the approval date of this tentative map and conditional use permit 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. (MC 9.02.230, 9.14.050, 080)
17. 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.
18. Prior to any site disturbance and/or grading plan submittal, and or final map

## CONDITIONS OF APPROVAL

Tentative Tract Map (PEN20-0063)

Page 3

- 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)
19. 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.)
  20. Prior to approval of any grading plan, local and master-planned multi-use trail easements shall be shown on the rough and precise grading plans in accordance with the City's Master Trail Plan.
  21. All undeveloped portions of the site in perpetuity shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)
  22. 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. Mailboxes shall be clustered and include security lighting per U. S. Postal standards.
  23. All site plans, grading plans, landscape and irrigation plans, and street improvement plans shall be coordinated for consistency with this approval.
  24. 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).
  25. The site has been approved for Tentative Tract Map 37909 (PEN20-0063) to subdivide approximately 10.82 acres into eighty-one single family residential lots including the approval of a Conditional Use Permit (PEN20-0065) for a Planned Unit Development to design and implement the residential community as designed per the approved plans for the Tentative Tract Map 37909 and the Planned Unit Development. The Tentative Tract Map 37909 and the Conditional Use Permit for the Planned Unit Development must be developed in conjunction with each other as approved. A change or modification shall require separate approval.
  26. 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:

## CONDITIONS OF APPROVAL

Tentative Tract Map (PEN20-0063)

Page 4

- 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 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 multi-use trails.
27. Separate Administrative Plot Plans, including, Design Review (product approval) and Model Home Complex and/or temporary sales trailers, are required for approval of the design of the future single-family homes for Tentative Tract Map 37909.
28. Prior to building final, slope landscape and irrigation shall be installed, certified by the Landscape Architect with documentation provided to the Planning Division with an inspection performed and approved by the Planning Division. Landscaping on lots not yet having dwelling units shall be maintained by the developer weed and disease free. (MC 9.03.040)

## CONDITIONS OF APPROVAL

Tentative Tract Map (PEN20-0063)

Page 5

### Prior to Grading Permit

29. Prior to issuance of any grading permit, all Conditions of Approval and Mitigation Measures shall be printed on the grading plans.
30. 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 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 46.8, DG)
31. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
32. If potential historic, archaeological, Native American cultural resources or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area must cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

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

33. 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.

## CONDITIONS OF APPROVAL

Tentative Tract Map (PEN20-0063)

Page 6

34. Prior to approval of any grading permits, plans for any security gate system shall be submitted to and approved by to the Planning Division.
35. 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.
36. Prior to issuance of grading permits, the developer shall submit wall/fence plans to be included in the Building and Safety submittal for review and approval consistent with the approved plans, the Planned Unit Development Guidelines, the Landscape Requirements and the Municipal Code.
37. 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.
38. Prior to issuance of any building permit, all Conditions of Approval and Mitigation Measures shall be printed on the building plans.
39. 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.
40. 41. Prior to the issuance of building permits, final landscape and irrigation plans shall be submitted for review and approved by the Planning Division for the following:
  - a. Areas maintained by the Homeowner's Association including parks, site entry driveways, and other on-site landscaping;
  - b. Areas along Iris Avenue;
  - c. Trail Easement (per Parks and Community Services design standards); and
  - d. Front yards.

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.

The plans shall be prepared in accordance with the City's Landscape Development

## CONDITIONS OF APPROVAL

Tentative Tract Map (PEN20-0063)

Page 7

Guidelines and the Planned Unit Development Guidelines.

A detailed, on-site, computer generated, point-by-point comparison lighting plan shall be provided with and integrated into the landscape plan. The plan shall include all project lighting within the community to include street lights, exterior building lights, parking area lighting and park lights. 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.

41. 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)
42. 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)
43. 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)
44. Prior to issuance of building permits, for projects that will be phased, a phasing plan shall be submitted to and approved by the Planning Division if occupancy is proposed to be phased.
45. Photometric Plans shall be submitted to the Building and Safety Division for review and approval as part of the lighting and electrical building plan submittal.
46. 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)

Prior to Building Final or Occupancy

## CONDITIONS OF APPROVAL

Tentative Tract Map (PEN20-0063)

Page 8

47. 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).
48. Prior to building final, Planning approved/stamped landscape plans shall be provided to the Community Development Department – Planning Division on a CD disk.
49. 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).

