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**PLANNING COMMISSIONERS**

ALVIN DEJOHNETTE  
Chairperson

OMAR COBIAN  
Vice Chairperson

JOANN STEPHAN  
Commissioner

RAY BAKER  
Commissioner



ERLAN GONZALEZ  
Commissioner

DARYL C. TERRELL  
Commissioner

DAVID ZEITZ  
Commissioner

NICOLE TAYLOR  
Alternate Commissioner

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# PLANNING COMMISSION

## Regular Meeting

### Agenda

Thursday, November 9, 2023 at 6:00 PM  
City Hall Council Chamber – 14177 Frederick Street

#### CALL TO ORDER

#### ROLL CALL

#### PLEDGE OF ALLEGIANCE

#### APPROVAL OF AGENDA

#### PUBLIC COMMENTS PROCEDURE

*Any person wishing to address the Commission on any matter, either under the Public Comments section of the Agenda or scheduled items or public hearings, must fill out a "Request to Speak" form available at the door. The completed form must be submitted to the Secretary prior to the Agenda item being called by the Chairperson. In speaking to the Commission, members of the public may be limited to three minutes per person, except for the applicant for entitlement. The Commission may establish an overall time limit for comments on a particular Agenda item. Members of the public must direct their questions to the Chairperson of the Commission and not to other members of the Commission, the applicant, the Staff, or the audience.*

#### PUBLIC COMMENTS

#### CONSENT CALENDAR

*All matters listed under Consent Calendar are considered to be routine and non-controversial, and may be enacted by one roll call vote. There will be no discussion of these items unless a member of the Planning Commission requests that an item be removed for separate action*

1. Planning Commission Minutes – Regular Meeting – October 12, 2023 6:00 PM

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*Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the ADA Coordinator, at 951.413.3350 at least 72 hours before the meeting. The 72 hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.*

## **NON-PUBLIC HEARING ITEMS**

No items for discussion.

## **PUBLIC HEARING ITEMS**

1.       Case:                   Master Plot Plan (PEN22-0238)  
                                  Conditional Use Permit (PEN22-0176)  
  
          Applicant:           Beyond Food Mart, Inc.  
  
          Property Owner:     Tabel Center, LLC  
  
          Representative:     Michael Ramirez  
  
          Project Site:        Northwest corner of Iris Avenue and Oliver Street  
                                  (APN: 486-310-038)  
  
          Case Planner:       Oliver Mujica, Contract Planner  
  
          Council District:    4  
  
          Proposal:            The Applicant is requesting the approval of a 1.31-  
                                  acre Energy Center comprised of an eight (8) island  
                                  fueling station, six (6) vehicle charging stations, a  
                                  convenience store, and a drive-thru carwash.  
  
          CEQA:                Adopt Initial Study/Mitigated Negative Declaration and  
                                  Mitigation Monitoring and Reporting Program.

2. Case: Conditional Use Permit (PEN22-0137)  
Tentative Tract Map No. 38442 (PEN22-0131)
- Applicant: Highpoint MV, LLC
- Property Owner: Highpoint MV I
- Representative: Ross Yamaguchi
- Location: North of Alessandro Boulevard, east of Nason Street,  
South of Bay Avenue, Assessor Parcel Numbers  
488-210-006 and 488-210-020
- Case Planner: John Moreno, Contract Planner
- Council District: 3
- Proposal: Conditional Use Permit for a Planned Unit  
Development and a Tentative Tract Map No. 38442 to  
subdivide approximately 19.1 acres into 108 single-  
family residential lots with associated public  
improvements.
- CEQA: Adopt Initial Study/Mitigated Negative Declaration and  
Mitigation and Monitoring and Reporting Program.

3. Case: Municipal Code Amendment (PEN23-0125)
- Applicant: City of Moreno Valley
- Case Planner: Claudia Manrique, Associate Planner  
Danielle Harper-Scott, Associate Planner
- Council District: All Districts
- Proposed Project The proposed Omnibus Municipal Code amendment includes various updates and text clean-ups for the purpose of complying with State Law and clarifying and streamlining various development standards within Title 9 (Planning and Zoning), including Chapter 9.02 (Permits and Approvals), Chapter 9.03 (Residential Districts), Chapter 9.05 (Industrial Districts), Chapter 9.14 (Land Divisions), and Chapter 9.16 (Design Guidelines) of the Moreno Valley Municipal Code.
- CEQA: The Proposed amendments are exempt from the California Environmental Quality Act in accordance with Section 15061(b)(3) of the CEQA Guidelines in that the amendments involve general policy and procedure making, and it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment.

**OTHER COMMISSION BUSINESS**

No items for discussion.

**STAFF COMMENTS**

**PLANNING COMMISSIONER COMMENTS**

**ADJOURNMENT**

Planning Commission Regular Meeting Thursday, November 23<sup>rd</sup> at 6:00 P.M., City of Moreno Valley, City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, CA 92553.

**OFFICIAL MINUTES OF THE  
PLANNING COMMISSION  
OF THE CITY OF MORENO VALLEY**

**REGULAR MEETING – 6:00 PM  
October 12, 2023**

**CALL TO ORDER**

This regular meeting of the Planning Commission of the City of Moreno Valley was called to order at 6:00 p.m., by Chairperson DeJohnette in the Council Chambers located at 14177 Frederick Street, Moreno Valley, California.

**ROLL CALL**

Planning Commission:	Alvin DeJohnette	Chairperson	Present
	Omar Cobian	Vice-Chairperson	Present
	JoAnn Stephan	Commissioner	Present
	Ray L. Baker	Commissioner	Present
	Erlan Gonzalez	Commissioner	Excused Absence
	Daryl C. Terrell	Commissioner	Present
	David Zeitz	Commissioner	Present
	Nicole Taylor	Alternate Commissioner	Present

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner Taylor.

**APPROVAL OF AGENDA**

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Ray L. Baker, Commissioner  
**SECONDER:** David Zeitz, Commissioner  
**AYES:** Ray L. Baker, David Zeitz, Alvin DeJohnette, Omar Cobian, JoAnn Stephan, Daryl C. Terrell, Nicole Taylor  
**ABSENT:** Erlan Gonzalez

**PUBLIC COMMENTS PROCEDURE**

**PUBLIC COMMENTS**

Speakers:  
Louise Palomarez

**CONSENT CALENDAR**

1. Planning Commission - Regular Meeting - Sep 28, 2023 6:00 PM

Minutes Acceptance: Minutes of Oct 12, 2023 6:00 PM (CONSENT CALENDAR)

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** David Zeitz, Commissioner  
**SECONDER:** Ray L. Baker, Commissioner  
**AYES:** David Zeitz, Ray L. Baker, Alvin DeJohnette, Omar Cobian, JoAnn Stephan, Daryl C. Terrell, Nicole Taylor  
**ABSENT:** Erlan Gonzalez

**NON-PUBLIC HEARING ITEMS**

No items for discussion.

**PUBLIC HEARING ITEMS**

1. Tentative Parcel Map No. 38667 for the subdivision of 887.3 acres of land into 14 numbered parcels and 80 lettered lots for public streets, private driveways, landscape, and access.
  - A. Staff recommends that the Planning Commission take the following actions:
    1. **ADOPT** Resolution No. 2023-42, attached hereto, and thereby
      - a) **APPROVE** Tentative Parcel Map No. 38667 (PEN23-0031) based on the Recitals, Evidence contained in the Administrative Records and Findings as set forth in Resolution No. 2023-42.

**Public Hearing Opened:** 6:17 p.m.

Speakers  
Louise Palomarez

**Public Hearing Closed:** 6:21 p.m.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** JoAnn Stephan, Commissioner  
**SECONDER:** Omar Cobian, Commissioner  
**AYES:** JoAnn Stephan, Omar Cobian, Alvin DeJohnette, Ray L. Baker, Daryl C. Terrell, David Zeitz, Nicole Taylor  
**ABSENT:** Erlan Gonzalez

2. A Conditional Use Permit for a Planned Unit Development and a Tentative Tract Map No. 38264 to subdivide approximately 18.36 net acres into 55 residential lots, private streets, for 55 single-family lots, including park areas, common parking, and a variance for wall heights, within the residential 3 (R3) district.
  - A. Staff recommends that the Planning Commission take the following actions:
    1. **ADOPT** Resolution No. 2023-43, attached hereto, and thereby:

Minutes Acceptance: Minutes of Oct 12, 2023 6:00 PM (CONSENT CALENDAR)

- a) **ADOPTING** the Initial Study/Mitigated Negative Declaration prepared for Conditional Use Permit (PEN22-0014), Tentative Tract Map No. 38264 (PEN22-0013), and Variance (PEN23-0013) on file with the Community Development Department, incorporated herein by this reference, which was completed in compliance with CEQA and the CEQA Guidelines, and reflects that the Planning Commission reviewed and considered the information contained in the Initial Study/Mitigated Negative Declaration, and exercised its independent judgment and analysis of the Proposed Project’s potential environmental impacts; and
- b) **ADOPTING** the Mitigation Monitoring and Reporting Program prepared for the proposed project, which consists of Conditional Use Permit (PEN22-0014), Tentative Tract Map No. 38264 (PEN22-0013), and Variance (PEN23-0013) pursuant to CEQA and the CEQA Guidelines.

2. **ADOPT** Resolution No. 2023-44, attached hereto, and thereby:

- a) **APPROVING** Conditional Use Permit (PEN22-0014) and Tentative Tract Map No. 38264 (PEN22-0013) based on the recitals, evidence contained in the administrative records and findings as set forth in Resolution No. 2023-44.

3. **ADOPT** Resolution No. 2023-45, attached hereto, and thereby:

- a) **APPROVING** Variance (PEN23-0013) based on the recitals, evidence contained in the Administrative Records and Findings as set forth in Resolution No. 2023-45.

**Public Hearing Opened:** 6:50 p.m.

Speakers  
 Louise Palomarez  
 Bob Palomarez

**Public Hearing Closed:** 6:58 p.m.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Ray L. Baker, Commissioner  
**SECONDER:** David Zeitz, Commissioner  
**AYES:** Ray L. Baker, David Zeitz, Alvin DeJohnette, Omar Cobian, JoAnn Stephan, Daryl C. Terrell, Nicole Taylor  
**ABSENT:** Erlan Gonzalez

**OTHER COMMISSION BUSINESS**

No items for discussion.

**STAFF COMMENTS**

CDD Director, Sean Kelleher, advised Commissioners that the Brown Act Training will be rescheduled, and staff would be reaching out with the new date and time.

**PLANNING COMMISSIONER COMMENTS**

Chairperson DeJohnette asked Staff if the City can set ordinances regarding the regulation of towing companies or if the City can set up a warning system like other counties, such as Los Angeles.

**ADJOURNMENT**

There being no further business to come before the Planning Commission, Chairperson DeJohnette adjourned the meeting at 7:14 PM.

Submitted by:

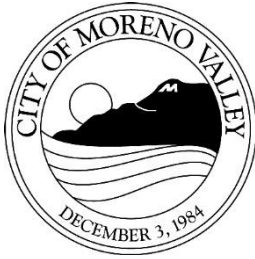
Approved by:

\_\_\_\_\_  
Rachel Ramirez  
Planning Commission Secretary

\_\_\_\_\_  
Alvin DeJohnette  
Chairperson

Minutes Acceptance: Minutes of Oct 12, 2023 6:00 PM (CONSENT CALENDAR)





## PLANNING COMMISSION

### STAFF REPORT

Meeting Date: November 9, 2023

A PROPOSAL FOR THE DEVELOPMENT AND OPERATION OF AN ISLAND FUELING STATION, VEHICLE CHARGING STATIONS, CONVENIENCE STORE (BEYOND FOOD MART), AND DRIVE-THRU CARWASH

Case: Master Plot Plan (PEN22-0238)  
Conditional Use Permit (PEN22-0176)

Applicant: Beyond Food Mart, Inc.

Property Owner: Tabel Center, LLC

Representative: Michael Ramirez

Project Site: Northwest corner of Iris Avenue and Oliver Street  
(APN: 486-310-038)

Case Planner: Oliver Mujica, Contract Planner

Council District: 4

Proposal: The Applicant is requesting the approval of a 1.31-acre Energy Center comprised of an eight (8) island fueling station, six (6) vehicle charging stations, a convenience store, and a drive-thru carwash.

CEQA: Adopt Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

#### **SUMMARY**

Beyond Food Mart, Inc. ("Applicant") submitted applications for a Master Plot Plan (PEN22-0238) for a 1.31-acre commercial development and a Conditional Use Permit (PEN22-0176) for the operation of an eight (8) island fueling station, six (6) vehicle charging stations, 7,400 square foot convenience store, and drive-thru carwash, along with the associated landscaping, and on-site and off-site improvements. The proposed

development is located on the northwest corner of the intersection of Iris Avenue and Oliver Street (APN: 486-310-038) within the Downtown Center (DC) District (collectively, the "Proposed Project"). The Proposed Project, as designed and conditioned, is consistent with the goals, policies, and objectives of the City's General Plan and the requirements of the Downtown Center (DC) District and the City's Municipal Code.

## **PROJECT DESCRIPTION**

### **Proposed Project**

#### **Master Plot Plan**

The Proposed Project consists of a Master Plot Plan for the development of the 1.31-acre commercial site with eight (8) island fueling stations, six (6) vehicle charging stations, a 7,400 square foot convenience store, and a drive-thru carwash, along with the associated landscaping, and on-site and off-site improvements.

#### **Conditional Use Permit**

Pursuant to the requirements of Section 9.02.060 (Conditional Use Permits) of the City's Planning and Zoning Code, approval of an auto service station with accessory uses including vehicle charging stations, convenience store, and drive-thru carwash located within 300 feet from a residential zone or use is permitted within the subject Downtown Center (DC) District subject to the approval of a Conditional Use Permit.

The proposed Beyond Food Mart project operation as an eight (8) island fueling station, six (6) vehicle charging stations, convenience store, and drive-thru carwash is consistent with and in compliance with the development standards, requirements, and regulations of the Municipal Code for a Conditional Use Permit, as well as the goals, policies, and objectives of the City's General Plan.

With the exception of the proposed drive-thru carwash, the proposed Beyond Food Mart project facilities will be open seven (7) days per week and twenty-four (24) hours per day. At this time, there will be a total of twelve (12) employees covering three (3) shifts with a minimum of three (3) employees per shift. Beyond Food Mart utilizes a state-of-the-art security system with alarms, surveillance cameras, and security lighting for security purposes. Additionally, the employees are trained and directed so that the property is walked hourly to ensure cleanliness and safety. The operating hours of the drive-thru carwash and vacuum stations will be from 8:00 a.m. to 10:00 p.m.

### **Site and Surrounding Area**

The Project Site is currently vacant and unimproved. The parcels directly to the north and west of the Project Site are within the Downtown Center (DC) District and are currently vacant and unimproved. The parcels to the east of the Project Site across Oliver Street are within 300 feet and developed with single-family residences within the Residential Medium Low (ML) District of the Moreno Valley Ranch Specific Plan (SP193). The parcels south of the Project Site across Iris Avenue are also within 300

feet and developed with single-family residences within the Residential Medium Low (ML) District of the Moreno Valley Ranch Specific Plan (SP193). The existing Kaiser Permanente Moreno Valley Medical Center is approximately 400 feet west of the Project Site.

### **Access/Parking**

The proposed Beyond Food Mart project provides direct access via two (2) primary entrances/exits, one (1) located along Iris Avenue and another on Oliver Street. Both driveways are restricted to “right-turn in” and “right-turn out” movements for public safety purposes. The internal site circulation has been designed to adequately accommodate on-site vehicular circulation including access to the island fueling stations, vehicle charging stations, convenience store, and drive-thru carwash tunnel and vacuum stations. Additionally, the carwash drive-thru lane has been designed to provide adequate stacking for the proposed use, not to impede internal vehicular circulation.

The Proposed Project provides 48 off-street parking spaces in compliance with Section 9.11.040 (Off-Street Parking Requirements) of the City’s Planning and Zoning Code.

### **Design/Landscaping**

The architectural design is modern with varied rooflines and projections incorporated into the façade and varying paint colors and façade material schemes to create visual interest in the structures. Incorporating articulated wall surfaces and features, as well as the island fueling station canopy design, will enhance the visual aesthetics at this intersection.

The proposed landscaping plan provides for on-site landscaping along the perimeter of the Project Site. A combination of small and large trees, various shrubs, and ground cover will be utilized on the corner of the subject site along Iris Avenue and Oliver Street to enhance the Project Site and create pedestrian-friendly features.

As designed, the proposed Beyond Food Mart project conforms to the development standards of the Downtown Center (DC) District, the City’s Landscaping Standards, and the design guidelines for commercial developments prescribed in the City’s Municipal Code.

### **REVIEW PROCESS**

As part of the standard review process, all appropriate outside agencies have considered the Proposed Project. The Proposed Project was reviewed by the Project Review Staff Committee as required by the Municipal Code. Following subsequent revisions and staff review, the project was deemed complete.

## **ENVIRONMENTAL**

An Initial Study was prepared by EPD Solutions, Inc. and accepted by the Planning Division Staff in compliance with the requirements of the California Environmental Quality Act (CEQA) and its guidelines. The Initial Study examined the potential impacts of the proposed project on the environment. The Initial Study/ Mitigated Negative Declaration (IS/MND) serves as the appropriate CEQA documentation for the Proposed Project. With the implementation of the proposed mitigation measures, the Proposed Project will not have a significant effect on the environment. Technical studies prepared in support of the IS/MND include the following: Air Quality Analysis (CalEEMod 2022 Outputs); Health Risk Assessment; Biological Resources Assessment; Cultural Resources Assessment; Phase I Environmental Site Assessment; Preliminary Hydrology Report; Preliminary Water Quality Management Plan; Noise Impact Study; Traffic Impact Analysis; and Vehicle Miles Traveled Screening Analysis. Copies of the appendices to the IS/MND can be accessed from the link attached to this staff report. The documents can be reviewed at City Hall during operating hours, and online on the City's website.

