

APPENDIX B: GENERAL DEVELOPMENT COMMENTS / STANDARD CONDITIONS OF APPROVAL

In the event the developer is selected for the project, the following are City's general conditions/ standard conditions of approval that may be required by the City for the project. Additional conditions/condition may be required during the development process. **Please read these carefully as they may restrict the design, layout and marketability of the developer's project.**

Public Works Department | LAND DEVELOPMENT ENGINEERING DIVISION

- This project shall submit civil engineering design plans, reports and/or documents (prepared by a registered/licensed civil engineer) for review and approval by the City Engineer per the current submittal requirements, prior to the indicated threshold or as required by the City Engineer. The submittal consists of, but is not limited to, the following:
 - a. Rough grading with erosion control plan (prior to grading permit issuance);
 - b. Precise grading with erosion control plan (prior to grading permit issuance);
 - c. Street / storm drain with striping, sewer / water plans, etc. (prior to encroachment permit issuance);
 - d. Final drainage study (prior to grading plan approval);
 - e. Final WQMP (prior to grading plan approval);
 - f. Easements and dedications (prior to building permit issuance);
 - g. As-Built revisions for all plans (prior to Occupancy release).
- Prior to rough grading plan approval, pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal, depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the developer shall replace the pavement to meet or exceed the City's pavement structural section standard.
- Prior to grading plan approval, submit a final detailed drainage study (prepared by a registered licensed civil engineer) 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. Any identified storm drain facilities (private and public) needed to support the project shall be designed and constructed as part of the project.

- Prior to grading plan approval, submit a final project-specific Water Quality Management Plan (WQMP) for review and approved by the City Engineer, which:
 - a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
 - b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
 - c. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
 - d. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division. A digital (pdf) copy of the approved final project-specific Water Quality Management Plan (WQMP) shall be submitted to the Land Development Division.

- Prior to grading plan approval, submit a Storm Water Pollution Prevention Plan (SWPPP) 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.
- Prior to grading plan approval, the developer shall dedicate the following right of way to accommodate the required improvements:
 - a. The necessary street right of way dedication on the north side of Alessandro Boulevard (134' Right of Way / 110' Curb to Curb: Divided Major Arterial, City Standard No. MVSI-101A-0) along project frontage.
 - b. The necessary street right of way dedication on the east side of Day Street (88' R/W / 64' C-C: Minor Arterial, City Standard No. MVSI-105A-1) along project frontage.
 - c. The necessary street right of way dedication on the south side of Sherman Avenue (56' R/W / 36' CC: Local Street, City Standard No. MVSI-107A-0) along project frontage.

(1) A 4-foot minimum pedestrian right of way dedication behind any driveway approach per City Standard No. MVSI-112C-0.

(2) Corner cutback right of way dedication per City Standard No. MSVI-165-0.

- Prior to grading permit, provide 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(0)]
- Prior to grading permit: Prior to the payment of the Development Impact Fee (DIF), the developer may enter into a DIF Improvement Credit Agreement to secure credit for the construction of applicable improvements. If the developer fails to complete this agreement prior to the timing specified above, credits may not be given. The developer shall pay current DIF fees adopted by the City Council. [Ord. 695 § 1.1 (part), 2005] [MC 3.38.030, 040, 050]
- Prior to grading permit: Prior to the payment of the Transportation Uniform Mitigation Fee (TUMF), the developer may enter into a TUMF Improvement Credit Agreement to secure credit for the construction of applicable improvements. If the developer fails to complete this agreement by the timing specified above, credits may not be given. The developer shall pay current TUMF fees adopted by the City Council. [Ord. 835 § 2.1, 2012] [MC 3.44.060]
- Prior to building permit, submit a Tentative Map or Lot Line Adjustment, as necessary.
- Prior to occupancy, the following improvements shall be completed: Alessandro Boulevard (134' R/W / 110' CC: Divided Major Arterial, City Standard No. MVSI-101A-0) shall be constructed to achieve a half-width of 67', plus an additional 23' west of the centerline, along the entire project's north frontage. Improvements shall consist of, but not be limited to, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, street lights, pedestrian ramps, and dry and wet utilities.
- Prior to occupancy, the following improvements shall be completed: Day Street (88' RIW / 64' C-C: Minor Arterial, City Standard No. MVSI-105A-1) shall be constructed to achieve a (non-standard) half-width of 34', plus an additional 12' west of the centerline, along the entire project's east frontage. Improvements shall consist of, but not be limited to, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, street lights, pedestrian ramps, and dry and wet utilities.
- Prior to occupancy, the following improvements shall be completed: Sherman Avenue (56' R/W / 36' CC: Local Street, City Standard No. MVSI-107A-0) shall be constructed to achieve a (non-standard) half-width of 20', plus an additional 11' west of the centerline, along the entire project's north frontage. Improvements shall consist of, but not be limited to, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, street lights, pedestrian ramps, and dry and wet utilities.
- The developer shall complete all public improvements in conformance with current City standards, except as noted in the Special Conditions, including but not limited to the following:
 - a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights (MVU: SL-2 / SCE: LS-2), signing, striping, under sidewalk drains,

- landscaping and irrigation, medians, pavement tapers/transitions and traffic control devices as appropriate.
- b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
 - c. City-owned utilities.
 - d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.
 - e. Undergrounding of all existing and proposed utilities adjacent to and on-site. [MC 9.14.130]
 - f. Relocation of overhead electrical utility lines including, but not limited to, electrical, cable and telephone.

