



Community Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

December 19, 2008

Julio Bello
Adkan Engineers
6820 Airport Drive
Riverside, CA 92504

Subject: Final Conditions of Approval for Plot Plan Case No. PA06-0092, located at the southeast corner of Heacock Street and Gregory Lane. APN: 475-190-022

Dear Mr. Bello:

Attached are the Final Conditions of Approval for Case No. PA06-0092, a Plot Plan to build a 130 unit senior apartment complex on a 4.34 acre site at the above-referenced location.

The Planning Commission of the City of Moreno Valley reviewed and approved the above-referenced project on December 18, 2008, subject to the attached Conditions of Approval. This approval is final unless an appeal is filed with the City Council within fifteen (15) calendar days of the approval date. If an appeal is not filed, this conditionally approved plot plan will expire on December 18, 2011, unless extended as provided by the City of Moreno Valley Ordinance.

Please contact the Planning Division at (951) 413-3226, should you have any further questions regarding this action.

Sincerely,


Gabriel Diaz
Associate Planner


John C. Terell, AICP
Planning Official

Attachment: Final Conditions of Approval: PA06-0092

**CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
PLOT PLAN
APN: 475-190-022**

APPROVAL DATE:
EXPIRATION DATE:

**December 18, 2008
December 18, 2011**

☒ **Planning (P), including School District (S), Post Office (PO), Building (B)**
☒ **Fire Prevention Bureau (F)**
☒ **Public Works, Land Development (LD)**
☒ **Public Works, Special Districts (SD)**
☒ **Public Works – Transportation Engineering (TE)**
☐ **Parks & Community Services (PCS)**
☐ **Police (PD)**
☐ **Moreno Valley Utilities**
☐ **Other (Specify or Delete)**

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

GENERAL CONDITIONS

- P1. 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)
- P2. 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 City Planning Official. (MC 9.14.020)
- P3. 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)

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

| | | |
|------------------------------|-----------------------|---|
| R - Map Recordation | GP - Grading Permits | CO - Certificate of Occupancy or building final |
| WP - Water Improvement Plans | BP - Building Permits | P - Any permit |

Governing Document (see abbreviation at the end of the affected condition):

| | | |
|-------------------|---------------------------|--|
| GP - General Plan | MC - Municipal Code | CEQA - California Environmental Quality Act |
| Ord - Ordinance | DG - Design Guidelines | Ldscp - Landscape Development Guidelines and Specs |
| Res - Resolution | UFC - Uniform Fire Code | UBC - Uniform Building Code |
| | SBM - Subdivision Map Act | |

**PLANNING DIVISION
CONDITIONS OF APPROVAL
PA06-0092
PAGE 2**

- P4. A drought tolerant, low water using landscape palette shall be utilized throughout the project to the extent feasible.
- P5. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
- P6. Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Development Code or approved sign program, if applicable, and shall require separate application and approval by the Community Development Department - Planning Division. (MC 9.12.020)
- P7. (GP) 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.

Special Conditions

- P8. **The site has been approved for senior apartments. A change or modification shall require separate approval.**
- P9. **Each multiple-family unit shall provide a 100 square foot minimum patio/balcony area.**
- P10. **The patio area on the first floor of buildings must provide a 3 foot decorative wall to enclose the private patio area for each unit.**
- P11. ***There shall be a 6 foot decorative block wall with 2 feet of decorative wrought iron on top of it, creating an 8 foot wall/fence on the south and east property lines.**
- P12. ***There shall be a decorative wrought iron fence with pilaster on the west and north sides of the project.**

*** Added by the Planning Commission at 12/18/08 Planning Commission meeting.**

Prior to Issuance of Grading Permits

- P13. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will 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 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.

**PLANNING DIVISION
CONDITIONS OF APPROVAL
PA06-0092
PAGE 3**

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

- P14. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
- P15. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property and City right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director. (GP Objective 4.4, 4.5, DG)
- P16. **(BP) Prior to issuance of any precise grading permits, final landscaping and irrigation plans shall be submitted to the Community Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply.**
- P17. **(GP) Prior to approval of any grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.**
- P18. **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.**
- P19. **(GP) Decorative pedestrian pathways across circulation aisles/paths shall be provided throughout the development to connect dwellings with open spaces and/or recreational uses or commercial/industrial buildings with open space and/or parking. and/or the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective 46.8, DG)**
- P20. **(GP) Prior to the issuance of building permits, the site plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project.**
- P21. **(GP) 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.**

**PLANNING DIVISION
CONDITIONS OF APPROVAL
PA06-0092
PAGE 4**

- B. A maximum 3 foot high decorative wall in lieu of a hedge or berm may be placed in the setback area adjacent to a parking lot.**
- C. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement.**

PRIOR TO BUILDING PERMITS

- P22. (BP) Prior to issuance of building permits, the Community Development Department - 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 with 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 that will provide complete screening upon maturity. (GP Objective 43.30, DG)
- P23. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community Development Department - Planning Division review and approval. 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. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)
- P24. (BP) Prior to issuance of building permits, 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 Community Development Department - Planning Division for review and approval. 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 and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)
- P25. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)
- P26. (BP) Prior to issuance of building permits, for multi-family projects that will be phased, a phasing plan submitted to the Planning Division will be required if occupancy is proposed to

be phased.