Mitigation measures are recommended for the Proposed Project in the following areas: Air Quality, Biological Resources, and Tribal and Cultural Resources, all of which are incorporated into the Mitigation Monitoring and Report Program (MMRP). The cultural resources measures are intended to ensure that potential resources that might be discovered are protected. However, these measures are not required to address a known significant impact. Based on the Initial Study and with the implementation of the proposed mitigation measures, the Proposed Project will not cause any significant impacts to the environment.

The public comment period for the Notice of Availability of the Initial Study/Mitigated Negative Declaration began on October 13, 2023, and ended on November 2, 2023, (State Clearing House Number 2023100360) which satisfies the required 30-day review period required for this project. As of the preparation of this staff report, no comments have been received. Written comments received after the preparation of this staff report will be provided at the public hearing.

## **NOTIFICATION**

Consistent with the City Municipal Code provisions and applicable law, public notice was sent to all property owners of record within 600 feet of the Project Site, posted on the Project Site, and published in the Press Enterprise Newspaper. Public comments received prior to publication of the report have been attached to this report.

## **REVIEW AGENCY COMMENTS**

Staff has coordinated with outside agencies where applicable, as is the standard review process for these development applications.

## **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission take the following actions:

A. **ADOPT** Resolution No. 2023-47, attached hereto, and thereby:

1. **ADOPTING** the Initial Study/Mitigated Negative Declaration prepared for Master Plot Plan (PEN22-0238) and Conditional Use Permit (PEN22-0176) on file with the Community Development Department, incorporated herein by this reference, which was completed in compliance with CEQA and the CEQA Guidelines, and reflects that the Planning Commission reviewed and considered the information contained in the Initial Study/Mitigated Negative Declaration, and exercised its independent judgment and analysis of the Proposed Project's potential environmental impacts; and
2. **ADOPTING** the Mitigation Monitoring and Reporting Program prepared for the Proposed Project, which consists of a Master Plot Plan (PEN22-0238) and Conditional Use Permit (PEN22-0176) pursuant to CEQA and the CEQA Guidelines.

B. **ADOPT** Resolution No. 2023-48, attached hereto, and thereby:

1. **APPROVING** Master Plot Plan (PEN22-0238) and Conditional Use Permit (PEN22-0176) based on the recitals, evidence contained in the administrative records, and findings as set forth in Resolution No. 2023-48.

Prepared by:  
Oliver Mujica  
Consultant

Approved by:  
Sean P. Kelleher  
Community Development Director

## **ATTACHMENTS**

To view large attachments, please click your “bookmarks”  on the left hand side of this document for the necessary attachment.

1. Resolution No. 2023-47
2. Exhibit A - Initial Study / Mitigated Negative Declaration
3. Appendix A - CalEEMod 2022 Detailed Report
4. Appendix B - Health Risk Assessment
5. Appendix C - Biological Resources Assessment
6. Appendix D - Cultural Resources Assessment
7. Appendix E - Phase I Environmental Assessment Report
8. Appendix F - Preliminary Hydrology Study
9. Appendix G - Preliminary WQMP
10. Appendix H - Noise Impact Analysis
11. Appendix I - Traffic Impact Analysis
12. Appendix J - VMT Screening Analysis

13. Exhibit B - Mitigation Monitoring and Reporting Program
14. Exhibit C - Notice of Intent to Adopt Mitigated Negative Declaration
15. Resolution No. 2023-48
16. Location Map
17. Project Plans - Architectural
18. Project Plans - Conceptual Landscaping and Preliminary Grading
19. Comments Received for Notice of Intent

**RESOLUTION NUMBER 2023-47**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING AND REPORTING PROGRAM FOR MASTER PLOT PLAN (PEN22-0238) AND CONDITIONAL USE PERMIT (PEN22-0176) FOR THE BEYOND FOOD MART LOCATED ON THE NORTHWEST CORNER OF IRIS AVENUE AND OLIVER STREET (APN: 486-310-038)**

**WHEREAS**, the City of Moreno Valley (“City”) is a general law city and a municipal corporation of the State of California, and the lead agency for the preparation and consideration of environmental documents for local projects that are subject to requirements of the California Environmental Quality Act (CEQA<sup>1</sup>) and CEQA Guidelines<sup>2</sup>; and

**WHEREAS**, Beyond Food Mart, Inc. (“Applicant”) has submitted applications for a Master Plot Plan (PEN22-0238) for a 1.31-acre commercial development, and a Conditional Use Permit (PEN22-0176) for the operation of an eight (8) island fueling station, six (6) vehicle charging stations, convenience store (7,400 square feet), and drive-thru carwash (“Proposed Project”), located at the northwest corner of Iris Avenue and Oliver Street (APN: 486-310-038), within the Downtown Center (DC) District (“Project Site”); and

**WHEREAS**, Planning Division Staff completed an Initial Study (environmental assessment) for the Proposed Project and based on the environmental assessment, recommended adoption of a Mitigated Negative Declaration (“MND”) and a Mitigation Monitoring and Reporting Program (“MMRP”) in accordance with Section 6 (ND Procedures) of the City’s Rules and Procedures for the Implementation of the California Environmental Quality Act and the requirements of CEQA the CEQA Guidelines Sections 15070–15075; and

**WHEREAS**, a Notice of Intent to Adopt a Mitigated Negative Declaration was duly noticed and circulated for public review for a period of twenty (20) days commencing on October 13, 2023, through November 2, 2023; and

**WHEREAS**, in compliance with CEQA and the CEQA Guidelines, an MMRP, which is a program for monitoring and reporting on the Proposed Project’s mitigation measures was prepared for the Proposed Project and circulated with the MND; and

**WHEREAS**, on November 9, 2023, a duly noticed public hearing was conducted by the Planning Commission to consider the approval of the Proposed Project’s MND and MMRP and approval of the Proposed Project; and

<sup>1</sup> Public Resources Code §§ 21000-21177

<sup>2</sup> 14 California Code of Regulations §§15000-15387

**WHEREAS**, at the conclusion of the public hearing, in the exercise of its own independent judgment, the Planning Commission determined that the MND and the MMRP prepared for the Proposed Project has reduced the potential impact of the Proposed Project to levels of insignificance and there is no substantial evidence supporting a fair argument that the Proposed Project will significantly affect the environment in a manner that otherwise would require the preparation and certification of an Environmental Impact Report.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1. Recitals and Exhibits**

That the foregoing Recitals and attached exhibits are true and correct and are hereby incorporated by this reference.

**Section 2. Evidence**

That the Planning Commission has considered all of the evidence submitted into the Administrative Record for the MND and MMRP, including, but not limited to, the following:

- (a) Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the Proposed Project, attached hereto as Exhibits A and B;
- (b) Notice of Intent to Adopt a Mitigated Negative Declaration, attached hereto as Exhibit C;
- (c) Planning Division Staff Report prepared for the Planning Commission's consideration and all documents, records, and references related thereto, and Planning Division Staff's presentation at the public hearing; and
- (d) Testimony, comments, and correspondence from all persons that were provided at, or prior to, the public hearing.

**Section 3. Findings**

That based on the content of the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission makes the following findings:

- (a) That all environmental impacts of the Proposed Project, with the mitigation measures set forth in the MMRP, have been reduced to levels of insignificance and there is no substantial evidence supporting a fair argument that the Proposed Project will have a significant effect on the environment that would otherwise require the preparation and certification of an Environmental Impact Report;
- (b) That the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program have been completed in compliance with CEQA and the



- CEQA Guidelines and are consistent with the City's Rules and Procedures for the Implementation of the California Environmental Quality Act;
- (c) That the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program represent the independent judgment and analysis of the Planning Commission and the City as the lead agency for the Proposed Project; and
  - (d) That the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program are adequate to serve as the required CEQA environmental documentation for the Proposed Project.

**Section 4. Adoption**

That based on the foregoing Recitals, Evidence contained in the Administrative Record and Findings, as set forth herein, the Planning Commission hereby adopts the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program attached hereto as Exhibits A and B.

**Section 5. Repeal of Conflicting Provisions**

That all the provisions as heretofore adopted by the Planning Commission that are in conflict with the provisions of this Resolution are hereby repealed.

**Section 6. Severability**

That the Planning Commission declares that, should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

**Section 7. Effective Date**

That this Resolution shall take effect immediately upon the date of adoption.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

**Section 8. Certification**

That the Secretary of the Planning Commission shall certify to the passage of this Resolution.

**PASSED AND ADOPTED THIS 9<sup>th</sup> DAY OF NOVEMBER 2023.**

CITY OF MORENO VALLEY  
PLANNING COMMISSION

\_\_\_\_\_  
Alvin DeJohnette, Chairperson

ATTEST:

\_\_\_\_\_  
Sean P. Kelleher,  
Community Development Director

APPROVED AS TO FORM:

\_\_\_\_\_  
Steven B. Quintanilla,  
City Attorney

- Exhibits:
- Exhibit A: Initial Study/Mitigated Negative Declaration
- Exhibit B: Mitigation Monitoring and Reporting Program
- Exhibit C: Notice of Intent to Adopt a Mitigated Negative Declaration

Attachment: Resolution No. 2023-47 [Revision 1] (6422 : Beyond Food Mart)

Exhibit A

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Attachment: Exhibit A - Initial Study / Mitigated Negative Declaration [Revision 1] (6422 : Beyond Food Mart)



# CITY OF MORENO VALLEY

## INITIAL STUDY FOR Beyond Food Mart Oliver and Iris



**(Master Plot Plan PEN22-0176  
Conditional Use Permit PEN22-0238)**

**October 2023**

**Lead Agency  
CITY OF MORENO VALLEY  
14177 Frederick Street  
Moreno Valley, CA 92552**

**Prepared By  
Lilburn Corporation  
1905 Business Center Drive  
San Bernardino, California 92408  
(909) 890 – 1818**

Attachment: Exhibit A - Initial Study / Mitigated Negative Declaration [Revision 1] (6422 : Beyond Food Mart)

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MITIGATION MONITORING AND REPORTING PROGRAM (Separate Document if applicable)

APPENDICES (Separate Documents)

- A. CalEEMod 2022 Outputs
- B. Health Risk Assessment Study
- C. Biological Resources Assessment, Jurisdictional Delineation, and MSHCP Consistency Analysis
- D. Phase I Cultural Resources Assessment
- E. Phase I Environmental Site Assessment Report
- F. Preliminary Hydrology Study
- G. Project Specific Water Quality Management Plan
- H. Noise Impact Study
- I. Traffic Impact Analysis
- J. Vehicle Miles Traveled Screening Analysis



# INITIAL STUDY (IS) FOR Beyond Food Mart

## BACKGROUND INFORMATION AND PROJECT DESCRIPTION:

1. **Project Case Number(s):** PEN 22-0176, PEN 22-0238
2. **Project Title:** Beyond Food Mart Oliver and Iris
3. **Public Comment Period:** September 29, 2023 – October 18, 2023
4. **Lead Agency:** City of Moreno Valley  
Oliver Mujica, Planning Department  
14177 Frederick Street  
Moreno Valley, CA 92552  
(951) 413- 3206  
Planningnotice@moval.org
5. **Documents Posted At:** <https://www.moreno-valley.ca.us/cdd/documents/about-projects.html>
6. **Prepared By:** Lilburn Corporation  
1905 Business Center Drive  
San Bernardino, CA 92408  
(909) 890- 1818  
[cheryl@lilburncorp.com](mailto:cheryl@lilburncorp.com)
7. **Project Sponsor:**  
  
**Property Owner  
/Applicant/Developer**  
Paradise Lake, LLC  
4300 Edison Avenue  
Chino, California, 91710  
[reijvtjt@gmail.com](mailto:reijvtjt@gmail.com)
8. **Project Location:** The Project is generally located within Section 22, Township 3 South, Range 3 West, and is depicted on the *Sunnymead* U.S. Geological Survey (USGS) 7.5-minute topographic map. The Project Site is located at the northwest corner of Iris Avenue and Oliver Street with an address of 27990 Iris Avenue, Moreno Valley, CA. The APN is 486-310-038 and the Assessor's Map shows the property is 1.31 acres Refer to Figure 1, Regional Location Map and Figure 2, Vicinity Map.
9. **General Plan Designation:** The Project Site is designated as Downtown Center (DC - SP 218LM) Land Use District
10. **Specific Plan Name and Designation:** Downtown Center/AquaBella, Planned Commercial (PC)

11. **Existing Zoning:** Downtown Center (DC)
12. **Surrounding Land Uses and Setting:**

**Table 1**  
**Project Site and Surrounding Land Uses**

Project Site	Land Use	General Plan	Zoning
	Vacant	Planned Commercial (PC)	Downtown Center (DC)
North	Vacant	Planned Commercial (PC)	Downtown Center (DC)
South	Single Family Residential (R10)	Suburban Residential (SP 193 ML)	Medium Low Density Residential (ML)
East	Single Family Residential (R10)	Suburban Residential (SP 193 ML)	Medium Low Density Residential (ML)
West	Vacant	Planned Commercial (PC)	Downtown Center (DC)

13. **Description of the Site and Project:**

**Environmental Setting**

The Project Site is located in the City of Moreno Valley in western Riverside County in a primarily residential area of the city. The property is currently vacant and is surrounded by residential development to the east and south. Vacant parcels are to the north and to the west; the Kaiser Permanente Moreno Valley Hospital is west of the Project Site. Approximately ½-mile to the south lie the foothills of the Lake Perris Recreational Area. Proposed Site photos are included as Figure 7.

**Project Description**

Beyond Food Mart, Inc. (Applicant) is requesting to construct and operate an eight-island fueling station, a 7,460 square-foot convenience store, and a 1,790 square-foot drive-thru carwash. The proposed Site Plan is included as Figure 3, the Preliminary Grading Plan as Figure 4, the Preliminary Landscaping Plan as Figure 5, and the Building Elevation Plans are Figures 6a and 6b. The Project Site contains 1.31 acres (APN: 486-310-038). The Project Site is located at the northwest corner of Iris Avenue and Oliver Street in the City of Moreno Valley.

The fueling station includes two underground storage tanks (USTs). One tank would have a capacity of 27,000 gallons and would be a split tank that would store both E85 and unleaded fuel. The second tank would have a capacity of 15,000 gallons and would store unleaded premium and diesel fuel. The fueling islands would include 16 fueling positions and would be located under a 5,979 square-foot canopy with a height of 19'6". The development would include 14,944 square-feet of landscaping. There would be a total of 43 passenger car parking spaces to include two handicap accessible spaces, two spaces for electric vehicles (EV), four spaces for low emission (carpool/vanpool) vehicles, 3 spaces for bicycle parking, and one additional parking space will be reserved as a loading/unloading space. Access to the Project Site will be provided by two approximately 35-foot driveways on the eastern and southern portion of the lot; one from Iris Avenue and one from Oliver Street.

The maximum height of the convenience store and canopies would not exceed 50 feet. The Proposed Project is expected to operate 24 hours a day, seven days a week, and will include approximately 12 employees.



The Proposed Project also includes a storm water system with one underground bioretention basin with a storm water retention volume of 15,237 cubic-feet (CF) that would be located on the southeast portion of the Project Site and one vegetation swale located (refer to Figure 3). There is an existing water line in Iris Avenue that the Proposed Project would connect to. The Proposed Project would also connect to an existing sewer line in Iris Avenue.

The Proposed Project’s Landscape Plan (see Figure 5) includes as a Design Feature, a number of mature trees on-site as well as shrubs and ground cover representing 35% of the site development and will be in accordance with the City’s Municipal Code 9.17.030.