### Building Division

50. 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.
51. Contact the Building Safety Division for permit application submittal requirements.
52. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m.(except for holidays which occur on weekdays), eight a.m. to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
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 shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building 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 2019 CBC.

## **CONDITIONS OF APPROVAL**

Tentative Tract Map (PEN20-0063)

Page 9

57. 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 2019 California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
58. The proposed residential project shall comply with The 2019 California Green Building Standards Code, Section 4.106.4, mandatory requirements for Electric Vehicle Charging Station (EVCS).
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. All Fire Department access roads or driveways shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
61. 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)
62. 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)
63. 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)
64. 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)
65. 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

## CONDITIONS OF APPROVAL

Tentative Tract Map (PEN20-0063)

Page 10

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.

66. 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.
67. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
68. 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])
69. 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])
70. 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)
71. 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. The size and number of outlets required for the approved fire hydrants are (6" x 4" x 2 1/2") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)
72. 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)
73. 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)
74. Plans for private water mains supplying fire sprinkler systems and/or private fire

## CONDITIONS OF APPROVAL

Tentative Tract Map (PEN20-0063)

Page 11

hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)

75. 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])
76. 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).
77. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.
78. 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.
79. 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)
80. Prior to issuance of building permits, plans specifying the required structural materials for building construction in high fire hazard severity zones shall be submitted to the Fire Prevention Bureau for approval. (CFC, 4905)
81. Prior to issuance of Building Permits, plans for structural protection from vegetation fires shall be submitted to the Fire Prevention Bureau for review and approval. Measures shall include, but are not limited to: noncombustible barriers (cement or

## **CONDITIONS OF APPROVAL**

Tentative Tract Map (PEN20-0063)

Page 12

block walls), fuel modification zones, etc. (CFC Chapter 49)

### **PUBLIC WORKS DEPARTMENT**

#### **Land Development**

82. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.
83. 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]
84. 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.
85. 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

## CONDITIONS OF APPROVAL

Tentative Tract Map (PEN20-0063)

Page 13

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.

86. 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.
87. In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. If unsuccessful, the Developer shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. [GC 66462.5]
88. 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]
89. 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.
90. A storm drain manhole shall be placed at the right-of-way line to mark the beginning of the publicly maintained portion of any private storm drain.
91. 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 public sidewalk drainage shall be allowed.
92. 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. Final (Tract) Map (recordation prior to building permit issuance);
  - b. Rough grading w/ erosion control plan (prior to grading permit issuance);
  - c. Precise grading w/ erosion control plan (prior to grading permit issuance);

## CONDITIONS OF APPROVAL

Tentative Tract Map (PEN20-0063)

Page 14

- d. Public improvement plan (e.g., street/storm drain w/ striping, RCFC storm drain, sewer/water, etc.) (prior to map approval);
  - e. Final drainage study (prior to map approval);
  - f. Final WQMP (prior to grading plan approval);
  - g. Legal documents (e.g., easement(s), dedication(s), etc.) (prior to Building Permit issuance);
  - h. As-Built revision for all plans (prior to Occupancy release);
93. 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.
94. If improvements associated with this project are not initiated within two (2) years of the date of approval of the Public Improvement Agreement (PIA), the City Engineer may require that the engineer's estimate for improvements associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the PIA or issuance of a permit. [MC 9.14.210(B)(C)]

### Prior to Grading Plan Approval

95. Resolution of all drainage issues shall be as approved by the City Engineer.
96. 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.
97. 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

## CONDITIONS OF APPROVAL

Tentative Tract Map (PEN20-0063)

Page 15

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.