- P27. **(BP)** Prior to the issuance of any building permits, the owner shall enter into a density bonus housing agreement with the city in compliance with Municipal Code Section 9.03.050. Upon execution of the agreement, the document shall be recorded with the County Recorder's Office. The condition contained in the density bonus housing agreement shall run with the property for the affordability period.
- P28. **(BP)** Prior to issuance of building permits, final landscaping and irrigation plans shall be submitted to the Community Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. 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 Standards and Specifications and shall include:
- A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along public right-of-way.
 - B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)
 - C. Drought tolerant landscape shall be provided. Sod shall be limited to public gathering areas only and not be included along the perimeter of the project site.
 - D. Trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.
 - E. Enhanced landscaping shall be included at all driveway and corner locations
 - F. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)
 - G. Landscaping on three sides of trash enclosure shall be provided.
- P29. **(BP)** Prior to the issuance of building permits, the plot plan shall include decorative concrete pavers for all driveway ingress/egress locations for the project.

PRIOR TO CERTIFICATE OF OCCUPANCY

- P30. **(CO)** Prior to issuance of Certificates of Occupancy or building final, the required landscaping and irrigation shall be installed. (DC 9.03.040)
- P31. **(CO)** Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Community Development Department – Planning Division. (MC 9.080.070).

- P32. (BP/CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be reviewed by the Community Development Department - Planning Division. The landscaping shall be installed in accordance with the City's Landscape Standards and the approved landscape plans, and shall include:**
- A. A landscape berm, hedge or a maximum 3 foot decorative is required along the entire site perimeter.**
 - B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16' in diameter, and include additional 12" concrete step-outs and curbing.**
 - C. Drought tolerant landscape shall be provided. Sod shall be limited to public gathering areas only and not be included along the perimeter of the project site.**
 - D. Trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.**
 - E. Enhanced landscaping shall be included at all driveway and corner locations.**
 - F. Site clean-up shall be completed.**

Building and Safety Division

- B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.**

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING.

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

- B3. All projects that will be serviced by a private sewage disposal system shall obtain approval from the Riverside County Environmental Health Department prior to submitting plans to the Building Department.**

PLANNING DIVISION
CONDITIONS OF APPROVAL
PA06-0092
PAGE 7

- B4. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

- S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

- PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

FIRE PREVENTION BUREAU

1. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

- F1. 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 force at the time of building plan submittal.
- F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 2000 GPM for 4 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 508.3, Appendix B and MVMC 8.36.100 Section D). A 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow, hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C.

PLANNING DIVISION
CONDITIONS OF APPROVAL
PA06-0092
PAGE 8

- F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off-site super fire hydrants (6" x 4" x 2 ½") and super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)
- F4. 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)
- F5. 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. (MVMC 8.36.050 and CFC 501.3)
- F6. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (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. (CFC 501.4 and MVMC 8.36.050 Section A)
- F7. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less the twenty-four (24) or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)
- F8. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)
- F9. 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 and MVMC 8.36.050 Section A)
- F10. 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 501.3 and MVMC 8.36.050)
- F11. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)
- F12. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

PLANNING DIVISION
CONDITIONS OF APPROVAL
PA06-0092
PAGE 9

- F13. 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.

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.

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 508.1 and MVMC 8.36.100)

- F14. 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 510.1)
- F15. Prior to issuance of Certificate of Occupancy or Building Final, all multi-family residences shall display the address in a visible location on the street side of the building and visible from public sidewalks. The building numerals shall be a minimum of twelve (12) inches in height and individual dwelling units shall not be less than four (4) inches in height on a contrasting background. The address shall be illuminated as approved by the Fire Prevention Bureau. (CFC 505.1 and MVMC 9.08.100 Section G)
- F16. Prior to issuance of a Certificate of Occupancy or Building Final, a directory display monument sign shall be required for apartment, condominium, townhouse or mobile home parks. Each complex shall have an illuminated diagrammatic layout of the complex which indicates the name of the complex, all streets, building identification, unit numbers, and fire hydrant locations within the complex. Location of the sign and design specifications shall be submitted to, and approved by, the Community Development Department – Planning Division and the Fire Prevention Bureau prior to installation. (MVMC 9.12.060)
- F17. 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)
- F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall

PLANNING DIVISION
CONDITIONS OF APPROVAL
PA06-0092
PAGE 10

be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

- F19. 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 Chief. The Knox-Box shall be supervised by the alarm system and 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)
- F20. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 2701.5)
- F21. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.
- F22. 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 8.36.050)
- F23. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.
- F24. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.
- F25. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for

PLANNING DIVISION
CONDITIONS OF APPROVAL
PA06-0092
PAGE 11

specific operations or processes associated with such construction, alteration or demolition.
(CFC Chapter 14)

- F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)
- F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)
- F28. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)
- F29. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)
- F30. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)
- F31. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)
- F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)
- F33. Prior to Certificate of Occupancy all locations where medians are constructed and prohibit vehicular ingress/egress into or away from the site, provisions must be made to construct a median-crossover at all locations determined by the Fire Marshal and the City Engineer. Prior to the construction, design plans will be submitted for review and approval by the City Engineer and all applicable inspections conducted by Land Development Division.
- F34. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

PUBLIC WORKS DEPARTMENT
Land Development

Note: All Special Conditions are in **Bold** lettering and follow the standard conditions.

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

- LD1. (G) 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)
- LD2. (G) 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 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. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) 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. The City Engineer may require the construction of necessary utilities, streets 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.
- LD3. (G) It is understood that the plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)
- LD4. (G) 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. In the event that the developer is unsuccessful, he 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)

PLANNING DIVISION
CONDITIONS OF APPROVAL
PA06-0092
PAGE 13

- LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate 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 Public Improvement Agreement or issuance of a permit.
- LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive 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 Public Works Department.
 - (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 shall be adhered to during the grading operations.

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

- LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. 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)
- LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110)
- LD9. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and

PLANNING DIVISION
CONDITIONS OF APPROVAL
PA06-0092
PAGE 14

Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

- LD10. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Transportation Uniform Mitigation Fee (TUMF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable improvements. If the developer fails to complete this agreement by the timing as specified above, no credits or reimbursements will be given for any work. Prior to approval of the TUMF Improvement Credit Agreement, an approved engineer's cost estimate and street improvement plan are required.
- LD11. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.
- LD12. (G) Upon approval of the tentative tract map or plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Grading Plan Approval or Grading Permit

- LD13. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.
- LD14. (GPA) Prior to approval of grading plans, 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. A grading permit shall be obtained from the Public Works Department – Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.
 - d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

PLANNING DIVISION
CONDITIONS OF APPROVAL
PA06-0092
PAGE 15

- e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.
- LD15. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.
- LD16. (GPA) Prior to approval of the grading plans for project sites which are one acre or larger, the developer shall obtain the WQMP number from the City's Land Development Division, if a WQMP is required, and as a condition of the State Water Quality Control Board, a Notice of Intent (NOI) for an NPDES permit must be filed and a Waste Discharge Identification (W.D.I.D.) permit number obtained from the State Water Quality Control Board. (Clean Water Act)
- LD17. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's 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. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.
- LD18. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fee.
- LD19. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.
- LD20. (GP) Prior to issuance of a grading permit, if the project does not involve the subdivision of land and if the developer chooses to construct the project in construction phases, a Construction Phasing Plan for the construction of on-site public and private improvements shall be reviewed and approved by the City Engineer.
- LD21. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)
- LD22. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.
- LD23. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

PLANNING DIVISION
CONDITIONS OF APPROVAL
PA06-0092
PAGE 16

Prior to Improvement Plan Approval or Construction Permit

- LD24. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.
- LD25. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)
- LD26. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.
- LD27. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.
- LD28. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:
- a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.
 - b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)
 - c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)
 - d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees or as approved by the City Engineer. (MC 9.14.020)
- LD29. (IPA) Prior to approval of the improvement plans, 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, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.
- LD30. (IPA) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)
- LD31. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be

PLANNING DIVISION
CONDITIONS OF APPROVAL
PA06-0092
PAGE 17

contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

- LD32. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)
- LD33. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)
- LD34. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.
- LD35. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.
- LD36. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

- LD37. (BP) Prior to issuance of building permits for non-subdivision projects, all street dedications shall be 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. All dedications shall be free of all encumbrances as approved by the City Engineer.
- LD38. (BP) Prior to issuance of building permits for non-subdivisions, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.
- LD39. (BP) Prior to issuance of a building permit, this project is subject to requirements 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. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley

PLANNING DIVISION
CONDITIONS OF APPROVAL
PA06-0092
PAGE 18

NPDES Regulatory Rate Schedule that is in place at the time of permit issuance. Following are the 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 obtain a building permit 70 days prior to the City's issuance of a building permit and the financial option selected. (California Government Code & Municipal Code)
- LD40. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.
- LD41. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:
- a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
 - b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling
 - c. The vendor(s) that the applicant proposes to use to haul the materials
 - d. Facility(s) the materials will be hauled to, and their expected diversion rates
 - e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled
- Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)
- LD42. (BP) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF

PLANNING DIVISION
CONDITIONS OF APPROVAL
PA06-0092
PAGE 19

prior to issuance of building permits. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of building permit issuance.

- LD43. (BP) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of building permits. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of building permit issuance.

Prior to Certificate of Occupancy

- LD44. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

- LD45. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

- a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, 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 existing and proposed utility lines less than 115,000 volts.
- f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

- LD46. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

Prior to Acceptance of Streets into the City Maintained Road System

- LD47. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer

approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. 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.

SPECIAL CONDITIONS

- LD48.** Prior to grading plan approval, the plans shall clearly show that any slope near the public right-of-way has a minimum set-back area at 2% maximum of 2' before the start of a slope or retaining wall. If the vertical height of the slope exceeds 10', this set-back area shall be 3' minimum.
- LD49.** Prior to precise grading plan approval, the grading plans shall clearly show that the parking lot conforms to City standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov).
- LD50.** Prior to grading plan approval, the grading plans shall show dual bin trash enclosures, one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627, modified to include a fully covered, solid roof.
- LD51.** Prior to grading plan approval, the grading plans shall clearly demonstrate that drainage is properly collected and conveyed. The plans shall show all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site.
- LD52.** Prior to grading plan approval, the plans and the final drainage study shall clearly demonstrate this project's increased runoff mitigation. This project shall not discharge runoff at a rate greater in the post developed condition than that in the pre-developed condition, for any given storm event. The storms to be studied include the 1-hour, 3-hour, 6-hour and 24-hour duration events for the 2-year, 5-year, 10-year and 100-year return frequencies.
- LD53.** Prior to grading plan approval, the plans shall show proposed mechanisms to treat onsite runoff before it enters into the public storm drain system. The plans shall show locations of proposed structural best management practices. The developer shall submit to the City for review and approval, those structural best management practices proposed onsite to control predictable pollutant runoff. The developer may

select those structural best management practices identified in Supplement A and Supplement A Attachment to the Riverside County Drainage Area Management Plans. www.floodcontrol.co.riverside.ca.us The method of treatment shown on the plot plan and preliminary grading plan are acceptable to the City although more details will be required during the design review stage including a percolation test if any part of the system relies on infiltration. The developer shall first maximize the use of site design and source control best management practices before selecting and sizing treatment control best management practices.

- LD54. Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice.
- LD55. Prior to approval of the street improvement plans, the developer shall dedicate street right-of-way via separate instruments at the following locations. The right-of-way dedication legal descriptions and plats shall be submitted to the Land Development Division for review and approval:
- a. A 20' street right-of-way dedication on the east side of Heacock Street along the project's west frontage to ensure a centerline to east right-of-way distance of 50' for an Arterial Street, per City Standard No. 104A.
 - b. A 20' street right-of-way dedication on the south side of Gregory Lane along the project's north frontage to ensure a centerline to south right-of-way distance of 30' for a General Local Street, per City Standard No. 108A.
 - c. A 4' street right-of-way dedication behind the driveway approach at the project entrances on Gregory Lane per City Standard No. 118C.
 - d. An area for street right-of-way for a corner cutback per City Standard No. 208 at the southeast corner of Heacock Street and Gregory Lane.
- LD56. Prior to approval of the street improvement plans, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.
- a. Heacock Street, Arterial, City Standard 104A (100' RW / 76' CC) shall be constructed to half-width plus an additional 18' west of the centerline, along the entire project's west frontage. A 20' right-of-way dedication on the east side of the street, along the project's west property line, shall be shown on all plans. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps,

removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

- b. Gregory Lane, General Local Street, City Standard 108A (60' RW / 40' CC) shall be constructed to half-width plus an additional 12' north of the centerline, along the entire project's north frontage. A 20' right-of-way dedication on the south side of the street, along the project's north property line, shall be shown on all plans. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.
- c. Driveway approaches shall be constructed per City Standard No. 118C. All plans shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.
- d. Pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of a lesser width of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement section is found to be adequate, then a lesser width than that specified above for street pavement improvements may be allowed, as approved by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall construct the streets to the limits as listed above.