Public Works Department | CAPITAL PROJECTS ENGINEERING

- Improvements within the public right of way must be in compliance with City Standards. The City's Standard Engineering Plans can be found online at http://www.moval.org/city_hall/departments/pub-works/standards/standards-main.shtml
- Onsite improvements must provide an adequate drainage system

Public Works Department | SPECIAL DISTRICTS DIVISION

Conditions are standard to all or most development projects. Some special conditions, modified conditions or clarification of conditions may be included. Please review conditions as listed and contact the Division at 951.413.3480 for any questions.

The following are the Special Districts Division's Conditions of Approval; this project shall be completed at no cost to any Government Agency. All questions regarding the following 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 or by emailing specialdistricts@moval.org.

General Conditions

- SD-1 The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services District Zone A (Parks & Community Services). All assessable parcels therein shall be subject to the annual parcel tax for Zone A for operations and capital improvements.

- SD-2 Any damage to existing landscape areas maintained by the City of Moreno Valley due to project construction shall be repaired/replaced by the Developer, or Developer's successors in interest, at no cost to the City of Moreno Valley.
- SD-3 The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
- SD-4 The existing parkway/median along the frontage of the project shall be brought to current City Standards. Improvements may include but are not limited to: plant material, irrigation, and hardscape.

Prior to Building Permit Issuance:

- SD-5 (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 property owner shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance to determine the requirement for participation. If the first building permit is pulled prior to formation of the district, this condition will not apply. If the condition applies, the special election will require a minimum of 90 days prior to issuance of the first building permit. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution. (California Government Code Section 53313 et. seq.)
- SD-6 (BP) This project is conditioned to provide a funding source for the following special financing program(s):
 - a. Landscape Maintenance Services for median landscaping on Alessandro Blvd.

The Developer's responsibility is to provide a funding source for the capital improvements and the continued maintenance and operation of the public facilities mentioned above. The Developer shall satisfy this condition with one of the options below.
- SD-7 Participate in a special election (mail ballot proceeding) and pay all associated costs of the special election and formation, if any. Financing may be structured through a Community Services District zone, Community Facilities District,

- Landscape and Lighting Maintenance District, or other financing structure as determined by the City; or
- SD-8 Establish a Property Owner's Association (POA) or Home Owner's Association (HOA) which will be responsible for any and all operation and maintenance costs

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

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

- SD-9 (BP) This project is conditioned for a proposed district to provide a funding source for the operation and maintenance of public improvements and/or services associated with new development in that territory. The Developer shall satisfy this condition with one of the options outlined below.
- SD-10 Participate in a special election for maintenance/services and pay all associated costs of the election process and formation, if any. Financing may be structured through a Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the City; or
- SD-11 Establish an endowment fund to cover the future maintenance and/or service costs.

The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance. If the first building permit is pulled prior to formation of the district, this condition will not apply. If the district has been or is in the process of being formed the Developer must inform the Special Districts Division of its selected financing option (a. or b. above). The option for participating in a special election requires 90 days to complete the special election process. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution.

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

SD-12 *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide for, but not limited to, stormwater utilities services for the continuous operation, remediation and/or replacement, monitoring, systems evaluations and enhancement of on-site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, a funding source needs to be established. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option for the National Pollution Discharge Elimination System (NPDES) program when submitting the application for the first building permit issuance (see Land Development's related condition). Participating in a special election the process requires a 90 day period prior to the City's issuance of a building permit. This allows adequate time to be in compliance with the provisions of Article 13D of the California Constitution. (California Health and Safety Code Sections 5473 through 5473.8 (Ord. 708 Section 3.1, 2006) & City of Moreno Valley Municipal Code Title 3, Section 3.50.050.)

SD-13 This project is located within the Edgemont Community Services District for streetlight services. Coordination of streetlight funding requirements should be made with the Edgemont Community Services District at Edgemont Community Services District, P. O. Box 5436, Riverside, CA 92514. Phone: 951.784.2411.

SD-14 Submit an acknowledgement from Edgemont Community Services District confirming they have accepted all street lights required to be installed by this project into its system for ongoing maintenance, have received a deposit and that the proceedings for the annexation or creation of a new Zone, by which the streetlights would be maintained, has been completed.