98. 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.
99. For any offsite grading, the developer shall submit written permission from adjacent property owners. If applicable, all areas outside of the project boundaries where grading results in slopes, the developer shall submit recorded slope easements.
100. The developer shall pay all remaining plan check fees.
101. Landscape & Irrigation plans (prepared by a registered/licensed landscape architect) for water quality BMPs shall be submitted for review and approved by the City Engineer per the current submittal requirements, if applicable.
102. 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.
103. 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.
104. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the conditionally approved P-WQMP, as well as in full conformance with the document: "Water Quality Management Plan - A Guidance Document for the Santa Ana Region of Riverside County" dated October 22, 2012. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements for BMPs and sources of funding for BMP implementation.
  - a. The Applicant has proposed to incorporate the use of Bioretention. Final

## CONDITIONS OF APPROVAL

Tentative Tract Map (PEN20-0063)

Page 16

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 and may result in the lost of lot(s).

b. The Applicant shall substantiate the applicable Hydrologic Condition of Concerns (HCOC) in Section F of the F-WQMP. <The HCOC designates that the project will be exempt from mitigation requirements based on Exemption 3>.

c. All proposed LID BMP's shall be designed in accordance with the RCFC&WCD's Design Handbook for Low Impact Development Best Management Practices, dated September 2011.

d. The proposed LID BMP's as identified in the project-specific P-WQMP shall be incorporated into the Final WQMP.

e. The NPDES notes per City Standard Drawing No. MVFE-350-0 shall be included in the grading plans.

f. Post-construction treatment control BMPs, once placed into operation for post-construction water quality control, shall not be used to treat runoff from construction sites or unstabilized areas of the site.

g. Prior to precise grading plan approval, the grading plan shall show any proposed trash enclosure to include a cover (roof) and sufficient size for dual bin (1 for trash and 1 for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building and Safety Division.

### Prior to Grading Permit

105. 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)]
106. If the developer chooses to construct the project in phases, a Construction Phasing Plan for the construction of on-site public or private improvements shall be submitted for review and approved by the City Engineer.
107. A digital (pdf) copy of all approved grading plans shall be submitted to the Land Development Division.
108. 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)]
109. 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]

## CONDITIONS OF APPROVAL

Tentative Tract Map (PEN20-0063)

Page 17

110. The developer shall pay all applicable inspection fees.
111. All necessary permits from Department of Water Resources for grading, storm drain construction, etc. shall be obtained, if applicable.

### Prior to Map Approval

112. All proposed street names shall be submitted for review and approved by the City Engineer, if applicable. [MC 9.14.090(E.2.k)]
113. 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 as part of the maintenance agreement for any water quality BMPs.
114. The developer shall enter into a Cooperative Agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project.
115. After recordation, a digital (pdf) copy of the recorded map shall be submitted to the Land Development Division.
116. Resolution of all drainage issues shall be as approved by the City Engineer.
117. If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all public improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. In either case, the City Engineer may require the dedication and construction of necessary utility, street or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. This approval must be obtained prior to the Developer submitting a Phasing Plan to the California Bureau of Real Estate. [MC 9.14.080(B)(C), GC 66412 & 66462.5]
118. Maps (prepared by a registered civil engineer and/or licensed surveyor) shall be submitted for review and approved by the City Engineer per the current submittal requirements.

## CONDITIONS OF APPROVAL

Tentative Tract Map (PEN20-0063)

Page 18

119. 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. Establish 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.
  - b. Dedicate a maintenance easement to the City of Moreno Valley.
  - c. Execute a maintenance agreement between the City of Moreno Valley and the HOA, which shall be approved by City Council.
  - d. Provide a certificate of insurance per the terms of the maintenance agreement.
  - e. 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 Residential NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process, or
    - ii. Establish an endowment to cover future maintenance costs for the Residential NPDES Regulatory Rate Schedule.
  - f. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. The final option selected shall be in place prior to the issuance of certificate of occupancy. [California Government Code & Municipal Code]
120. 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. [MC 9.14.220]
121. All public improvement plans required for this project shall be approved by the City Engineer in order to execute the Public Improvement Agreement (PIA).
122. The developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities.

### Prior to Improvement Plan Approval

123. 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

## CONDITIONS OF APPROVAL

Tentative Tract Map (PEN20-0063)

Page 19

with current ADA requirements, unless otherwise approved by the City Engineer.

124. The developer shall submit clearances from all applicable agencies, and pay all applicable plan check fees.
125. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVSI-160 series, etc.) throughout this project.
126. Any missing or deficient existing improvements along the project frontage within 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.
127. 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.
128. 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.
129. 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.
130. All public improvement plans (prepared by a licensed/registered civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.

### Prior to Encroachment Permit

131. A digital (pdf) copy of all approved improvement plans shall be submitted to the Land Development Division.
132. All applicable inspection fees shall be paid.