**14. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission’s Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

The City initiated AB 52 consultation on August 19, 2023 for a 30-day period. A total of seven tribes received letter notification, which are:

- Agua Caliente Band of Cahuilla Indians
- Morongo Band of Mission Indians
- San Manuel Band of Mission Indians
- Desert Cahuilla Indians
- Pechanga Cultural Resources Department
- Soboba Band of Luiseno Indians
- Ricon Band of Luiseno Indians

Two tribes responded as follows:

Tribe	Comment Letter Received	Summary of Response	Conclusion
Agua Caliente Band of Cahuilla Indians	8/30/2023	Tribal Historic Preservation Office’s concerns have been addressed.	AB 52 consultation is concluded
San Manuel Band of Mission Indians	8/31/2023	Project outside of Serrano ancestral territory.	Consultation not requested

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission’s Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

15. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):**
- a. None
16. **Other Technical Studies Referenced in this Initial Study (Provided as Appendices):**
- A. CalEEMod 2022 Outputs
  - B. Health Risk Assessment
  - C. Biological Resources Assessment, Jurisdictional Delineation, and MSHCP Consistency Analysis
  - D. Phase I Cultural Resources Assessment
  - E. Phase I Environmental Site Assessment Report
  - F. Preliminary Hydrology Study
  - G. Project Specific Water Quality Management Plan
  - H. Noise Impact Study
  - I. Traffic Impact Analysis
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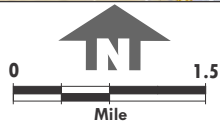
17. **Acronyms:**

ADA -	American with Disabilities Act
ALUC -	Airport Land Use Commission
ALUCP -	Airport Land Use Compatibility Plan
AQMP -	Air Quality Management Plan
CEQA -	California Environmental Quality Act
CIWMD -	California Integrated Waste Management District
CMP -	Congestion Management Plan
DTSC -	Department of Toxic Substance Control
DWR -	Department of Water Resources
EIR -	Environmental Impact Report
EMWD -	Eastern Municipal Water District
EOP -	Emergency Operations Plan
FEMA -	Federal Emergency Management Agency
FMMP -	Farmland Mapping and Monitoring Program
GIS -	Geographic Information System
GHG -	Greenhouse Gas
GP -	General Plan
HCM	Highway Capacity Manual
HOA -	Home Owners' Association
IS -	Initial Study
LHMP -	Local Hazard Mitigation Plan
LOS -	Level of Service
LST -	Localized Significance Threshold
MARB -	March Air Reserve Base
MARB/IPA-	March Air Reserve Base/Inland Port Airport
MSHCP -	Multiple Species Habitat Conservation Plan
MVFP -	Moreno Valley Fire Department
MVPD -	Moreno Valley Police Department
MVUSD -	Moreno Valley Unified School District
MWD -	Metropolitan Water District
NCCP -	Natural Communities Conservation Plan
NPDES -	National Pollutant Discharge Elimination System
OEM -	Office of Emergency Services

OPR -	Office of Planning & Research, State
PEIR -	Program Environmental Impact Report
PW -	Public Works
RCEH -	Riverside County Environmental Health
RCFCWCD -	Riverside County Flood Control & Water Conservation District
RCP -	Regional Comprehensive Plan
RCTC -	Riverside County Transportation Commission
RCWMD -	Riverside County Waste Management District
RTA -	Riverside Transit Agency
RTIP -	Regional Transportation Improvement Plan
RTP -	Regional Transportation Plan
SAWPA -	Santa Ana Watershed Project Authority
SCAG -	Southern California Association of Governments
SCAQMD -	South Coast Air Quality Management District
SCE -	Southern California Edison
SCH -	State Clearinghouse
SKRHCP -	Stephens' Kangaroo Rat Habitat Conservation Plan
SWPPP -	Storm Water Pollution Prevention Plan
SWRCB -	State Water Resources Control Board
USFWS -	United States Fish and Wildlife
USGS -	United States Geologic Survey
VMT -	Vehicle Miles Traveled
VVUSD -	Valley Verde Unified School District
WQMP -	Water Quality Management Plan
WRCOG -	Western Riverside Council of Government



Attachment: Exhibit A - Initial Study / Mitigated Negative Declaration [Revision 1] (6422 : Beyond Food Mart)



### REGIONAL LOCATIO

Tabel Cent  
City of Moreno Valley, California



Oliver Street

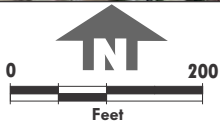
**PROJECT SITE**

Iris Ave

Arla Street

Oliver Street

Attachment: Exhibit A - Initial Study / Mitigated Negative Declaration [Revision 1] (6422 : Beyond Food Mart)



LILBURN CORPORATION

### PROJECT VICINIT

Tabel Cent  
City of Moreno Valley, California



4300 EDISON AVE.,  
CHINO, CA 91710  
TEL: 909.465.4101  
FAX: 909.606.6839

PROJECT: NEW BEYOND FOODMART DEVELOPMENT  
ADDRESS: 27990 IRIS AVE., MORENO VALLEY, CA 92555  
CLIENT: TABEL CENTER LLC, 1000 IRIS AVE. SUITE 100, FULLERTON CA 92831

SHEET TITLE: SITE PLAN



DESIGNED BY:	TL/TL
DRAWN BY:	TL
CHECKED BY:	TL
PLANNING CHECK:	
PERMIT SET:	

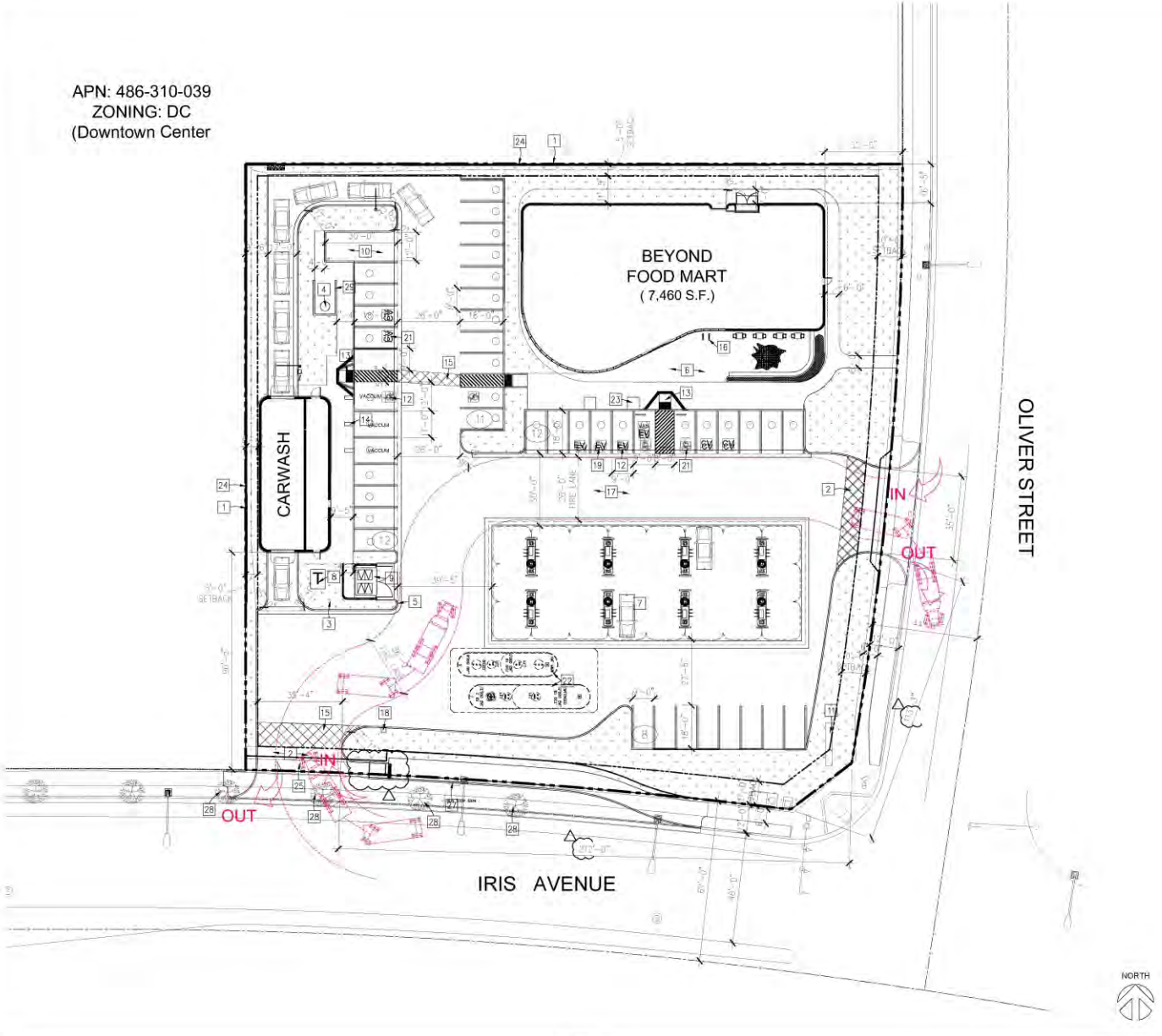
REVISIONS	
1	10/27/2018
2	03/05/2019
3	04/09/2019

SHEET NO: A1.01 OF SHEETS

# SITE PLAN

Tabel Cent  
City of Moreno Valley, California

APN: 486-310-039  
ZONING: DC  
(Downtown Center)



### Reference Notes

- [1] (E) PROPERTY LINES
- [2] (N) CURB AND GUTTER/DRIVEWAY (RIGHT IN & OUT)
- [3] (N) LANDSCAPE
- [4] (N) HEALY TANK
- [5] (N) CONCRETE CURB
- [6] (N) CONCRETE SIDEWALK
- [7] (N) CANOPY 47'-0"x128'-0" (UNDER SEPARATED PERMIT)
- [8] (N) TRANSFORMER PAD
- [9] (N) TRASH/RECYCLE ENCLOSURE
- [10] (N) LOADING/UNLOADING (10'-0"x20'-0")
- [11] (N) CORNER MONUMENT, SIGN BY OTHERS, UNDER SEPARATE PERMIT.
- [12] (N) HCP PARKING
- [13] (N) HCP RAMP
- [14] (N) VACUUM @ 6 LOCS
- [15] (N) 5'-0" WIDE HCP PATH OF TRAVEL W/ DECORATIVE CONCRETE PATHWAY, PER CODE STD
- [16] (N) 10' RACK BICYCLE PARKING PER CITY'S STANDARD.
- [17] (N) 26' WIDE FIRE LANE
- [18] (N) AIR/WATER TOWER
- [19] (N) EVCS PARKING PER CITY'S STD. PROVIDE MIN. 1" CONDUIT TERMINATING IN LISTED ENCLOSURE FOR FUTURE CHARGER.
- [20] (N) 8' FT. SPLITFACE CMU FENCE WALL
- [21] (N) FUEL-EFFICIENT CARPOOL AND VANPOOL VEHICLE, PER CODE STD.
- [22] (N) UNDERGROUND TANK, UNDER SEPARATE PERMIT.
- [23] (N) EV CHARGING STATION
- [24] (N) 6' HT SPLIT FACE CMU WALL W/ 2" CONCRETE CAP
- [25] ACCESS DRIVEWAYS ON IRIS AVENUE WILL BE RESTRICTED TO RIGHT IN / RIGHT OUT ONLY.
- [26] (E) TREE TO REMOVE
- [27] (N) BUS STOP
- [28] (E) TREE TO REMOVE, SEE LANDSCAPE PLAN.
- [29] (N) CMU WALL WITH STUCCO FINISH AT 6'-0" HEIGHT.



SCALE: 1"=20'-0"

PEN22-0176 / PEN22-0238

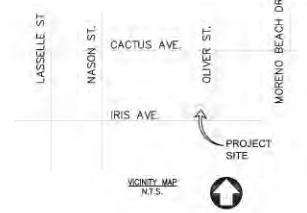
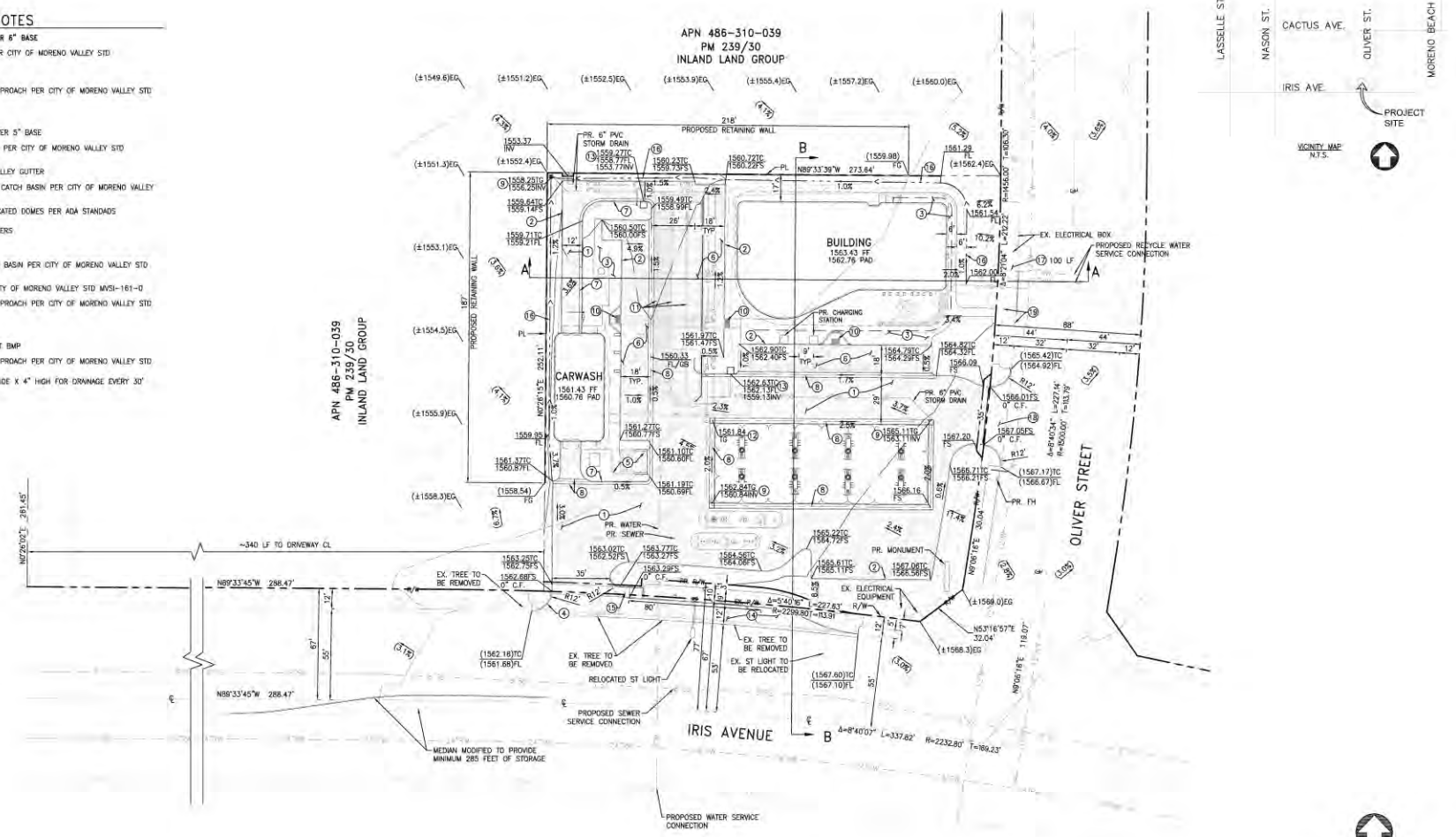
Site Plan

**CONSTRUCTION NOTES**

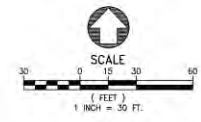
- 1 PROPOSED 3" AC PAVEMENT OVER 6" BASE
- 2 PROPOSED 6" CURB TYPE 6A PER CITY OF MORENO VALLEY STD MVS-121A-0
- 3 PROPOSED 5' WIDE SIDEWALK
- 4 PROPOSED COMMERCIAL DRIVE APPROACH PER CITY OF MORENO VALLEY STD MVS-112A-0
- 5 PROPOSED TRASH ENCLOSURE
- 6 PROPOSED 2.5" AC PAVEMENT OVER 5" BASE
- 7 PROPOSED 6" CURB AND GUTTER PER CITY OF MORENO VALLEY STD MVS-120A-0
- 8 PROPOSED CONCRETE 3' WIDE VALLEY GUTTER
- 9 PROPOSED 24"x24" GRATE INLET CATCH BASIN PER CITY OF MORENO VALLEY STD MVS-614A-0
- 10 PROPOSED ADA RAMP AND TRUNCATED DOMES PER ADA STANDARDS
- 11 PROPOSED UNDERGROUND CHAMBERS
- 12 PROPOSED DEAD END SUMP
- 13 PROPOSED CURB OPENING CATCH BASIN PER CITY OF MORENO VALLEY STD MVS-500A-0
- 14 PROPOSED BUS TURNOUT PER CITY OF MORENO VALLEY STD MVS-161-0
- 15 PROPOSED COMMERCIAL DRIVE APPROACH PER CITY OF MORENO VALLEY STD MVS-112D-0
- 16 PROPOSED GRADED SWALE
- 17 PROPOSED GRADED SWALE STREET THMP
- 18 PROPOSED COMMERCIAL DRIVE APPROACH PER CITY OF MORENO VALLEY STD MVS-112D-0
- 19 PROPOSED CURB OPENING 12" WIDE X 4" HIGH FOR DRAINAGE EVERY 30' D.C.

APN 486-310-039  
PM 239/30  
INLAND LAND GROUP

APN 486-310-039  
PM 239/30  
INLAND LAND GROUP



**DIGALERT**  
CALL 811 or 1-800-422-4133  
2 Working Days Before You Dig  
www.call811.com



PN22-0176

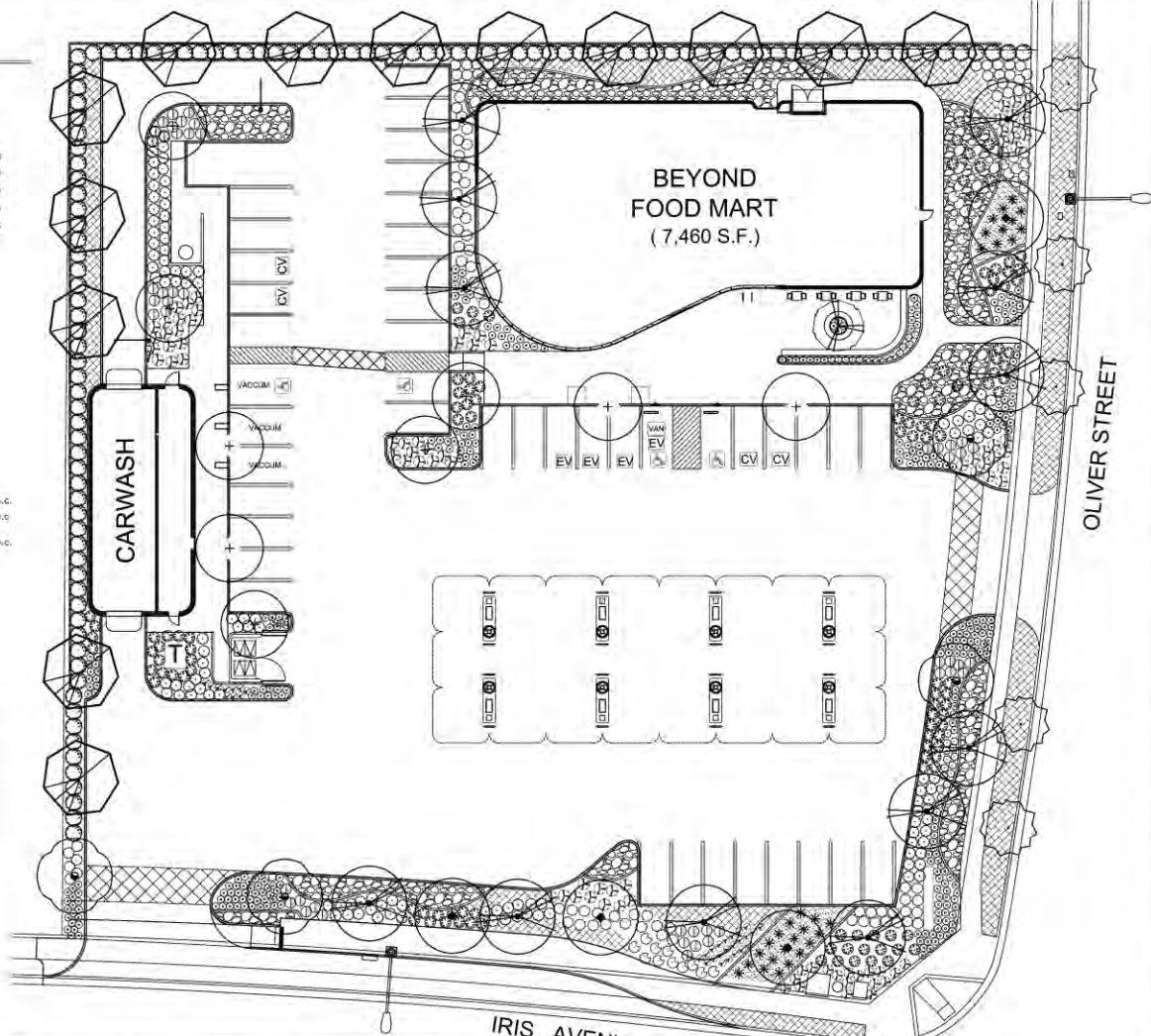
				<p>ENGINEER OF RECORD'S SEAL</p>		<p><b>BLUE</b> Engineering &amp; Consulting, Inc UNDER THE SUPERVISION OF:</p> <p>ANGEL CESAR RCE 87222</p>		<p>CITY OF MORENO VALLEY</p> <p>PRELIMINARY GRADING PLAN</p> <p>APN 486-310-038 IRIS AVE AND OLIVER ST, MORENO VALLEY</p> <p>PRELIMINARY GRADING PLAN</p>		<p>SHEET 3 OF 5</p> <p>CITY ID No</p>	
--	--	--	--	----------------------------------	--	---	--	---	--	---------------------------------------	--