PUBLIC WORKS DEPARTMENT
Special Districts Division

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA06-0092**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

PLANNING DIVISION
CONDITIONS OF APPROVAL
PA06-0092
PAGE 23

- SD-1 The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.
- SD-2 Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

- SD-3 (BP) 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 developer 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 Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)
- SD-4 *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 70 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)
- SD-5 (BP) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

**For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

Prior to Certificate of Occupancy

PLANNING DIVISION
CONDITIONS OF APPROVAL
PA06-0092
PAGE 24

- SD-6 (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

Transportation Engineering Division
Conditions of Approval

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

GENERAL CONDITIONS

- TE1. **Heacock Street is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.**
- TE2. **Gregory Lane is classified as a General Local Street (60'RW/40'CC) per City Standard Plan No. 108A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.**
- TE3. Driveways shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code – Design Guidelines and City of Moreno Valley Standard No. 118C for commercial driveway approach.

*TE3A. If the project is to be gated, then each gated entrance shall be provided with the following:

- a) A storage lane with a minimum of 60 feet queuing length for entering traffic.
- 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 project.
- c) Signing and striping for a) and b).
- d) Minimum turnaround radii of 38 feet outside the gates, or as approved by the City Traffic Engineer.
- e) No Parking signs shall be posted in the turnaround areas.
- f) A separate pedestrian entry.

All of these features must be kept in working order.

PLANNING DIVISION
CONDITIONS OF APPROVAL
PA06-0092
PAGE 25

- TE4. Sight distance at all proposed streets and driveways shall conform to City of Moreno Valley Standard No. 125A, 125B, and 125C at the time of preparation of final grading, landscape, and street improvement plans.
- TE5. 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 with a cross section of 66'/44' and wider. Signing and Striping Plans shall be prepared for all streets (including General Local Street, Short Local Street, Minor Local Street, and Hillside Residential Street) to include provisions for Street Sweeping during construction activity. Street Sweeping signs coordinated with City of Moreno Valley Street Sweeping schedules shall be included in the Signing and Striping Plans, or as approved by the City Engineer.
- TE6. During construction activity, developer is responsible for regularly scheduled street sweeping per approved street sweeping schedule. Failure to provide regularly scheduled street sweeping during construction activity at the approved times shall result in re-inspection fees (amounts to be determined by City Engineer) and/or project suspension until street sweeping is provided.
- TE7. Prior to final approval of the street improvement plans, the developer shall submit to the City a contract between the developer and a street sweeping company for sweeping the streets during the warranty period, for the day shown on the posted street sweeping signage. The contract shall include a contact person and phone number for said contact person.
- TE8. Prior to the sign-off of final inspection of the street improvements, all approved signing and striping shall be installed per current City Standards and the approved plans.
- TE9. Prior to the commencement of construction activity, construction traffic control plans prepared by a Registered Civil or Traffic engineer may be required for plan approval or as required by the City Traffic Engineer.
- TE10. Conditions of approval may be modified or added if a phasing plan is submitted for this development.

PRIOR TO BUILDING PERMIT

- TE11. **(BP) Prior to issuance of building permits, the project applicant shall pay appropriate DIF and TUMF.**
- TE12. **(BP) Prior to issuance of building permits, traffic signal plans shall be prepared by a registered civil engineer and submitted to the City for the intersection of Heacock Street/Gregory Lane.**

PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

- TE13. **(CO) Prior to issuance of Certificates of Occupancy, traffic signal modifications shall be installed and fully operational per the approved plans at the intersection of Heacock Street/Gregory Lane.**

- TE14. (CO) Prior to issuance of Certificates of Occupancy, Traffic Signal Interconnect shall be installed per City Standard Plan No. 421 along project frontage on Heacock Street.**
- TE15. (CO) Prior to issuance of Certificates of Occupancy, the first parking stall perpendicular to a driveway shall be a minimum 35' from the property line.**
- TE16. (CO) Prior to issuance of Certificates of Occupancy, driveway widths through public right-of-way are limited to a maximum width of 40 feet. Driveways along Gregory Lane shall be located 100 feet from nearest intersection, and be spaced 100 feet from nearest driveway. The proposed driveways' centerlines shall align with the centerlines of Leisure Way and Triumph Lane.**

PRIOR TO ACCEPTANCE OF STREETS INTO THE CITY-MAINTAINED ROAD SYSTEM

- TE17. Prior to the sign-off of final inspection of the street improvements, all approved signing and striping shall be installed per current City Standards and the approved plans.**

* Amended at 12/18/08 Planning Commission meeting.