## **CONDITIONS OF APPROVAL**

Tentative Tract Map (PEN20-0063)

Page 20

133. 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.
134. Any work performed within public right-of-way requires an encroachment permit.

### Prior to Building Permit

135. 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.
136. For all subdivision projects, the map shall be recorded (excluding model homes). [MC 9.14.190]
137. 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.
138. 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

139. All outstanding fees shall be paid.
140. 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.
141. The final/precise grade certification shall be submitted for review and approved by the City Engineer.

## CONDITIONS OF APPROVAL

Tentative Tract Map (PEN20-0063)

Page 21

142. 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 (SL-2), signing, striping, under sidewalk drains, landscaping and irrigation, medians, pavement tapers/transitions and traffic control devices as appropriate.
  - b. Grind and overlay full street width along the project's frontage shall be required.
  - c. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
  - d. City-owned utilities.
  - e. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.
  - f. Under grounding of all existing and proposed utilities adjacent to and on-site. [MC 9.14.130]
  - g. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.
143. For residential subdivisions, punch list work for improvements and capping of streets in that phase shall be completed and approved for acceptance by the City Engineer, prior to the last 20% or last 5% (whichever is greater, unless as otherwise determined by the City Engineer).
144. 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.
145. 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.

## CONDITIONS OF APPROVAL

Tentative Tract Map (PEN20-0063)

Page 22

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.

146. Prior to the first occupancy, the developer shall be required to construct Riverside County Flood Control and Water Conservation District's Sunnymead MDP Line M-2 from its current terminus to the project's westerly boundary.

### Special Districts Division

147. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
148. MAJOR INFRASTRUCTURE FINANCING DISTRICT. This project has been identified to potentially be included in the formation of a special financing district for the construction and maintenance of major infrastructure improvements which may include but are not limited to thoroughfares, bridges, and certain flood control 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 or annexation into the district, the qualified elector(s) will not protest the formation or annexation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property obtains from the improvements to be installed and/or maintained. The Developer must notify the Special Districts Division at 951.413.3480 or at [specialdistricts@moval.org](mailto:specialdistricts@moval.org) 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 minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution.
149. 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.
150. This project is conditioned 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 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

## CONDITIONS OF APPROVAL

Tentative Tract Map (PEN20-0063)

Page 23

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](mailto:specialdistricts@moval.org) of its selected financial option prior to City Council action authorizing recordation of the final map for the development. A minimum of 90 days is needed to complete the special election process. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution for conducting a special election.

The financial option selected shall be in place prior to the issuance of the first building permit for the project.

151. This project has been conditioned to provide a funding source for the continued maintenance, enhancement, and/or retrofit of parks, open spaces, linear parks, and/or trail systems. The Developer shall satisfy this condition with one of the options below.

a. Participate in a special election for annexation into Community Facilities District No. 1 or other district and pay all associated costs of the special election process and formation, if any; or

b. Establish an endowment fund to cover future maintenance costs for new neighborhood parks.

The Developer must notify the Special Districts Division at 951.413.3480 or at [specialdistricts@moval.org](mailto:specialdistricts@moval.org) of its selected financial option prior to City Council action authorizing recordation of the final map for the development. A minimum of 90 days is needed to complete the special election process. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution for conducting a special election.

Annexation to CFD No. 1 shall be completed or proof of payment to establish the endowment fund shall be provided prior to the issuance of the first building permit for this project.

152. This project has been identified to be included in the formation of a Community Facilities District 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

## CONDITIONS OF APPROVAL

Tentative Tract Map (PEN20-0063)

Page 24

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 that may already be established. The Developer must notify the Special Districts Division at 951.413.3480 or [specialdistricts@moval.org](mailto:specialdistricts@moval.org) of its intent to record the final map for the development 90 days prior to City Council action authorizing recordation of the map. 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.)

153. Residential (R) 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 required continuous operation, maintenance, monitoring, systems evaluation and enhancements of on-site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated storm water 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](mailto:specialdistricts@moval.org) of its selected financial option for the National Pollution Discharge Elimination System (NPDES) program (see Land Development's related condition). Participating in a special election the process requires a 90 day period prior to City Council action authorizing recordation of the final map for the development and to participate in a special election process. 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.)