**PRELIMINARY GRADING PLAN**  
Tabel Cen  
City of Moreno Valley, California

Attachment: Exhibit A - Initial Study / Mitigated Negative Declaration [Revision 1] (6422 : Beyond Food

PLANT LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY	SIZE	WUCOLS PLANT FACTOR	REMARKS
<b>TREES</b>						
(Symbol)	Acer p. 'Adrian's Compact'	Compact J. Maple	1	24" box	L	Multi-trunk
(Symbol)	Parkinsonia 'Desert Museum'	Palo Verde	4	24" box	L	Multi-trunk
(Symbol)	Cercis o. 'Forest Pansy'	Forest Pansy	12	24" box	M	Standard trunk
(Symbol)	Lapostemum i. 'Tuscarora'	Grape Myrtle	4	24" box	M	Standard trunk
(Symbol)	Lophostemon confertus	Briarbane box	13	24" box	M	Slapdard trunk
(Symbol)	Platanus x a. 'Bloodgood'	London Plane Tree	5	24" box	M	Standard trunk
(Symbol)	Geijera parvifolia	Australian Willow	9	24" box	L	Standard trunk
Existing street trees to remain in place.						
<b>SHRUBS</b>						
(Symbol)	Agave attenuata	Foxtail Agave	48	5 gal	L	
(Symbol)	Agave Blue Glow	Blue Glow Agave	36	5 gal	L	
(Symbol)	Ligustrum j. 'Texanum'	Texas Privet	114	5 gal	L	
(Symbol)	Bougainvillea 'Raspberry Ice'	Raspberry Ice Bougainvillea	37	5 gal	L	
(Symbol)	Callistemon 'Little John'	Dwarf Bottlebrush	113	5 gal	M	
(Symbol)	Westringia fruticosa 'Smokely'	Dwarf Coastal Rosemary	91	5 gal	L	
(Symbol)	Westringia fruticosa 'Mural'	Mural Coastal Rosemary	75	5 gal	L	
<b>PERENNIALS</b>						
(Symbol)	Carex o. 'Evergold'	Var. Japanese Sedge	10	1 gal	L	
(Symbol)	Dianella 'Cassa Blue'	Cassa Blue Flax Lily	55	1 gal	L	
(Symbol)	Dianella l. 'Variegata'	Variegated Flax Lily	15	1 gal	M	
(Symbol)	Kniphofia varia	Red Hat Power	37	1 gal	L	
(Symbol)	Penstemon n. 'Margaret BOP'	Margaret Bop IberianTongue	125	1 gal	L	
(Symbol)	Sesleria autumnalis	Moor Grass	95	1 gal	L	
<b>GROUNDCOVER</b>						
(Symbol)	Baccharis p. 'Coyote Bush'	Dwarf Coyote Bush	29	1 gal	L	plant @ 36" o.c.
(Symbol)	Carex m 'Emerald Blanket'	Emerald Blanket	77	1 gal	L	plant @ 36" o.c.
(Symbol)	Rosmarinus officinalis 'Irene'	Irene Trailing Rosemary	250	1 gal	L	plant @ 36" o.c.
(Symbol)	1-4" Cobblestone rock set on 4" fine gravel, detail K, L-1					
(Symbol)	3" layer of 3/4" gravel, Palm Springs Gold, detail L, L-1					



Water Efficient Landscape Worksheet

Reference to Irrigation Schedule (E10)	ETW	ETW	ETW	ETW	ETW	ETW	ETW	ETW
Component / Planting	Area (sq ft)	Planting	Planting	Planting	Planting	Planting	Planting	Planting
Grass (Municipal)	1000	1000	1000	1000	1000	1000	1000	1000
Grass (Residential)	1000	1000	1000	1000	1000	1000	1000	1000
Grass (Commercial)	1000	1000	1000	1000	1000	1000	1000	1000
Grass (Industrial)	1000	1000	1000	1000	1000	1000	1000	1000
Grass (Public)	1000	1000	1000	1000	1000	1000	1000	1000
Grass (Total)	5000	5000	5000	5000	5000	5000	5000	5000

Plant Species Code Type	Plant Factor	Method	Efficiency
Grass	0.5	Method 1	0.75
Grass	0.5	Method 2	0.75
Grass	0.5	Method 3	0.75

ETW (1) is determined based on the following criteria: 1. The ETW for the proposed landscape area is determined based on the ETW for the proposed landscape area. 2. The ETW for the proposed landscape area is determined based on the ETW for the proposed landscape area. 3. The ETW for the proposed landscape area is determined based on the ETW for the proposed landscape area.

ETW Application	ETW	ETW	ETW
Grass	0.5	0.5	0.5
Grass	0.5	0.5	0.5
Grass	0.5	0.5	0.5

ETW Application	ETW	ETW	ETW
Grass	0.5	0.5	0.5
Grass	0.5	0.5	0.5
Grass	0.5	0.5	0.5

All improvements are to be maintained by the property owner.

NOTE: SEE SHEET L-3 FOR PLANTING DETAILS

NOTE: "I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the planting design plan."  
*Phil May*  
 Phil May, Landscape Architect  
 04-27-2023  
 Date

NOTE: INSTALL ROOT BARRIERS TO ALL PROPOSED TREES PLANTED WITHIN FIVE(5) FEET ALONG ANY HARDSCAPE SURFACE; NOT AROUND THE TREE ROOT BALL.

MULCH INSTALLATION  
 After all planting and irrigation operations are completed, cover all exposed landscape areas with 3" layer of SPEC Mulch as made by Recycled Wood Products (877-476-9797), or equal.



PHIL MAY LANDSCAPE ARCHITECTURE  
 2532 Wallace Ave.  
 Fullerton, CA 92631  
 Phone: 951-373-1958  
 philmay@philmaydesign.com  
 www.philmaydesign.com



PLANTING PLAN

NEW BEYOND FOODMART DEVELOPMENT  
 NWC OF IRIS AVE & OLIVER ST.  
 MORENO VALLEY, CA

DATE: 04-26-2023

L-2  
 5  
 22092

PRELIMINARY LANDSCAPING PLAN

Tabel Cent  
 City of Moreno Valley, California





4300 EDISON AVE.,  
CHINO, CA 91710  
TEL: 909.465.4101  
FAX: 909.606.6839

PROJECT: NEW BEYOND FOODMART DEVELOPMENT  
ADDRESS: 27000 IRIS AVE., MORENO VALLEY, CA 92556  
CLIENT: TABEL CENTER LLC, 2801 EAST CHAPMAN AVE, SUITE 100, FULLERTON, CA 92701

C-STORE ELEVATIONS

SHEET TITLE

KEY MAP SCALE/STAD



DATE	NO.	BY	REVISION
11/07/20	1	CHAK PAU LAU	INITIAL
02/03/21	2	CHAK PAU LAU	REVISED
04/07/21	3	CHAK PAU LAU	REVISED
06/27/21	4	CHAK PAU LAU	REVISED

REVISION:

1st O/P Presentation	10/07/20
2nd O/P Presentation	03/08/21
3rd O/P Presentation	06/27/21

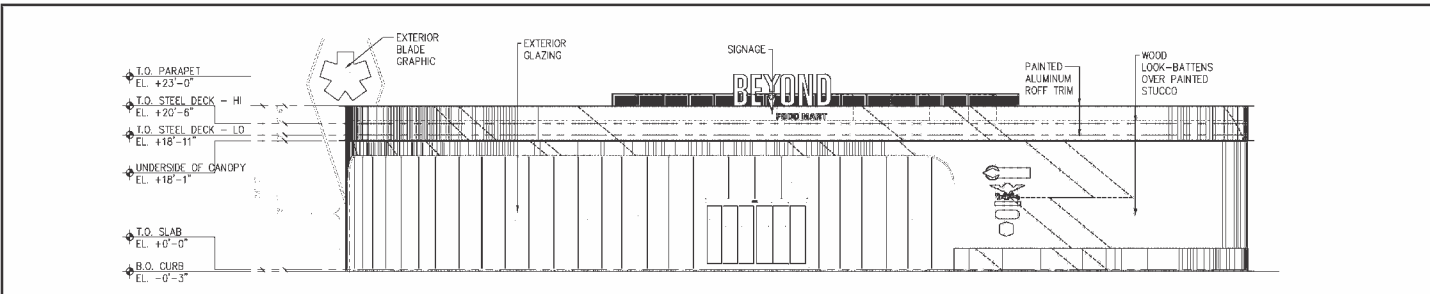
SHEET NO:

A3.01

OF SHEET SHEET

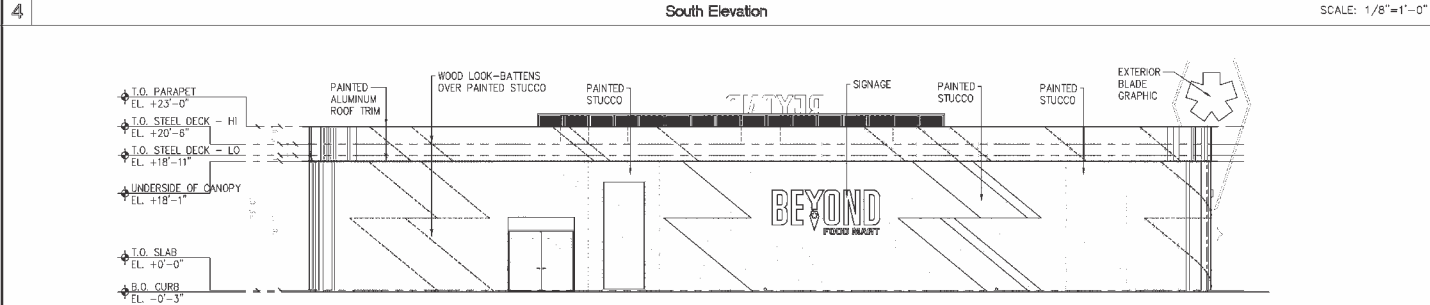
Reference Notes

- 1 -
- 2 -



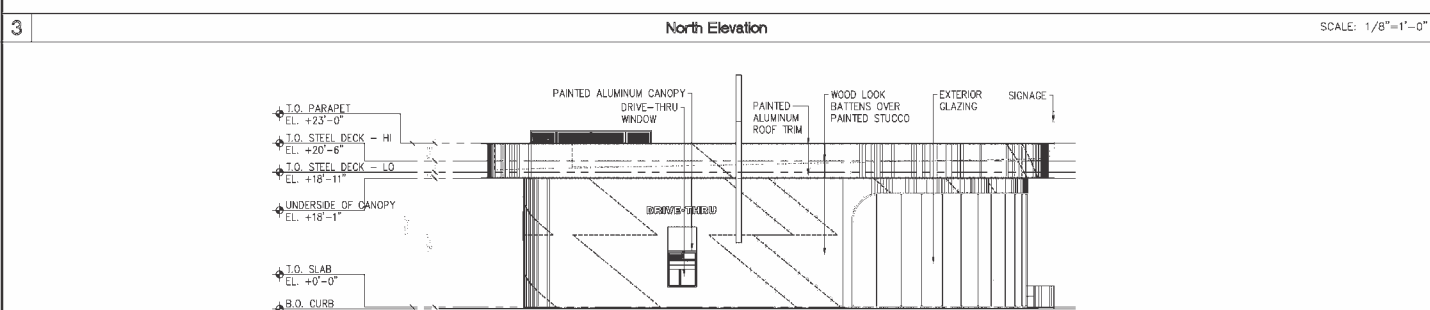
South Elevation

SCALE: 1/8"=1'-0"



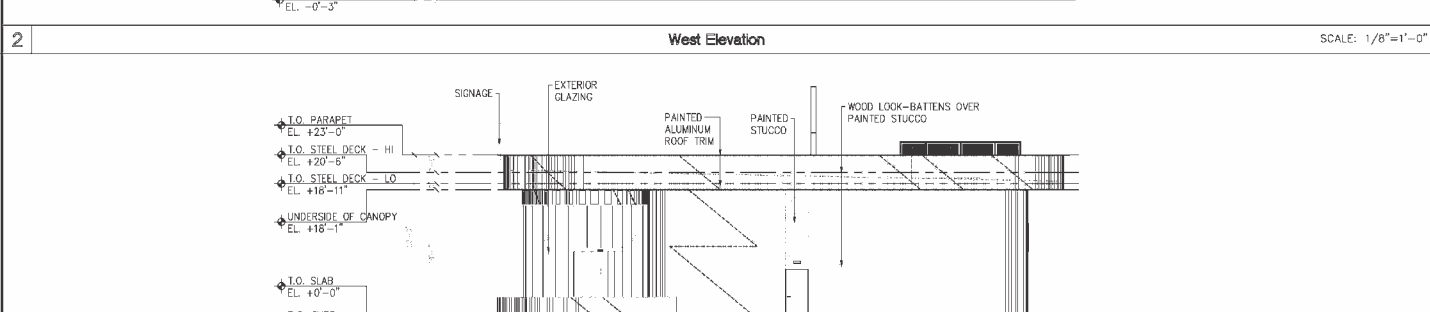
North Elevation

SCALE: 1/8"=1'-0"



West Elevation

SCALE: 1/8"=1'-0"

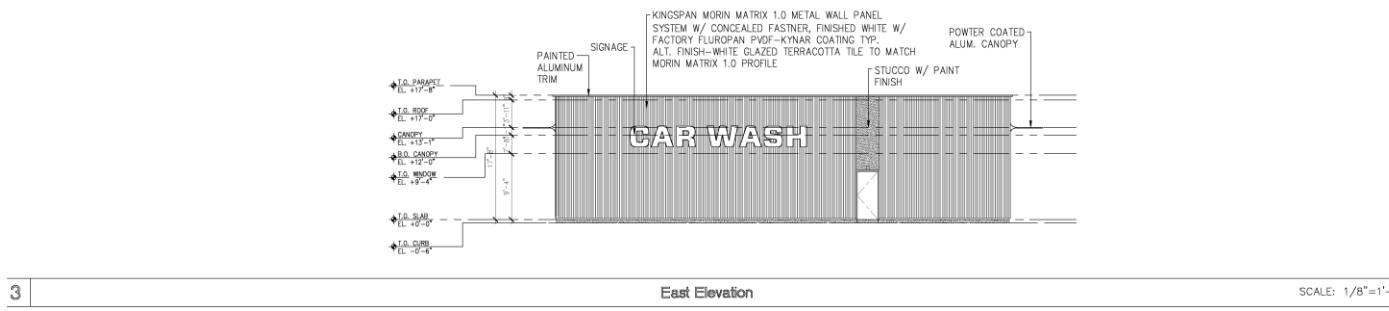
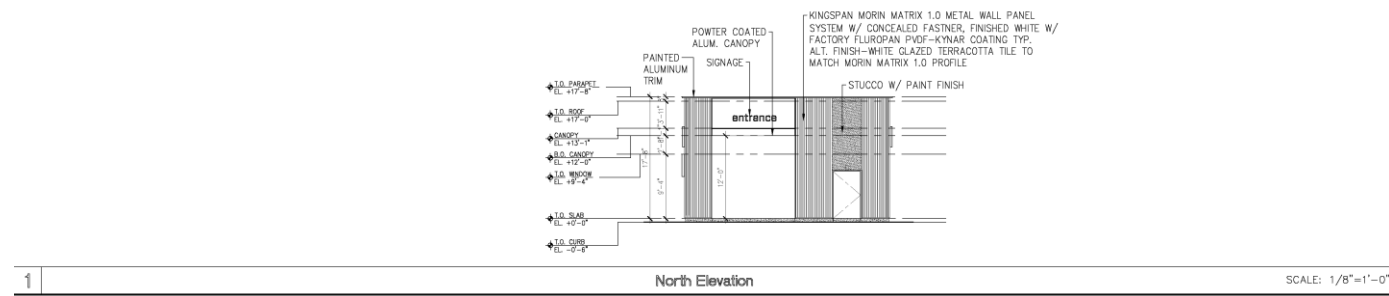
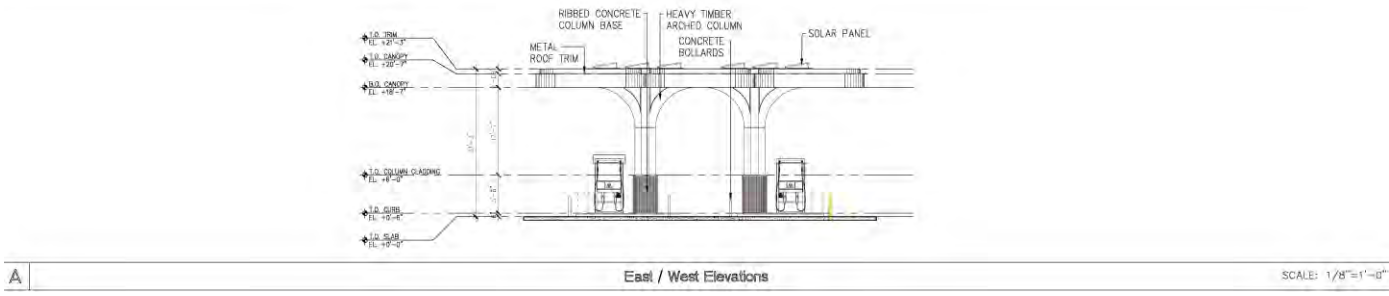
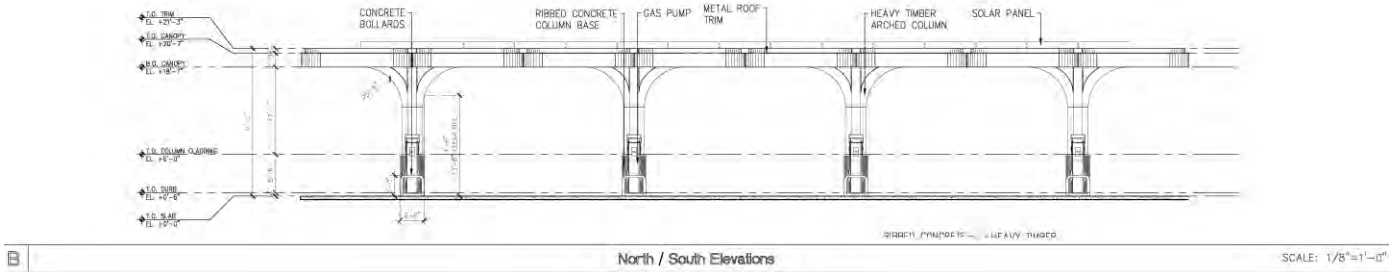


East Elevation

SCALE: 1/8"=1'-0"

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PEN22-0176 / PEN22-0238



# ELEVATIONS-FUELING STATION CANOPY & CARWAS

Tabel Cent  
City of Moreno Valley, California

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Photo 1 –  
Northeast  
corner of  
parcel, facing  
southwest.