Public Works Department | TRANSPORTATION ENGINEERING DIVISION

Project will require a traffic study. Depending upon the outcome of the study, the following potential conditions may apply:

- Modification of the traffic signal at Day Street / Alessandro Boulevard
- Fair share payment towards a new traffic signal at Day Street / Bay Avenue
- Median modifications at the intersection of Alessandro Boulevard / Day Street to increase vehicle queuing capacity.

Financial & Management Services Department | MORENO VALLEY UTILITY

MVU-1 (CO) This project requires the installation of electric distribution facilities. A non-exclusive easement shall be provided to Moreno Valley Utility and shall

include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

MVU-2 (CO) This project requires the installation of electric distribution facilities. The developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer shall execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City all utility infrastructure including but not limited to, conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, and “bring-up” facilities including electrical capacity to serve the identified development and other adjoining, abutting, or benefiting projects as determined by Moreno Valley Utility – collectively referred to as “utility system” (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all “utility services” to and within the project. For purposes of this condition, “utility services” shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. “Utility services” shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval.

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

MVU-3 (CO) Existing Moreno Valley Utility electrical infrastructure shall be preserved in place. The developer will be responsible, at developer's expense, for any and all costs associated with the relocation of any of Moreno Valley Utility's underground electrical distribution facilities, as determined by Moreno Valley Utility, which may be in conflict with any developer planned construction on the project site.

MVU-4 (CO) This project is subject to a Reimbursement Agreement. The Developer is responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project.

Fire Department | FIRE PREVENTION

Fire Prevention comments would be specific to Developer's proposed use / plans. However, Fire Prevention will require adequate fire flow. The site takes water service from Box Springs Mutual Water Company. Developers are advised to contact Box Springs Mutual Water Company:

Phone: (951) 653-6419
21740 Dracaea Ave,
Moreno Valley, CA 92553

Community Development Department | PLANNING DIVISION

Zoning Requirements

Properties at the northeast corner of Alessandro and Day Street are zoned R30, which is intended as an area for development of multifamily residential dwelling units at a maximum allowable density of thirty (30) dwelling units per acre. Permitted uses are identified in the Permitted Uses Table, Section 9.02.020 of the City's municipal code. If commercial or industrial development is desired, approval of a General Plan Amendment and Zone Change along with required environmental documentation would be required.

Airport Land Use Commission

The site is also located within Compatibility Zone C1 of the March Air Reserve Base / Inland Port Airport Land Use Compatibility Plan, adopted November 13, 2014 (please refer to **Appendix C** for the Airport Land Use Compatibility Plan). Generally, the C1 Compatibility Zone limits residential densities, prohibits certain uses, and discourages a

number of uses. Additional Compatibility Plan policies may apply. A Consistency Determination from the Airport Land Use Commission is required for any project.

Heritage Trees

Heritage trees have been identified on the site and an arborist report has been attached to this RFP. Please note that any development would need to address zoning code requirements related to heritage trees as found in 9.17.030(G).

“No Net Loss” State Housing Legislation

The “No Net Loss” provision in State housing legislation requires cities to identify additional low-income housing sites in their Housing Element when an action reduces affordable housing identified in their Housing Element (e.g. by rezoning, by approving less than the number that was assumed, etc). The Planning Division has confirmed that Moreno Valley has adequate housing numbers to allow a General Plan amendment / rezone.

Community Development Department | BUILDING & SAFETY

General COA's

The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing fixtures shall be provided per the 2016 California Plumbing Code, Table 422.1, The occupant load and occupancy classification shall be determined in accordance with the California Building Code.

Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.

The proposed non-residential project shall comply with the latest Federal Law, Americans with Disabilities Act, and State Law, California Code of Regulations, Title 24, Chapter 11B for accessibility standards for the disabled including access to the site, exits, bathrooms, work spaces, etc.

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

The proposed development is 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.

The proposed project is subject to approval by the Eastern Municipal Water District and all applicable fees and charges shall be paid prior to permit issuance. Contact the water district at 951.928.3777 for specific details.

The proposed project is subject to approval by the Box Springs Mutual Water Company and all applicable fees and charges shall be paid prior to permit issuance. Contact the water company at 951.653.6419 for specific details.

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)

Any construction within the city shall only be completed between the hours of seven a.m. to seven p.m. Monday through Friday, excluding holidays, and from eight a.m. to four p.m. on Saturday, unless written approval is first obtained from the Building Official or City Engineer per City of Moreno Valley Municipal Code (MC 8.14.040E).

Contact the Building Safety Division for permit application submittal requirements.

The proposed project is subject to approval by the County of Riverside Department of Environmental Health and all applicable fees and charges shall be paid prior to permit issuance. Contact the Downtown Riverside branch office at 951-955-8980 for specific details pertaining to Food Service, Public Pools, and/or Septic and Onsite Water Treatment Systems.

The proposed project is subject to approval by the Edgemont Community Services District and all applicable fees and charges shall be paid prior to permit issuance. Contact the Edgemont Community at 951.928.3777 for specific details.