### Transportation Engineering Division

154. Private streets' road width shall be a minimum of 24-feet with no parking allowed on either side. Applicant shall provide signage (NO PARKING) along the streets per current MUTCD standards.
155. The design and proposed location of the project driveways shall conform to City of Moreno Valley Standard No. MVSI-112C-0 for Commercial Driveway Approaches and Section 9.11.080, and Table 9.11.080-14 of the City's Municipal Code - Design Guidelines or as approved by the City Engineer. Applicant needs to show driveways per City Standard, including additional dedications for public improvements.
156. Right-of-way at driveway(s) entrances shall accommodate all public improvements (i.e. curb ramps, utility controllers, etc.); applicant shall provide dedication as required and appropriate. Show driveways per City standards (curb radii, ramps, grades, so for.)
157. Any proposed driveway gate shall be set back at a minimum of 60 feet from the

## CONDITIONS OF APPROVAL

Tentative Tract Map (PEN20-0063)

Page 25

property line or as determined by the traffic study to provide sufficient storage length in front of the gate for entering traffic. Gate doors shall be rolling type or swing away from Iris Avenue.

1. Shown gate for westerly driveway needs to swing away from Iris Avenue.

2. Main entrance storage length for visitors is not adequate, location of visitor call box needs to be relocated in order to provide at least two (2) cars on the visitor lane.

158. Applicant shall plan to accommodate gates at entrances and provide road width and improvements accordingly.

For main access point, easterly driveway at proposed Street A, the entrance design shall provide the following:

a. Gate shall be set back a minimum of 60 feet from the property line.

b. A turnaround area - Applicant needs to provide vehicle turning template to show adequacy of provided turnaround area.

c. A storage lane with a minimum of 60 feet queuing length for entering traffic.

d. A second storage lane for visitors to stop and use a call box (or other service) for permission to enter the community. Visitor storage lane seems insufficient due to location of call box, relocate call box or propose design with adequate vehicle storage.

e. No Parking signs posted in the turnaround area.

f. A separate pedestrian entry.

g. Presence loop detectors (or another device) within 1 to 2 feet of the gate that ensures that the gate remain open while any vehicle in in the queue.

h. Slide doors or gate doors that swing away from incoming traffic.

i. A median will be required as traffic calming measure into residential development. Median shall be kept within private property and shall not encroach onto public right-of-way.

159. Conditions of approval may be modified or added if a phasing plan is submitted for this development.

160. All project driveways to public streets shall conform to Section 9.11.080, and Table 9.11.080-14 of the City's Development Code – Design Guidelines and City of Moreno Valley Standard Plans No. MVS1-112A~D-0 for commercial driveway approaches.

161. The gated entrance shall be provided with the following, or as approved by the City Traffic Engineer: A- A storage lane with a minimum of 60' provided for queuing. B - A second storage lane for visitors to stop in prior to the gate to utilize a call box (or other device) to receive permission to enter the site. C - Signing and striping for A. and B. D - A turnaround outside the gates of 38' radius. E - No Parking Signs shall be posted in the turnaround areas. F - A separate pedestrian entry. G - Presence loop detectors (or another device) within 1 or 2 feet of the gates that

## **CONDITIONS OF APPROVAL**

Tentative Tract Map (PEN20-0063)

Page 26

ensures that the gates remain open while any vehicle is in the queue. All of these items shall be kept in working order.

162. Sight distance at the proposed roadways and driveways shall conform to City of Moreno Valley Standard No. MVSI-164A,B,C-0 at the time of preparation of final grading, landscape, and street improvement plans.
163. During construction activity, developer is responsible for regularly scheduled street sweeping per approved street sweeping schedule.
164. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer may be required for plan approval or as required by the City Traffic Engineer.
165. Prior to final approval of any landscaping or monument sign plans, the project plans shall demonstrate that sight distance at the project driveways conforms to City Standard Plan No. MVSI-164A, B, C-0.
166. 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.
167. 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.
168. Prior to issuance of a Building Final or Certificate of Occupancy, all approved signing and striping shall be installed per current City Standards