Photo 2 –  
Southeast  
corner of  
parcel, facing  
northwest.

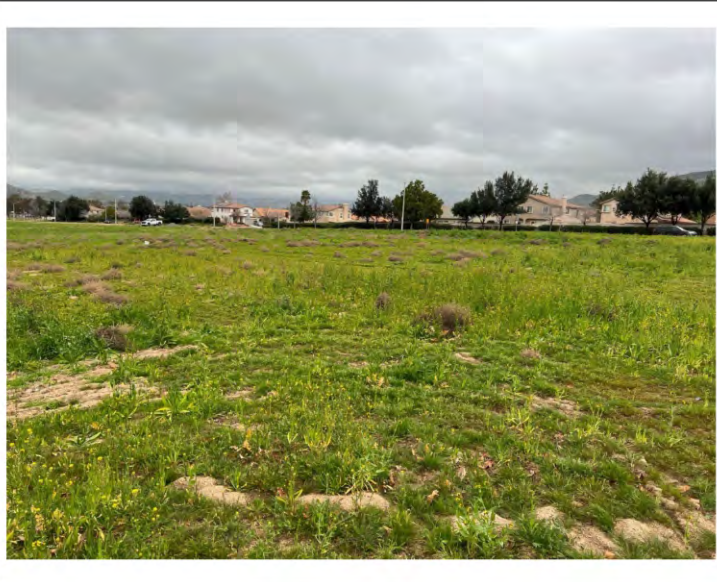


Photo 3 –  
Southwest  
corner of  
parcel, facing  
northeast.



Photo 4 –  
Northwest  
corner of  
parcel, facing  
southeast.

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# SITE PHOTO

Tabel Cent

City of Moreno Valley, California

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

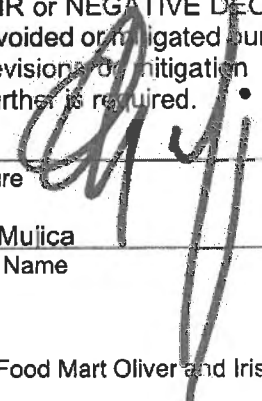
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Agriculture & Forestry Resources | <input checked="" type="checkbox"/> Air Quality             |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources    | <input type="checkbox"/> Energy                             |
| <input checked="" type="checkbox"/> Geology & Soils      | <input type="checkbox"/> Greenhouse Gas Emissions         | <input type="checkbox"/> Hazards & Hazardous Materials      |
| <input type="checkbox"/> Hydrology & Water Quality       | <input type="checkbox"/> Land Use & Planning              | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Noise                           | <input type="checkbox"/> Population & Housing             | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Recreation                      | <input type="checkbox"/> Transportation                   | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities & Service Systems     | <input type="checkbox"/> Wildfire                         | <input type="checkbox"/> Mandatory Findings of Significance |

**DETERMINATION (To be completed by the Lead Agency):**

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


 \_\_\_\_\_ Date 10/6/23  
 Signature  
 \_\_\_\_\_ City of Moreno Valley  
 Oliver Mujica  
 Printed Name For

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## EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a Lead Agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the Lead Agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The Lead Agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or another CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analyses Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources. A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.

- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) the significance criteria or threshold, if any, used to evaluate each question; and
  - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

# Mitigation Monitoring and Reporting Program

## Introduction

The California Environmental Quality Act (CEQA) requires a lead or public agency that approves or carries out a project for which an Mitigated Negative Declaration has been certified which identifies one or more significant adverse environmental effects and where findings with respect to changes or alterations in the project have been made, to adopt a "...reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment" (CEQA, Public Resources Code Sections 21081, 21081.6).

A Mitigation Monitoring and Reporting Program (MMRP) is required to ensure that adopted mitigation measures are successfully implemented. The City of Moreno Valley is the Lead Agency for the project and is responsible for implementation of the MMRP. **Table 1** of this report describes the MMRP for the Project and identifies the parties that will be responsible for monitoring implementation of the individual mitigation measures in the MMRP. This report also describes existing Plans, Programs, or Policies (PPPs) that apply to the project in **Table 2**.

## Mitigation Monitoring and Reporting Program

The MMRP for the Project will be active through all phases of the Project, including design, construction, and operation. The attached table identifies the mitigation program required to be implemented by the City for the Project. The table identifies mitigation measures required by the City to mitigate or avoid significant impacts associated with the implementation of the Project, the timing of implementation, and the responsible party or parties for monitoring compliance.

The MMRP also includes a column that will be used by the compliance monitor (individual responsible for monitoring compliance) to document when implementation of the measure is completed. As individual Plan, Program, Policies; and mitigation measures are completed, the compliance monitor will sign and date the MMRP, indicating that the required actions have been completed.

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**Attachment: Exhibit A - Initial Study / Mitigated Negative Declaration [Revision 1] (6422 : Beyond Food Mart)**



**TABLE 1: MITIGATION MONITORING AND REPORTING PROGRAM**

MITIGATION MEASURE	ACTION AND TIMING	Responsible for ENSURING COMPLIANCE / VERIFICATION	DATE COMPLETED AND INITIALS
<b>Air Quality</b>			
<p><b>MM AQ-1: Compliance with SCAQMD Rules 402 and 403.</b> The Project Proponent would be required to comply with Rules 402 nuisance, and 403 fugitive dust, which require the implementation of Best Available Control Measures (BACMs) for each fugitive dust source, and the AQMP, which identifies Best Available Control Technologies (BACTs) for area sources and point sources. The BACMs and BACTs would include, but not be limited to the following:</p> <ol style="list-style-type: none"> <li>1. The Project Proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities (see Figures 4 and 6).</li> <li>a) The Project Proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading activity on the site. Portions of the site that are actively being graded shall be watered regularly (3x daily) to ensure that a crust is formed on the ground surface and shall be watered at the end of each workday.</li> <li>b) The Project Proponent shall ensure that all disturbed areas are treated to prevent erosion until the site is constructed upon.</li> <li>c) The Project Proponent shall ensure that landscaped areas are installed as soon as possible to reduce the potential for wind erosion.</li> <li>d) The Project Proponent shall ensure that all grading activities are suspended during first and second stage ozone episodes or when winds exceed 25 miles per hour.</li> </ol> <p>During construction, exhaust emissions from construction vehicles and equipment and fugitive dust generated by</p>	<p>In Construction Plans and Specifications. Prior to Demolition, Grading and Building Permits</p>	<p>City of Moreno Valley Building and Safety Division</p>	

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MITIGATION MEASURE	ACTION AND TIMING	Responsible for ENSURING COMPLIANCE / VERIFICATION	DATE COMPLETED AND INITIALS
<p>equipment traveling over exposed surfaces would increase NO<sub>x</sub> and PM<sub>10</sub> levels in the area. Although the Proposed Project does not exceed SCAQMD thresholds during construction, the Applicant/Contractor would be required to implement the following conditions as required by SCAQMD:</p> <ol style="list-style-type: none"> <li>1. To reduce emissions, all equipment used in grading and construction must be tuned and maintained to the manufacturer’s specification to maximize efficient burning of vehicle fuel.</li> <li>2. The Project Proponent shall ensure that existing power sources are utilized where feasible via temporary power poles to avoid on-site power generation during construction.</li> <li>3. The Project Proponent shall ensure that construction personnel are informed of ride sharing and transit opportunities.</li> <li>4. All buildings on the Project Site shall conform to energy use guidelines in Title 24 of the California Administrative Code.</li> <li>5. The operator shall maintain and effectively utilize and schedule on-site equipment in order to minimize exhaust emissions from truck idling.</li> <li>6. The operator shall comply with all existing and future California Air Resources Board (CARB) and SCAQMD regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment.</li> </ol>			

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MITIGATION MEASURE	ACTION AND TIMING	Responsible for ENSURING COMPLIANCE / VERIFICATION	DATE COMPLETED AND INITIALS
<b>Biological Resources</b>			
<p><b>MM BIO-1: Migratory Bird Treaty Act.</b> Nesting bird nesting season generally extends from February 1 through September 15 in southern California and specifically, March 15 through August 31 for migratory passerine birds. To avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist will conduct pre-construction Nesting Bird Surveys (NBS) prior to Project-related disturbance to nestable vegetation to identify any active nests. If no active nests are found, no further action will be required. If an active nest is found, the biologist will set appropriate no-work buffers around the nest which will be based upon the nesting species, its sensitivity to disturbance, nesting stage, and expected types, intensity, and duration of the disturbance. The nests and buffer zones shall be field-checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.</p>	<p>Surveys to be conducted if construction occurs during the nesting period of February 1 through September 15.</p>	<p>City of Moreno Valley Community Development Department</p>	
<b>Cultural Resources</b>			
<p><b>MM CR-1: Archaeological Monitoring.</b> Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist to conduct monitoring of all mass grading and trenching activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a Cultural Resources Management Plan (CRMP) in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting tribe is defined as a tribe that initiated</p>	<p>Confirmation of professional archaeologist retention/ongoing/monitoring/submittal of Report of Findings. Prior to issuance of Grading Permit and during subsurface excavation.</p>	<p>City of Moreno Valley Community Development Department</p>	

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MITIGATION MEASURE	ACTION AND TIMING	Responsible for ENSURING COMPLIANCE / VERIFICATION	DATE COMPLETED AND INITIALS
<p>the AB 52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:</p> <ul style="list-style-type: none"> <li>a. Project grading and development scheduling;</li> <li>b. The Project archeologist and the Consulting Tribes(s) as defined in CR-1 shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel that will conduct earthwork or grading activities that begin work on the Project following the initial Training must take the Cultural Sensitivity Training prior to beginning work and the Project archaeologist and Consulting Tribe(s) shall make themselves available to provide the training on an as needed basis;</li> <li>c. The protocols and stipulations that the contractor, City, Consulting Tribe(s), and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, include any newly discovered cultural resource deposits that shall be subject to a cultural resource evaluation.</li> </ul>			

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MITIGATION MEASURE	ACTION AND TIMING	Responsible for ENSURING COMPLIANCE / VERIFICATION	DATE COMPLETED AND INITIALS
<b>Geology and Soils</b>			
<p><b>MM GEO-1: Paleontological Resources.</b> A paleontologist selected from the roll of qualified paleontologists maintained by the City shall be retained to provide spot-check monitoring services for the project. The paleontologist shall develop a Paleontological Resources Impact Mitigation Plan (PRIMP) to mitigate the potential impacts to unknown buried paleontological resources that may exist onsite. The PRIMP shall require that the paleontologist be present at the pre-grading conference to establish procedures for paleontological resource surveillance. The PRIMP shall require paleontological spot-check monitoring of excavation that exceeds depths of 5 feet. The PRIMP shall state that the project paleontologist shall re-evaluate the necessity for paleontological monitoring after 50 percent or greater of the excavations deeper than 5 feet have been completed.</p> <p>In the event that paleontological resources are encountered, ground-disturbing activity within 50 feet of the area of the discovery shall cease. The paleontologist shall examine the materials encountered, assess the nature and extent of the find, and recommend a course of action to further investigate and protect or recover and salvage those resources that have been encountered.</p> <p>Criteria for discard of specific fossil specimens will be made explicit. If a qualified paleontologist determines that impacts to a sample containing significant paleontological resources cannot be avoided by project planning, then recovery may be applied. Actions may include recovering a sample of the fossiliferous material prior to construction, monitoring work and halting construction if an important fossil needs to be recovered, and/or cleaning, identifying, and cataloging specimens for curation and research purposes. Recovery, salvage and treatment shall be</p>	<p>Confirmation of professional paleontologist retention/ongoing/monitoring/submittal of Paleontological Resources Impact Mitigation Plan (PRIMP). Prior to issuance of Grading Permit and during subsurface excavation.</p>	<p>City of Moreno Valley Community Development Department</p>	

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MITIGATION MEASURE	ACTION AND TIMING	Responsible for ENSURING COMPLIANCE / VERIFICATION	DATE COMPLETED AND INITIALS
done at the applicant’s expense. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the paleontologist. Resources shall be identified and curated into an established accredited professional repository. The paleontologist shall have a repository agreement in hand prior to initiating recovery of the resource.			

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**TABLE 2: EXISTING PLANS, PROGRAMS, OR POLICIES**

PPP	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<b>AIR QUALITY</b>			
<p><b>PPP AQ-1: Rule 402.</b> The project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 402. The project shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.</p>	<p>Compliance with Rule 402. Construction.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p><b>PPP AQ-2: Rule 403.</b> The project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 403, which includes the following:</p> <ul style="list-style-type: none"> <li>• All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.</li> <li>• The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered, with complete coverage of disturbed areas, at least 3 times daily during dry weather; preferably in the mid-morning, afternoon, and after work is done for the day.</li> <li>• The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less.</li> </ul>	<p>Compliance with Rule 403. Construction.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p><b>PPP AQ-3: Rule 1113.</b> The project is required to comply with the provisions of South Coast Air Quality Management District Rule (SCAQMD) Rule 1113. Only</p>	<p>Compliance with Rule 1113. Construction.</p>	<p>City of Moreno Valley Community Development Department</p>	

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<p>“Low-Volatile Organic Compounds” paints (no more than 50 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications shall be used.</p>			
<p><b>BIOLOGICAL RESOURCES</b></p>			
<p><b>PPP BIO-1: MSHCP Development Impact Fees.</b> Prior to issuance of a grading or building permit, the project applicant will be required to pay relevant City of Moreno Valley mitigation fees to the City.</p>	<p>Pay MSHCP fee. Prior to Grading Permit.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p><b>GEOLOGY</b></p>			
<p><b>PPP GEO-1: California Building Code.</b> The Project is required to comply with the California Building Code as included in the City’s Municipal Code Chapter 8.20 to preclude significant adverse effects associated with seismic hazards. California Building Code related and geologist and/or civil engineer specifications for the Project are required to be incorporated into grading plans and specifications as a condition of Project approval.</p>	<p>Comply with California Building Cod. Prior to Grading Permit.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p><b>GREENHOUSE GAS EMISSIONS</b></p>			
<p><b>PPP GHG-1: CalGreen Compliance.</b> The project is required to comply with the CalGreen Building Code as included in the City’s Municipal Code to ensure efficient use of energy. CalGreen specifications are required to be incorporated into building plans as a condition of building permit approval.</p>	<p>Comply with CalGreen efficient energy specifications. Prior to building permit.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p><b>PUBLIC SERVICES</b></p>			
<p><b>PPP PS-1:</b> The project will be required to pay applicable development fees levied by the Moreno Valley Unified School District pursuant to the School Facilities Act (Senate Bill [SB] 50, Stats. 1998, c.827) to offset any effects on school facilities resulting from new development.</p>	<p>Pay SB 50 school fees. Prior to building permits.</p>	<p>City of Moreno Valley Community Development Department</p>	

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<p><b>PPP PS-2: Park Fees.</b> As a condition of the approval of a residential development, the project shall pay applicable park related fees and/or dedicate parkland pursuant to Municipal Code Section 3.38.080 and Chapter 3.40.</p>	<p>Pay applicable park fees. Prior to building permits.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p><b>WATER QUALITY</b></p>			
<p><b>PPP WQ-1: Stormwater Pollution Prevention Plan.</b> Prior to grading permit issuance, the project developer shall have a Stormwater Pollution Prevention Plan (SWPPP) prepared by a Qualified SWPPP Developer (QSD) in accordance with the City’s Municipal Code Chapter 8.10 and the Santa Ana Regional Water Quality Control Board National Pollution Discharge Elimination System (NPDES) Storm Water Permit Order No. R4-2012-0175 (MS4 Permit). The SWPPP shall incorporate all necessary Best Management Practices (BMPs) and other NPDES regulations to limit the potential of erosion and polluted runoff during construction activities. Project contractors shall be required to ensure compliance with the SWPPP and permit periodic inspection of the construction site by the City of Moreno Valley staff or its designee to confirm compliance.</p>	<p>Review and approval of SWPPP. Prior to Grading Permit.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p><b>PPP WQ-2: Water Quality Management Plan,</b> Prior to grading permit issuance, the project applicant shall have a Water Quality Management Plan (WQMP) approved by the City for implementation. The project shall comply with the City’s Municipal Chapter 8.10 and the Municipal Separate Storm Sewer System (MS4) permit requirements in effect for the Regional Water Quality Control Board (RWQCB) at the time of grading permit to control discharges of sediments and other pollutants during operations of the project.</p>	<p>Review and approval of WQMP. Prior to Grading Permit.</p>	<p>City of Moreno Valley Community Development Department</p>	

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

**I. AESTHETICS** – Except as provided in [Public Resources Code §21099](#) – Modernization of Transportation Analysis for Transit-Oriented Infill Projects – **Would the project:**

a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	-------------------------------------	--------------------------

**Response: Less than Significant Impact**

Scenic vistas are publicly accessible viewpoints that provide views of areas from the Project Site. Scenic vistas within the City include Box Springs Mountains and Reche Canyon area to the north approximately 1.7 miles from the Project Site, the “Badlands” to the east approximately 12 miles from the Project Site, and the Mount Russel area to the south approximately 12.4 miles from the Project Site.

The Project Site is located at the northwest corner of Oliver Street and Iris Avenue. Surrounding land uses include: one and two-story single-family residential units to the east, two-story single-family residential units to the south; a vacant parcel and Kaiser Permanente Hospital to the west, and a vacant parcel and additional hospital equipment storage to the north. Perimeter walls around the single-family residential homes located to the east and south of the Project Site, block views of scenic vistas from backyards and first floors of the single-family residential homes. The single-family residential units to the south are approximately 10 feet higher in elevation compared to the Project Site. Ornamental trees are located along Iris Avenue to the north and south, partially blocking scenic views of the Box Springs Mountains, and are also located east of Oliver Street, partially blocking views of the Box Spring Mountains from the single-family residential units to the east of Oliver Street.

The proposed Beyond Food Mart convenience store would be 23 feet in height at its tallest point and the fueling station canopy would not exceed 20 feet in height. Views of the Box Spring Mountains to the north of the Project Site would be intermittently blocked while traveling east on Iris Avenue due to ornamental trees located north of the street. While traveling west on Iris Avenue, views of the Box Spring Mountains would be partially blocked by the convenience store building and fueling station canopy. The development of the Beyond Food Mart would block some travelers’ views of Box Spring Mountains to the north of the Project Site but is not considered a substantial adverse effect. The Upland Game Hunting Area can be seen when traveling south on Oliver Street and views will partially be blocked by the proposed Beyond Food Mart. Overall, with adherence to the development standards and regulations pursuant to Title IX (Planning and Zoning) of the City’s Municipal Code, the development of the Proposed Project would have a less than significant impact on scenic vistas due to its limited size and height, and no mitigation is required.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Response: Less than Significant Impact**

The Project Site is currently vacant. Surrounding land uses include single-family residential to the east and south, and vacant land to the north and west. Two scenic highways are located within the City which includes State Route 60 (SR-60) and Moreno Beach Drive. State Route 60 is located approximately 3 miles north of the Project Site while Moreno Beach Drive is located approximately 0.3 mile east of the Project Site. However, single-family residential units are currently blocking views of the Project Site from Moreno Beach Drive. Therefore, the

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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development of the Proposed Project will have a less than significant impact related to scenic resources and no mitigation is required.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Response: Less than Significant Impact**

The Project Site is located in an urbanized area. The construction phase of the Project would introduce the use of machinery such as excavators and bulldozers. The presence of the construction equipment, as well as the construction activities, would temporarily alter the visual character of a portion of the Project Site. Construction staging areas, including earth stockpiling, storage of equipment and supplies, and related activities would contribute to a disturbed site, which would be a short-term visual impact. However, these construction activities would be temporary, and therefore not create a permanent significant visual impact.

Regarding long-term views, the Project Site is currently vacant and undeveloped. Single-family residential units are located to the south and east of the Project Site, with vacant undeveloped land located to the north and west. Just west of the vacant land is Kaiser Permanente Hospital (refer to Figures 2 and 3). The Proposed Project would comply with the City of Moreno Valley General Plan policies and regulations regarding the appearance of the proposed building and fuel station canopy. In addition, the height of the convenience store building and the fueling canopy would be equal or less than that of a single-family home. Therefore, the minor changes in visual character that would result from implementation of the Proposed Project would be less than significant. No mitigation is required.

The Proposed Project would be consistent with applicable development standards and regulations pursuant to Title IX (Planning and Zoning) of the City’s Municipal Code for the Downtown Center (DC) Land Use District, as demonstrated below in Table 2.

**Table 2  
Commercial Development Standards**

Municipal Code Standard		Project Consistency
Block Development	Blocks over 500 feet should feature mid-block connections as pedestrian pathways or alleys. Block sizes should range between 330 and 660 linear feet where feasible	<b>N/A.</b> The Proposed Project would be developed on 1.31 acres and does not include residential or commercial blocks.
Mid-Block Pathways	Mid-block pathways shall be no less than 16 feet wide	<b>N/A.</b> Proposed Project has no mid-block pathways.
Building Orientation	Buildings shall be oriented such that frontages and entrances are visible and accessible from the public right-of-way pedestrian connections, parks, or plazas	<b>Consistent.</b> The Project’s main access would be from Oliver Street to the east and Iris Avenue to the south. Sidewalks exist along both project frontages.

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ISSUES & SUPPORTING INFORMATION SOURCES:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Density – Dwelling Units (DU)/Acre	NA (with or without affordable housing)		<b>N/A.</b> The Proposed Project does not include residential uses.		
Minimum Site Area	As determined through area plan if required or site plan review		<b>Consistent.</b> The size of the Proposed Project is 57,064 square feet (1.31 acres) and is subject to site plan review.		
Minimum Site Width (feet)	As determined through area plan if required or site plan review		<b>Consistent.</b> The size of the Proposed Project is 57,064 square feet (1.31 acres) and is subject to site plan review.		
Minimum Site Depth (feet)	As determined through area plan if required or site plan review		<b>Consistent.</b> The size of the Proposed Project is 57,064 square feet (1.31 acres) and is subject to site plan review.		
Front Building Setback (feet), (after dedications for right-of-way) ground floor use	0 – 10		<b>Consistent.</b> The front setback for all structures would 10 feet		
Side Street Building Setback Area (feet), (after dedications for right-of-way)	0 – 10		<b>Consistent.</b> The street side setback for all structures would be 10 feet.		
Interior Side Yard Setback (feet)	0 – 10		<b>N/A.</b> The Proposed Project does not include residential uses.		
Rear Yard Setback (feet)	0 – 10		<b>N/A.</b> The Proposed Project does not include residential uses.		
Lot Coverage, Maximum	Pending landscape and open space requirements		<b>Consistent.</b> The maximum lot coverage would be 16,376 square feet and landscaping consists of 14,944 square feet.		
Building Height (feet), Maximum	None (50 ft Max on Site Plans)		<b>Consistent.</b> The maximum building height will be 23 feet.		
Floor Area Ratio (FAR)	N/A		<b>Consistent.</b> The Floor Area Ratio for the Proposed Project is 6.16%.		
Minimum Dwelling Size	a) Studio and One Bedroom: 450 square feet; b) Two Bedroom: 800 square feet; c) Three Bedroom: 1,000 square feet		<b>N/A.</b> The Proposed Project does not have residential uses.		
Minimum Distance Between Buildings (feet), (between residential and commercial uses)	10 ft		<b>Consistent.</b> The minimum distance between Proposed Project buildings and adjacent residential use property lines would be at least 100 feet.		
Parking (surface) Side Street Setback (feet), (after dedications for right-of-way)	10 ft		<b>Consistent.</b> The minimum setback distances are met.		

ISSUES & SUPPORTING INFORMATION SOURCES:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Parking (surface) Side Street Setback (feet), (after dedications for right-of-way)	5		<b>Consistent.</b> The minimum setback distances are met.		
Garage/Truck-Under Parking	Prohibited along front lot lines		<b>N/A.</b> There is no proposed garage or truck-under parking within the Project Site.		
Underground/Podium Parking	Allowed beneath building footprints		<b>N/A.</b> There will not be any underground or podium parking within the Project Site.		
Above Ground Parking Structure	Allowed if screened from views from public right-of-way and adjacent single family residential zones		<b>N/A.</b> There will be no above ground parking structures on the Project Site.		
Setback Landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas		<b>Consistent.</b> The Proposed Project would include landscaped setbacks.		
Publicly Accessible Open Space (nonresidential)	15% of net lot area		<b>N/A.</b> The Proposed Project does not have open space uses.		
Private Open Space (multifamily residential)	150 sq ft per unit on 1 <sup>st</sup> floor, and 100 sq ft per unit on upper floors		<b>N/A.</b> The Proposed Project does not have residential uses.		
Common Open Space (multifamily residential)	300 sq ft per unit		<b>N/A.</b> The Proposed Project does not have residential uses.		
Ground floor building frontages clear glazing material	60%		<b>Consistent.</b> The architectural materials requirements are met.		
Ground floor-to-ceiling minimum height (feet)	15 – 20		<b>Consistent.</b> The minimum ceiling heights are met.		

As discussed above, in Table 2, the Proposed Project would be consistent with the applicable development standards and regulations pursuant to Title IX (Planning and Zoning) of the City’s Municipal Code. Thus, the Proposed Project would not conflict with the regulations regarding aesthetics and scenic quality in the Moreno Valley Municipal Code. The new buildings would be setback from adjacent streets and would not encroach into existing public long-distance views. Landscaping would be installed pursuant to the City’s standards. As a result, the Proposed Project would not result in the creation of an aesthetically detrimental site open to public view. Therefore, while the Proposed Project would change the visual character of the site, it would not substantially degrade the existing visual quality of its surroundings, and impacts would be less than significant.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Response: Less than Significant Impact**

The Project Site presently does not contain any source of light. Sources of light in the area include street lighting along Iris Avenue and Oliver Street, as well as the fully improved roadways, and single-family residential lighting south and east of the site. Glare is a daytime occurrence resulting from light reflecting off polished surfaces and affecting viewers in nearby moving vehicles. The development of the Beyond Food Mart would create new sources of light

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<b>ISSUES &amp; SUPPORTING INFORMATION SOURCES:</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>and glare. At night, the Proposed Project’s interior and exterior building lights and landscape/security lighting would be visible from the adjacent single-family residential uses, and to a lesser extent, from the surrounding public streets. However, these light sources would not contribute to impacts on the night sky, as they would not exceed existing background light levels already present within the surrounding area. In addition, new construction shall comply with the City of Moreno Valley’s General Plan and Municipal Code requirements. A lighting plan would be submitted to the City for approval prior to issuance of Building Permits. Therefore, lighting impacts would be less than significant. No mitigation is required.</p> <p>Sources of glare as a result of the Proposed Project implementation include reflective building materials and vehicles parked within and traveling to and from the property. The amount of glare would depend on the location of the reflective surfaces and the direction of the sun. Any glare produced by the reflective surfaces would be temporary, as the location of the sun would be changing throughout the day. The Proposed Project is consistent with the City’s General Plan and Municipal Code. Therefore, impacts from glare would be less than significant. No mitigation required.</p>				
<p><b>Sources:</b></p> <ol style="list-style-type: none"> <li>1. Moreno Valley 2040 General Plan, adopted June 15, 2021.</li> <li>2. Chapter 10 – Open Space &amp; Resource Conservation               <ul style="list-style-type: none"> <li>- Figure OSRC-3: Scenic resources and Ridgelines</li> </ul> </li> <li>3. Draft Environmental Impact Report MoVal 2040: Moreno Valley Comprehensive Plan Update, certified May 20, 2021.</li> <li>4. Section 4.1 – Aesthetics</li> <li>5. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code</li> <li>6. Section 9.10.110 – Light and Glare of the Moreno Valley Municipal Code.</li> <li>7. Chapter 9.16 – Design Guidelines</li> <li>8. Cal trans: State Scenic Highway Map.</li> </ol>				
<p><b>II. AGRICULTURE AND FOREST RESOURCES</b> – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board.</p>				
<p><b>Would the project:</b></p>				
<p>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Response: No Impact</b></p>				
<p>The California Department of Conservation, Farmland Mapping and Monitoring Program (FMMP) compile important farmland maps pursuant to the provisions of Section 65570 of the California Government Code. The maps are updated every two years using a computer</p>				

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<b>ISSUES &amp; SUPPORTING INFORMATION SOURCES:</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
mapping system, aerial imagery, public review and field reconnaissance. According to the FMMP, the Project Site lies within “farmland of local importance and is surrounded by farmland of local importance and urban and built-up land”. However, much of this land has already been developed or is planned to be developed into various urban uses. The closest Prime Farmland to the Project Site is located approximately 2.8 miles north of the Project Site. Therefore, no Prime, Unique, or Farmland of Statewide Importance is located within the Project limits and no impact would result from the development of the Proposed Project. No mitigation is required.				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Response: No Impact</b></p> <p>The California Land Conservation Act of 1965 – or commonly known as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space uses. In return, landowners are given a lower property tax assessment. The Project Site does not contain land that is enrolled in a Williamson Act contract. Additionally, according to the City of Moreno Valley’s Zoning Map, the Project Site is currently zoned for “Downtown Center (DC).” In addition, the surrounding area contained existing or planned suburban development, and the City has no agricultural land use designations in its General Plan or zoning. Due to the Project Site not part of a Williamson Act contract, nor is zoned for agricultural uses, no impact associated with this issue would occur. No mitigation is required.</p>				
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in <a href="#">Public Resources Code section 12220(g)</a> ), timberland (as defined by <a href="#">Public Resources Code section 4526</a> ), or timberland zoned Timberland Production (as defined by <a href="#">Government Code section 51104(g)</a> )?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Response: No impact</b></p> <p>The Project Site is currently vacant and undeveloped. The site does not contain any forest land, Timberland Production, nor is it zoned for such uses. Therefore, the Proposed Project would have no impact on forest land, timberland, or timberland zoned Timberland Production. No mitigation is warranted.</p>				
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Response: No Impact</b></p> <p>As defined in Public Resources Code (PRC) Section 12220(g), “Forest land” is land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. The Project Site and surrounding properties are not currently zoned, being managed, defined or used as forest land as identified in PRC Section 12220(g). Furthermore, the Project Site and surrounding area do not contain trees that would constitute urban forestry or any forest-related resources. Therefore, implementation of the Proposed Project would not convert forest land to non-forest use. No impacts are identified or anticipated, and no mitigation measures are required.</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Involve other changes in the existing environment which, due to their location or nature, could result in the conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Response: No Impact</b></p> <p>As noted above, the Project Site is currently vacant and is not utilized for agricultural production or timberland. Neither the Project Site nor adjacent facilities are being used for or zoned for farmland or forest land. Therefore, the development of the Proposed Project would not result in the conversion of farmland to non-agricultural use or forest land to non-forest uses. No impact to the conversion of agricultural lands or forest lands would occur. No mitigation is required.</p>				
<p><b>Sources:</b></p> <ol style="list-style-type: none"> <li>1. Moreno Valley General Plan, adopted June 15, 2021               <ul style="list-style-type: none"> <li>• Chapter 7 – Conservation Element – Section 7.7 – Agricultural Resources</li> </ul> </li> <li>2. Final Environmental Impact Report City of Moreno Valley General Plan, certified May 20, 2021               <ul style="list-style-type: none"> <li>• Section 5.8 – Agricultural Resources                   <ul style="list-style-type: none"> <li>- Figure 5.8-1 – Important Farmlands</li> </ul> </li> </ul> </li> <li>3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code</li> </ol>				
<p><b>III. AIR QUALITY</b> – Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. <b>Would the project:</b></p>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less than Significant Impact</b></p> <p>The Project Site is located in the South Coast Air Basin (SCAB). The South Coast Air Quality Management District (SCAQMD) has jurisdiction over air quality issues and regulations within the SCAB. The Air Quality Management Plan (AQMP) for the basin establishes a program of rules and regulations administered by SCAQMD to obtain attainment of the state and federal air quality standards. The most recent AQMP (2022 AQMP) was adopted by the SCAQMD on December 2, 2022. The 2022 AQMP incorporates the latest scientific and technological information and planning assumptions, including transportation control measures developed by the Southern California Association of Governments (SCAG) from the 2022 Regional Transportation Plan/Sustainable Communities Strategy, and updated emission inventory methodologies for various source categories.</p> <p>A project is inconsistent with the AQMP if:</p> <ol style="list-style-type: none"> <li>1) it does not comply with the approved general plan; or</li> <li>2) it uses a disproportionately large portion of the forecast growth increment (change population or employment levels). The City of Moreno Valley currently designates the Project Site as Downtown Center (DC) under which the Proposed Project is an allowable use.</li> </ol>				



<b>ISSUES &amp; SUPPORTING INFORMATION SOURCES:</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Additionally, large population or employment increases could affect transportation control strategies, which are among the most important in the air quality plan, since transportation is a major contributor to particulates and ozone for which the SCAB is not in attainment. Because the Proposed Project use has been considered in the City’s General Plan or does it include activities that would substantially change population or employment levels within the air basin, the Proposed Project would not conflict with or obstruct implementation of the applicable air quality plan.</p> <p>Criteria for determining consistency with the AQMP are defined in Chapter 12, Sections 12.2 and 12.3 of the SCAQMD’s CEQA Air Quality Handbook (1993). These indicators are discussed below:</p> <p><b>Consistency Criterion No. 1</b></p> <p>The Proposed Project would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. The violations that Consistency Criterion No. 1 refers to are the California Ambient Air Quality Standards (CAAQS) and NAAQS. CAAQS and NAAQS violations would occur if regional or localized significance thresholds were exceeded. As emissions will not exceed the applicable thresholds, the Proposed Project is determined to be consistent with the first criterion.</p> <p><b>Consistency Criterion No. 2</b></p> <p>The Proposed Project would not exceed the assumptions in the AQMP based on the years of Project Site buildout phase. The 2022 AQMP demonstrates that the applicable ambient air quality standards can be achieved within the timeframes required under federal law. Growth projections from local general plans adopted by cities in the district are provided to the SCAG, which develops regional growth forecasts, which are then used to develop future air quality forecasts for the AQMP. Development consistent with the growth projections in the Moreno Valley GP is considered to be consistent with the AQMP.</p> <p><i>Construction Impacts – Consistency Criterion</i></p> <p>Peak day emissions generated by construction activities are largely independent of land use assignments, but rather are a function of development scope and maximum area of disturbance. Irrespective of the site’s land use designation, development of the site to its maximum potential would likely occur, with disturbance of the entire site occurring during construction activities.</p> <p><i>Operational Impacts – Consistency Criterion 2</i></p> <p>The Project Site is located within the City of Moreno Valley. As per the General Plan, the Project is designated as Planned Commercial (PC) within the Downtown Center (DC) zone. The Proposed Project would include an eight-island fueling station, a 7,460-sf convenience store mart, and a 1.790 sf drive through car wash. The proposed land uses are consistent with the General Plan designation. Therefore, the project is determined to be consistent with the second criterion.</p>				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**AQMP Consistency Conclusion**

The Proposed Project would not result in or cause NAAQS or CAAQS violations. The Proposed Project is consistent with the land use and growth intensities reflected in the adopted in the GP. Furthermore, the Proposed Project would not exceed any applicable regional or local thresholds. As such, the Proposed Project is therefore considered to be consistent with the AQMP and a less than significant impact is expected.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Response: Less than Significant Impact**

Construction and operational emissions for the Project Site were screened using CalEEMod version 2022 (see Appendix A). The CalEEMod outputs were based on the Site Plan, which is a 1.31-acre lot that would be developed with a 7,460 sf convenience store, an eight island fueling station with a 5,979 sf canopy, and a 1,790 sf drive-thru car wash. The emissions incorporate Rule 402 and 403 by default as required during construction. The criteria pollutants screened for include reactive organic gases (ROG), nitrous oxides (NOx), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), and particulates (PM<sub>10</sub> and PM<sub>2.5</sub>). Two of the analyzed pollutants, ROG and NOx, are ozone precursors. Both summer and winter season emission levels were estimated.