## **PARKS & COMMUNITY SERVICES DEPARTMENT**

169. This project is subject to current Quimby Fees.
170. Bikeways shall not be shared with any above ground utilities, blocking total width access.
171. According to the General Plan and City's Juan Bautista de Anza trail plan, project improvements include a Class I Bikeway, walkway, and landscaped area. City shall construct paved Class I bike trail only. Developer shall design and construct landscape and irrigation improvements for the Juan Bautista de Anza trail greenbelt, including lighting along the trail. Landscaping and irrigation shall be maintained by City following acceptance of the public improvements into the City's Community Services District. The greenbelt shall conform to City of Moreno Valley standard plans and specifications, "CalTrans Design Manual," and Department of Water Resources (DWR) requirements. The developer shall comply with the following conditions:

## CONDITIONS OF APPROVAL

Tentative Tract Map (PEN20-0063)

Page 27

a. Concurrent with the recordation of the final map, an easement for trail purposes shall be dedicated to the City of Moreno Valley Community Services District.

b. Bonds for construction of the landscaping within the project and these COA's shall be provided (per Parks and Community Services criteria) concurrent with the Subdivision Improvements Agreement process.

d. Plans for improvements at the greenbelt shall be submitted and approved by the Director of Parks and Community Services or designee prior to the approval of Precise Grading Plans.

e. Prior to the issuance of any building permits, detailed final plans for the greenbelt, street improvement, and fence or wall shall be reviewed and approved by the Director of the Parks and Community Services Department or his/her designee.

g. Where feasible, walkways from the project may connect to the bikeway/walkway.

f. Landscape improvements shall be surveyed and staked by the developer's Civil Engineer. The landscape improvements shall be inspected and approved by the Director of Parks and Community Services or designee prior to the issuance of any building permits.

g. Eight sets of complete park and/or trail plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed mylars, two sets of bond copies from the City signed mylars, and AutoCAD.dwf and PDF files on CD.

h. Construction of landscape improvements shall begin no later than issuance of 30% building permits and be completed no later than issuance of 70% building permits.

172. All street crossings for Class-I Bikeways shall be signed with approved signage.
173. In order to prevent the delay of building permit issuance, any deviation from materials shall be submitted to Parks and Community Services and approved in writing (at the Department's discretion) 60-days prior to the commencement of construction. Any unauthorized deviation from the approved plan and/or the City's specifications and/or Conditions of Approval may result in the holding of building permits and/or building finals.
174. All inspections shall be requested two (2) working days' in advance from the Parks and Community Services Department at the time of rough and precise grading, fence/wall installation, curb and drainage, flatwork, mulch installation, graffiti coating, soil preparation, irrigation placement, site electrical, weed abatement, planting, and final inspection. Failure to schedule inspections may result in cessation of work and/or re-inspection fees/penalties.

## CONDITIONS OF APPROVAL

Tentative Tract Map (PEN20-0063)

Page 28

175. This project is subject to current Development Impact Fees. Section 3.38.150 of the City's Municipal Code allows for the developer to receive credits for qualifying public improvements. For consideration of a DIF credit, the developer shall provide an Architect's Cost Estimate. The developer's maximum credit amount is based on the lower of the DIF Study Costs, the Architect's Estimate and the DIF Fee Obligation. Allowance of DIF credits is subject to City review and approval, and is not guaranteed by these Conditions of Approval.

### Standard Conditions

176. Detailed final plans (mylars, PDF, and AutoCAD file on a DVD-R) for parks, trails/bikeways, fencing, and adjoining landscaped areas shall be submitted to and approved by the Director of Parks and Community Services, or his/her designee, prior to the issuance of any building permits. All plans are to include a profile showing grade changes.
177. Within the improvements for PCS, the applicant shall show all existing and planned easements on all maps and plans. Easements on City/CSD owned or maintained parks, trails, bikeways, and landscape shall be identified on each of these plans with the instrument number of the recorded easement.
178. Prior to recordation of the Final Map, the applicant shall post security to guarantee construction or modification of parks, trails and/or bikeways for the City/CSD. Copies of said documentation shall be provided to PCS, prior to the approval of the Final Map.
179. Applicable plan check and inspection fees shall be paid, per the approved City fee schedule.
180. A restriction shall be placed on lots that back up to City/CSD owned or maintained parks, trails, bikeways, and landscaped areas, preventing openings or gates accessing the City/CSD owned or maintained property. This shall be documented through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee, prior to the recordation of the Final Map.
181. The following plans require PCS written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to bikeways; trail improvement plans. PCS will not approve any permits without review and approval of the above items.