Construction Emissions

Construction emissions are considered short-term, temporary emissions and were modeled with the following construction parameters: site preparation, grading (fine and mass grading), building construction, paving, and architectural coating. Construction emissions were modeled with an anticipated beginning date in early 2024 and an estimated completion date in late 2024 for an early 2025 operational year. The resulting emissions generated by construction of the Proposed Project are shown in Table 3, which represent the maximum summer and winter construction emissions, respectively.

**Table 3  
CalEEMod 2022  
Maximum Summer and Winter Construction Emissions  
(Pounds per Day)**

Source/Phase	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Summer Max	1.15	9.51	10.4	0.02	0.42	0.35
Winter Max	9.21	15.9	16.8	0.02	3.64	2.05
SCAQMD Threshold	75	100	550	150	150	55
<b>Significant</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod.2022 Winter and Summer Max Emissions.  
Phases do not overlap and represent the highest concentration.

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>As shown, both summer and winter season construction emissions are below SCAQMD thresholds. The Proposed Project does not exceed applicable SCAQMD regional thresholds during construction activities. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.</p>				
<p><u>Compliance with SCAQMD Rules 402 and 403</u></p>				
<p>Although the Proposed Project does not exceed SCAQMD thresholds for construction emissions, the Project Proponent would be required to comply with all applicable SCAQMD rules and regulations as the SCAB is in non-attainment status for ozone and suspended particulates (PM<sub>10</sub> and PM<sub>2.5</sub>).</p>				
<p>The Project Proponent would be required to comply with Rules 402 nuisance, and 403 fugitive dust, which require the implementation of Best Available Control Measures (BACMs) for each fugitive dust source, and the AQMP, which identifies Best Available Control Technologies (BACTs) for area sources and point sources. The BACMs and BACTs would include, but not be limited to the following:</p>				
<ol style="list-style-type: none"> <li>1. The Project Proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities (see Figures 4 and 6). <ol style="list-style-type: none"> <li>(a) The Project Proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading activity on the site. Portions of the site that are actively being graded shall be watered regularly (3x daily) to ensure that a crust is formed on the ground surface and shall be watered at the end of each workday.</li> <li>(b) The Project Proponent shall ensure that all disturbed areas are treated to prevent erosion until the site is constructed upon.</li> <li>(c) The Project Proponent shall ensure that landscaped areas are installed as soon as possible to reduce the potential for wind erosion.</li> <li>(d) The Project Proponent shall ensure that all grading activities are suspended during first and second stage ozone episodes or when winds exceed 25 miles per hour.</li> </ol> </li> </ol>				
<p>During construction, exhaust emissions from construction vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces would increase NO<sub>x</sub> and PM<sub>10</sub> levels in the area. Although the Proposed Project does not exceed SCAQMD thresholds during construction, the Applicant/Contractor would be required to implement the following conditions as required by SCAQMD:</p>				
<ol style="list-style-type: none"> <li>1. To reduce emissions, all equipment used in grading and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.</li> <li>2. The Project Proponent shall ensure that existing power sources are utilized where feasible via temporary power poles to avoid on-site power generation during construction.</li> <li>3. The Project Proponent shall ensure that construction personnel are informed of ride sharing and transit opportunities.</li> </ol>				

<b>ISSUES &amp; SUPPORTING INFORMATION SOURCES:</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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4. All buildings on the Project Site shall conform to energy use guidelines in Title 24 of the California Administrative Code.
5. The operator shall maintain and effectively utilize and schedule on-site equipment in order to minimize exhaust emissions from truck idling.
6. The operator shall comply with all existing and future California Air Resources Board (CARB) and SCAQMD regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment.

Operational Emissions

The operational mobile source emissions were calculated using the CalEEMod (Version 2022) default mode at full buildout. Operational emissions are listed in Table 3 and Table 4, which represent summer and winter operational emissions, respectively.

**Table 4  
Summer Operational Emissions Summary  
(Pounds per Day)**

Source	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Mobile	10.5	8.18	73.1	0.17	14.3	3.72
Area	0.29	0.0	0.4	0.0	0.0	0.0
Energy	0.0	0.04	0.04	0.0	0.0	0.0
<b>Totals (lbs./day)</b>	<b>10.8</b>	<b>8.22</b>	<b>73.5</b>	<b>0.17</b>	<b>14.3</b>	<b>3.72</b>
SCAQMD Threshold	55	55	550	150	150	55
<b>Significance</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod 2022 Summer Emissions.  
Emissions represent the daily maximum emissions.

**Table 5  
Winter Operational Emissions Summary  
(Pounds per Day)**

Source	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Mobile	9.7	8.76	62.8	0.16	14.3	3.72
Area	0.22	--	--	--	--	--
Energy	0.0	0.04	0.04	0.0	0.0	0.0
<b>Totals (lbs./day)</b>	<b>9.93</b>	<b>8.8</b>	<b>62.8</b>	<b>0.16</b>	<b>14.3</b>	<b>3.72</b>
SCAQMD Threshold	55	55	550	150	150	55
<b>Significance</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod 2022 Winter Emissions.  
Emissions represent the daily maximum emissions.

As shown, both summer and winter season operational emissions are below SCAQMD thresholds. The Proposed Project does not exceed applicable SCAQMD regional thresholds during operational activities. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Therefore, because the Proposed Project does not exceed the SCAQMD Risk Thresholds, the Project would pose a less than significant impact and no further mitigations are required.

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less than Significant Impact</b></p> <p>A Tier 2 screening level Toxic Air Contaminant (TAC) Health Risk Assessment (HRA) Technical Memorandum was prepared by Ganddini Group, Inc. on April 28, 2023 (see Appendix B).</p> <p>As determined in the California Building Industry Association v. Bay Area Air Quality Management District (2015) 62 Cal. 4th 369 (CBIA) case the California Supreme Court determined that CEQA does not generally require an impact analysis of the existing environmental conditions on the future residents of a proposed project and generally only requires an analysis of the proposed project’s impact on the environment. However, the CBIA case also stated that when a Proposed Project brings development and people into an area already subject to specific hazards and the new development/people exacerbate the existing hazards, then CEQA requires an analysis of the hazards and the proposed project’s effect in terms of increasing the risks related to those hazards. Regarding air quality hazards, TACs are defined as substances that may cause or contribute to an increase in deaths or in serious illness, or that may pose a present or potential hazard to human health. As such, if a Proposed Project would not exacerbate pre-existing hazards (e.g., TAC health risks) then an analysis of those hazards and the Proposed Project’s effect on increasing those hazards is not required.</p> <p>The Project is proposing a fueling station in proximity to existing residential uses and would be a source of toxic air contaminants; therefore, an analysis of the potential toxic air contaminant emissions has been conducted.</p> <p>Those who are sensitive to air pollution include children, the elderly, and people with preexisting respiratory or cardiovascular illnesses. For purposes of CEQA, the SCAQMD considers a sensitive receptor to be a location where a sensitive individual could remain for 24 hours, such as residences, hospitals, or convalescent facilities. Commercial and industrial facilities are not included in the definition because employees do not typically remain on-site for 24 hours.</p> <p>The study identified that the closest sensitive receptors to the proposed service station include: the single-family residential uses to the east of Oliver Street, located at a distance of approximately 141 feet (~43 meters) from the façade of the residential dwelling unit to the edge of the fueling canopy, and the single-family residential uses to the south, located approximately 219 feet (~67 meters) from the underground storage tanks; approximately 250 feet (~76 meters) from the edge of the fueling canopy.</p> <p>The Fresenius Kidney Care Dialysis Center is located at 27420 Iris Avenue, approximately 530 feet (~161 meters) northwest of the corner of the fueling canopy and Kaiser Permanente Moreno Valley Medical Center is located at 27300 Iris Avenue, approximately 667 feet (~203 meters) northwest of the edge of the fueling canopy.</p> <p>The closest commercial uses would be on-site at the proposed car wash and the proposed convenience store, both of which are located approximately 65 feet (~20 meters) from the edge of the fueling canopy. The fueling station portion of the Project would be permitted by SCAQMD. Fuel-related emissions will be regulated by the SCAQMD Rule 461, and the facility would be required to obtain a Permit to Operate. Gasoline dispensing facilities are required to use Phase I/II EVR (enhanced vapor recovery) systems. Phase II EVR has an average efficiency</p>				

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<b>ISSUES &amp; SUPPORTING INFORMATION SOURCES:</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>of 95.1 percent and Phase I EVR has an average efficiency of 98 percent. Therefore, potential for fugitive VOC or TAC emissions from the fuel pumps is negligible.</p> <p>Assuming 5.04 million gallons per year of throughput for this fuel dispensing facility ( provided by Project applicant), using the SCAQMD Risk Assessment Procedures for Rules 1401, 1401.1 and 2126 and the SCAQMD Risk Tool (V1.105) R0409197 and a downwind distance of approximately 43 meters (the closest sensitive receptor location where an individual could remain for 24 hours), in the Perris area; the residential (Maximum Individual Cancer Risk) MICR for the closest residential receptor is 9.684 in a million. The commercial MICR at a distance of 20 meters is 1.452 in a million.</p> <p>As the neither the residential cancer risk nor the commercial cancer risk exceeds 10 in a million, the project is not considered to be a significant source of TACs or fugitive VOC emissions and sensitive receptors in the project vicinity and the proposed commercial receptors would not be exposed to toxic sources of air pollution.</p> <p>Additionally, as the MICR does not exceed SCAQMD thresholds at the closest receptors, any receptors located further away than the closest receptors would also not be exposed to significant TACs or fugitive VOC emissions. Therefore, the HRA found that the health risk impacts associated with the Proposed Project are considered to be less than significant, and no further analysis or mitigation is required.</p> <p>Although no Mitigation Measures are required, the Proposed Project shall be required to adhere to:</p> <p>Mitigation Measure: AQ-1 Compliance <u>with SCAQMD Rules 402 and 403</u></p> <p>Although the Proposed Project does not exceed SCAQMD thresholds for construction emissions, the Project Proponent would be required to comply with all applicable SCAQMD rules and regulations as the SCAB is in non-attainment status for ozone and suspended particulates (PM<sub>10</sub> and PM<sub>2.5</sub>).</p> <p>The Project Proponent would be required to comply with Rules 402 nuisance, and 403 fugitive dust, which require the implementation of Best Available Control Measures (BACMs) for each fugitive dust source, and the AQMP, which identifies Best Available Control Technologies (BACTs) for area sources and point sources. The BACMs and BACTs would include, but not be limited to the following:</p> <ol style="list-style-type: none"> <li>1. The Project Proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities (see Figures 4 and 6).</li> <li>(a) The Project Proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading activity on the site. Portions of the site that are actively being graded shall be watered regularly</li> </ol>				

<b>ISSUES &amp; SUPPORTING INFORMATION SOURCES:</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>(3x daily) to ensure that a crust is formed on the ground surface and shall be watered at the end of each workday.</p> <p>(b) The Project Proponent shall ensure that all disturbed areas are treated to prevent erosion until the site is constructed upon.</p> <p>(c) The Project Proponent shall ensure that landscaped areas are installed as soon as possible to reduce the potential for wind erosion.</p> <p>(d) The Project Proponent shall ensure that all grading activities are suspended during first and second stage ozone episodes or when winds exceed 25 miles per hour.</p> <p>During construction, exhaust emissions from construction vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces would increase NO<sub>x</sub> and PM<sub>10</sub> levels in the area. Although the Proposed Project does not exceed SCAQMD thresholds during construction, the Applicant/Contractor would be required to implement the following conditions as required by SCAQMD:</p> <ol style="list-style-type: none"> <li>1. To reduce emissions, all equipment used in grading and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.</li> <li>2. The Project Proponent shall ensure that existing power sources are utilized where feasible via temporary power poles to avoid on-site power generation during construction.</li> <li>3. The Project Proponent shall ensure that construction personnel are informed of ride sharing and transit opportunities.</li> <li>4. All buildings on the Project Site shall conform to energy use guidelines in Title 24 of the California Administrative Code.</li> <li>5. The operator shall maintain and effectively utilize and schedule on-site equipment in order to minimize exhaust emissions from truck idling.</li> <li>6. The operator shall comply with all existing and future California Air Resources Board (CARB) and SCAQMD regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment.</li> </ol> <p>Impacts associated with the Proposed Project potentially generating substantial pollutant concentrations are considered to be less than significant, and no further analysis or mitigation is required</p>				
<p>d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?)</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less than Significant Impact</b></p>				
<p>The Proposed Project includes the development of a Beyond Food Mart, carwash, and fueling station. The nearest sensitive receptors to the Project Site are the residences in the neighborhood to the south and east, adjacent to Iris Avenue and Oliver Street. Potential odor sources associated with the Proposed Project may result from construction equipment exhaust</p>				

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<b>ISSUES &amp; SUPPORTING INFORMATION SOURCES:</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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and the application of asphalt and architectural coatings during construction activities as well as the temporary storage of domestic solid waste associated with the Proposed Project’s long-term operational uses. Standard construction requirements would minimize odor impacts resulting from construction activity. It should be noted that any construction odor emissions generated would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction activity. Potential sources that may emit odors during the on-going operations of the Proposed Project would include odor emissions from the intermittent delivery truck emissions and trash storage areas. It is expected that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with solid waste regulations. The Proposed Project would also be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances related to odors. Therefore, a less than significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

**Sources:**

1. CalEEMod 2022 Outputs.
2. Moreno Valley General Plan, adopted June 15, 2021
3. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006
  - Section 5.3 – Air Quality
4. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
  - Section 9.10.050 – Air Quality of the Moreno Valley Municipal Code
  - Section 9.10.150 – Odors of the Moreno Valley Municipal Code
  - Section 9.10.170 – Vibration of the Moreno Valley Municipal Code
5. Moreno Valley Municipal Code Section 12.50.040 – Limitations on Engine Idling

**IV. BIOLOGICAL RESOURCES – Would the project:**

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Response: Less than Significant with Mitigation Incorporated**

A Biological Resources Assessment (BRA), Jurisdictional Delineation, and Multiple Species Habitat Conservation Plan (MSHCP) Consistency Analysis prepared for the Proposed Project by Jennings Environmental, LLC dated February 2023 is summarized herein (see Appendix C). As part of the BRA, Jennings Environmental, LLC (Jennings) conducted a background data search for information on plant and wildlife species known occurrences within the vicinity of the Project Site. Jennings evaluated the Project Site in relation to the Western Riverside County MSHCP areas including criteria cells, core habitat, linkages, and areas proposed for conservation. The data review included biological text on general and specific biological resources, and resources considered to be sensitive by various wildlife agencies, local government agencies and interest groups. The Biology Resources Assessment states that according to the California National Diversity Database (CNDDDB), the California Native Plant Society Inventory of Rare and Endangered Plants (CNPSIE), and other relevant literature or databases, 47 sensitive species including 10 listed species, and 1 sensitive habitat, have been

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<p>documented in the Sunnymead and Perris quads. This list of sensitive species and habitats includes any State and/or federally listed threatened or endangered species, the CDFW designated Species of Special Concern (SSC), and otherwise Special Animals.</p> <p>A general reconnaissance survey was conducted on January 29, 2023, to identify the potential for the occurrence of special status species, vegetation communities, or habitats that could support special status wildlife species. Below are the findings.</p> <p><u>Flora</u> The habitat on-site consists of a mix of ruderal vegetation and bare ground. The Project Site shows signs of recent vegetation management in the form of mowing and disking. The plant species observed on-site include Tumble weed (<i>Salsola tragus</i>), London rocket (<i>Sisymbrium irio</i>), Menzie’s fiddleneck (<i>Amsinckia menziesii</i>), Wall barley (<i>Hordeum murinum</i>), Stinknet (<i>Oncosiphon pilulifer</i>), Common stork’s bill (<i>Erodium cicutarium</i>), Schismus grass (<i>Schismus spp.</i>), and Slender wild oat (<i>Avena barbata</i>). Among the documented vegetation species, no State and/or federally listed threatened or endangered species were observed on-site.</p> <p><u>Fauna</u> Species observed or otherwise detected on or in the vicinity of the Project Site during the surveys included white-crowned sparrow (<i>Sayornis nigricans</i>), black phoebe (<i>Sayornis nigricans</i>), and house finch (<i>Haemorhous mexicanus</i>).</p> <p>Based on the January 2023 field survey, the Project Site does not contain suitable habitat for Burrowing owl (<i>Athene cunicularia</i>). The property is continually maintained by mowing or disking. No burrowing owls were observed during the site visit. No portion of the Project Site showed any evidence including burrows, feathers, whitewash, or castings, of past or present burrowing owl activity. Additionally, the Project Site does not contain suitable burrow surrogate species (i.e., California ground squirrel (<i>Otospermophilus beecheyi</i>)). Therefore, the Project Site is not suitable for burrowing owl, and this species is considered absent from the Project Site.</p> <p>Portions of the Project Site and the immediate surrounding area do provide suitable habitat for nesting birds. There are mature trees in the adjacent neighborhoods and the vacant lands provide suitable habitat for other ground nesting species such as killdeer (<i>Charadrius vociferus</i>). Therefore, potentially significant impacts could occur if construction occurs during the nesting season. Implementation of Mitigation Measure BIO-1 would mitigate any potentially significant impacts.</p> <p><b>Mitigation Measure BIO 1: Migratory Bird Treaty Act.</b></p> <p>Nesting bird nesting season generally extends from February 1 through September 15 in southern California and specifically, March 15 through August 31 for migratory passerine birds. To avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist will conduct pre-construction Nesting Bird Surveys (NBS) prior to Project-related disturbance to nestable vegetation to identify any active nests. If no active nests are found, no further action will be required. If an active nest is found, the biologist will set appropriate no-work buffers around the nest which will be based upon the nesting species, its sensitivity to disturbance, nesting stage, and expected types, intensity, and duration of the disturbance. The nests and buffer zones shall be field-checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked</p>				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.</p> <p>The Project Site is not mapped within a criteria cell or subunit of the Multiple Species Habitat Conservation Plan (MSHCP). The Project Site is not located within an area mapped for Narrow Endemic Plant Species, Special Status Species, or protected habitats. The site is mapped within an area for Criteria Area Species Surveys for burrowing owl. However, as stated above this species is considered absent from the Project Site. Therefore, the project is consistent with MSCHP policies and conditions. The Project Site is also not located with or adjacent to any USFWS designated Critical Habitat.</p> <p>With the implementation of mitigation measure BIO 1, any potential impacts to candidate, sensitive, listed, or special status species, particularly nesting birds, can be reduced to a less than significant level.</p>				
<p>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less than Significant Impact</b></p> <p>The Project Site is relatively flat, with mixed ruderal vegetation and bare ground. The MSHCP Consistency analysis states, the Project Site is not located within an area mapped for sensitive habitats including Narrow Endemic Plants, Special Status Species, Riparian, Riverine, or Vernal Pools. The Biological Resources Assessment states that the National Wetlands Inventory (NWI) maps did not identify the Project Site containing Riverine or Riparian habitat. The Project Site does not contain hydric vegetation, hydric soils, or wetland hydrology. In order to be classified as a wetland, all three criteria must be present within the Project Site. Additionally, no MSHCP Narrow Endemic Plant species are known to occur in the Project area. Therefore, because the Project Site does not contain any riparian habitat, or other sensitive natural community that conflicts with the USFWS or MSCHP, potential impacts are considered less than significant. No mitigation is required.</p>				
<p>c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Response: No Impact</b></p> <p>The Project Site is currently vacant and is currently surrounded by residential and commercial uses. No federal jurisdictional waters, wetlands, and/or streambeds regulated by the CDFW were identified within the Project area. Additionally, as previously stated, the Project Site does not contain hydric soil, hydric vegetation, wetland hydrology, or any habitats such as Riparian, Riverine, or Vernal Pools. Therefore, the Proposed Project would have no impact on, Waters of the U.S., or Waters of the State.</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with an established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Response: No Impact</b></p> <p>The Project Site is currently vacant and is surrounded by residential and institutional uses. The Proposed Project would not affect wildlife movement, since the parcel is surrounded by urban development and species associated with urban environments are able to navigate these areas. Additionally, according to the California Essential Habitat Connectivity Project, the Project Site is not mapped within an area for aquatic or terrestrial wildlife movement. Therefore, the Proposed Project would not have an impact on any current wildlife corridors.</p>				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less than Significant Impact</b></p> <p>The Project Site is composed of mixed ruderal vegetation and bare ground and does not contain any protected endemic habitats. Additionally, there are no trees on the Project Site; hence, the Proposed Project would not conflict with the City of Moreno Valley Municipal Code Section 9.17.030 E – Heritage Trees, which preserves any native mature trees within the City. Therefore, the Proposed Project would not interfere with any local policies or other ordinances protecting biological resources and impacts would be less than significant. No mitigation is required.</p>				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or another approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less than Significant Impact</b></p> <p>As indicated previously, the Project Site is located within the MSHCP; however, it is not an area mapped within a criteria cell or subunit for Narrow Endemic Plant Species, Special Status Species, Riparian, Riverine, Vernal Pools, or Urban/Wildlife Interface. The Project Site is mapped within an area for Criteria Area Species Surveys for burrowing owl; however, the BRA determined that this species is considered absent from the area. Therefore, the Proposed Project is consistent with MSHCP policies and conditions.</p> <p>There are no streams, channels, washes, or swales that meet the definitions of Section 1600 of the State of California Fish and Game Code (FGC) under the jurisdiction of the CDFW, Section 401 (“Waters of the State” ) of the Clean Water Act (CWA) under the jurisdiction of the Regional Water Quality Control Board (RWQCB), or “Waters of the United States” (WoUS) as defined by Section 404 of the CWA under the jurisdiction of the U.S. Army Corps of Engineers (Corps) within the subject parcel. Therefore, no permit from any regulatory agency would be required and the Proposed Project would have a less than significant impact on surrounding land uses. No mitigation is required.</p>				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Sources:**

1. Biological Resources Assessment, Jurisdictional Delineation, and Multiple Species Habitat Conservation Plan (MSHCP) Consistency Analysis. Jennings Environmental, LLC. February 2023.
2. Moreno Valley General Plan, adopted June 15, 2021
  - Chapter 7 – Conservation Element – Section 7.1 – Biological Resources
3. Final Environmental Impact Report City of Moreno Valley General Plan, certified May 20, 2021
  - Section 4.4 – Biological Resources
4. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
  - Section 9.17.030 G – Heritage Trees
5. Moreno Valley Municipal Code Chapter 8.60 – Threatened and Endangered Species
6. Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), <http://www.wrc-rca.org/about-rca/multiple-species-habitat-conservation-plan/>
7. Stephens' Kangaroo Rat Habitat Conservation Plan (SKRHCP), [Governing Documents | RCHCA, CA](#)

**V. CULTURAL RESOURCES – Would the project:**

a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Response: Less than Significant Impact**

A Phase I Cultural Resources Assessment of Master Plot Plan No. PEN22-0238 and Conditional Use Permit No. PEN 22-0176, dated April 2023, was conducted by a Cultural Resources Consultant, Jean A. Keller (see Appendix D) and is summarized herein. A records search was provided by the Eastern Information Center on March 29, 2023, indicating that the subject property had been involved in one previous cultural resources study, conducted in 2017 by LSA. Entitled “Cultural Resources Assessment, Sater Arco Project, City of Moreno Valley, Riverside County, California” (RI- 10128), the study included the entirety of what is now PEN22-0238 and PEN22-0176. During the course of the field survey, a single isolated artifact of historical origin, P-33-027260, was recorded approximately 130 feet northwest of the intersection of Iris Avenue and Oliver Road. The artifact was a fragment of a pre-WWII riveted steel irrigation pipe. The report determined that isolated artifacts, particularly those of historic-period origin that have no specific association are generally considered not significant and therefore, are not “historical resources” under the California Environmental Quality Act (CEQA). The artifact was left *in situ*, or its original place and no further research was recommended.

Archival research indicated that a house and stable were built on the subject property in 1894, by Marion Heacock Hotchkiss, a member of one of the founding families of Moreno Valley. Although Marion Hotchkiss sold the subject property in 1899, the structures remained on the property until at least 1939, the last year they were assessed by the Riverside County Assessor. However, cartographic research indicates that at least one structure was located at the southeastern corner of the Project Site until 1978. No structural remains were observed during the current field survey.

Therefore, because there are no structures within the Project Site and the remaining historical artifact is not considered significant, the Project Site would not significantly degrade any historical resources pursuant to §15064.5.

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to <a href="#">§15064.5?</a>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Response: Less than Significant with Mitigation Incorporated**

The Project Site is located in a well-studied area, with 11 previous cultural resources studies having been conducted within a one-mile radius, most of which have large acreage. During the course of these studies, 22 cultural resources properties have been recorded, one of which was located on the Project Site. With the exception of the isolated historical-era artifact found on the Project Site, all of the remaining sites are Native American bedrock milling sites, although one site also has a small rock shelter and midden. No significant archaeological sites have been recorded in less than a one-half mile radius of the subject property. However, due to the existence of a historical artifact on the Project Site, the presence of another irrigation feature off property, and the number of Native American milling sites within a one mile radius, part-time archaeological monitoring during grading activities is recommended as described in **Mitigation Measure CUL-1**.

**Mitigation Measure CUL-1:**

Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist to conduct monitoring of all mass grading and trenching activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a Cultural Resources Management Plan (CRMP) in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting tribe is defined as a tribe that initiated the AB 52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:

- a. Project grading and development scheduling;
- b. The Project archeologist and the Consulting Tribes(s) as defined in CR-1 shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel that will conduct earthwork or grading activities that begin work on the Project following the initial Training must take the Cultural Sensitivity Training prior to beginning work and the Project archaeologist and Consulting Tribe(s) shall make themselves available to provide the training on an as needed basis;
- c. The protocols and stipulations that the contractor, City, Consulting Tribe(s), and Project archaeologist will follow in the event of inadvertent cultural resources discoveries,

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<b>ISSUES &amp; SUPPORTING INFORMATION SOURCES:</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>include any newly discovered cultural resource deposits that shall be subject to a cultural resource evaluation.</p> <p>With the implementation of <b>Mitigation Measure CUL-1</b>, the Proposed Project would have a less than significant impact on historic or archaeological resources within the Project Site and surrounding land uses.</p>				
<p>c) Disturb any human remains, including those interred outside of formally dedicated cemeteries?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less than Significant with Mitigation Incorporated</b></p>				
<p>California Health and Safety Code §7050.5, Public Resources Code § 5097.98, and § 15064.5 of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that, if human remains are encountered during excavation, all work must halt, and the County Coroner must be notified (Section 7050.5 of the California Health and Safety Code). The coroner will determine whether the remains are of forensic interest. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, the coroner will contact the Native American Heritage Commission (NAHC).</p> <p>With the implementation of <b>Mitigation Measure CUL-1</b>, the Proposed Project would have a less than significant impact on the disturbance on any human remains, including those interred outside of formally dedicated cemeteries.</p> <p>The NAHC will be responsible for designating the most likely descendant (MLD) responsible for the ultimate disposition of the remains, as required by Section 5097.98 of the Public Resources Code. The MLD should make his/her recommendations within 48 hours of their notification by the NAHC. This recommendation may include:</p> <ul style="list-style-type: none"> <li>a. the nondestructive removal and analysis of human remains and items associated with Native American human remains;</li> <li>b. preservation of Native American human remains and associated items in place;</li> <li>c. relinquishment of Native American human remains and associated items to the descendants for treatment; or</li> <li>d. other culturally appropriate treatment. Section 7052 of the Health &amp; Safety Code also states that disturbance of Native American cemeteries is a felony. With adherence to these existing regulations impacts would be less than significant.</li> </ul>				
<p><b>Sources:</b></p>				
<ul style="list-style-type: none"> <li>1. Phase I Cultural Resources Assessment. Jean A. Keller. April 2023.</li> <li>2. Moreno Valley General Plan, adopted June 15, 2021             <ul style="list-style-type: none"> <li>• Chapter 7 – Conservation Element – Section 7.2 – Cultural and Historical Resources</li> </ul> </li> <li>3. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006             <ul style="list-style-type: none"> <li>• Section 5.10 – Cultural Resources</li> </ul> </li> <li>4. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code</li> <li>5. Moreno Valley Municipal Code Title 7 – Cultural Preservation</li> <li>6. Cultural Resources Inventory for the City of Moreno Valley, Riverside County, California, prepared by Daniel F. McCarthy, Archaeological Research Unit, University of California,</li> </ul>				

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Riverside, October 1987 (*This document cannot be provided to the public due to the inclusion of confidential information pursuant to Government Code Section 6254.10.*)

**VI. ENERGY – Would the project:**

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Response: Less than Significant Impact**

**Electricity**

Southern California Edison (SCE) currently provides electrical service to the Project area. The demand for electricity associated with the Proposed Project would be for operation of the convenience store, carwash, and fueling station. In 2021, the Commercial sector of the Southern California Edison planning area consumed 5965.998733 GWh of electricity. Based on the CalEEMod 2022 emission output tables for the Proposed Project, the estimated electricity demand is 0.312242 GWh (refer Air Quality Report). The Proposed Project’s estimated annual electricity consumption compared to the 2020 annual electricity consumption of the overall Industry Sector in the SCE Planning Area would account for approximately 0.0052337 percent of total electricity consumption. Total electricity demand in SCE’s service area is estimated to increase by approximately 12,000 GWh between the years 2015 and 2026. The increase in electricity demand from the Proposed Project is insignificant compared to the projected electricity demand within SCE’s service area. Furthermore, the project design and materials would comply with the applicable Building Energy Efficiency Standards. Prior to issuance of a building permit, the City of Moreno Valley shall review and verify that the project plans demonstrate compliance with the current version of the Building Energy Efficiency Standards. The Proposed Project would also be required to adhere to CALGreen, which establishes planning and design standards for sustainable site development, and energy efficiency. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

**Natural Gas**

Southern California Gas Company currently provides natural gas service to the project area. In 2021, the Commercial sector of the Southern California Gas Company planning area consumed 98.293612 million therms of natural gas. Based on the CalEEMod emission output tables for the Proposed Project, the estimated natural gas demand is 1,552.59 therms of natural gas per year. The Proposed Project’s estimated annual natural gas consumption compared to the 2020 annual natural gas consumption of the overall Industry Sector in the Southern California Gas Company Planning Area would account for approximately 0.0015795 percent of total natural gas consumption. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

In summary, the construction and operation of the Proposed Project would not result in the inefficient, wasteful, or unnecessary use of energy. Impacts associated with energy use would be less than significant and no mitigation is required.

Attachment: Exhibit A - Initial Study / Mitigated Negative Declaration [Revision 1] (6422 : Beyond Food Mart)

<b>ISSUES &amp; SUPPORTING INFORMATION SOURCES:</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Response: Less than Significant Impact**

The California Title 24 Building Code contains energy efficiency standards for residential buildings. These standards address electricity and natural gas efficiency in lighting, water, heating, and air conditioning, as well as the effects of the building envelopes (e.g., windows, doors, walls and roofs, etc.) on energy consumption. As described previously, the Project would comply with the Title 24 California Green Building Standards. Since the Proposed Project would comply with applicable State standards, the Project would not conflict with nor obstruct a state or local plan adopted for the purposes of increasing the amount of renewable energy or energy efficiency. Therefore, this impact would be less than significant, and no mitigation is required.

**Sources:**

1. Moreno Valley General Plan, adopted June 15, 2021
  - Chapter 7 – Conservation Element – Section 7.6 – Energy Resources
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified May 20, 2021
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. <https://ecdms.energy.ca.gov/Default.aspx>. Accessed June 2023.

**VII. GEOLOGY AND SOILS – Would the project:**

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to <a href="https://www.conservation.ca.gov/cgs/Documents/SP_042.pdf">https://www.conservation.ca.gov/cgs/Documents/SP_042.pdf</a>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Response: Less than Significant Impact**

The Project Site is located within the Peninsular Range Geomorphic Province, an area characterized by active northeast trending strike slip faults, including the San Jacinto Fault and the Elsinore Fault. The Project Site is not located within the boundaries of an Earthquake Fault Zone as defined by the Alquist Priolo Earthquake Fault Zoning Act of 1972 (California Geological Survey 2005). There are no known active or potentially active faults that traverse the Project Site and the risk of ground rupture due to a fault displacement beneath the site is low. The closest known fault is the San Jacinto-San Jacinto Valley (San Bernardino) Fault zone approximately 4.1 miles northeast of the Project Site. Therefore, impacts related to earthquake faults would be less than significant. No mitigation is required.

ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Response: Less than Significant Impact**

Like all of Southern California, the Project Site will continue to be subject to ground shaking generated from activity on local and regional faults. In addition, the site lies in relatively close proximity to an active fault; therefore, during the life of the proposed improvements, the property



ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
will probably experience similar moderate to occasionally high ground shaking from these fault zones, as well as some background shaking from other seismically active areas of the Southern California region. However, the design and construction in accordance with the current California Building Code (CBC) requirements is anticipated to address the issues related to potential ground shaking. With the implementation of California Building Code (CBC) requirement, seismic-related impacts would be less than significant. No mitigation is required.				
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Response: Less than Significant Impact</b>				
<p>Liquefaction describes the phenomenon where loosely packed or waterlogged fine-grained sediments near or at the ground surface lose their strength in response to strong ground shaking. There are three basic factors that must exist concurrently in order for liquefaction to occur. These factors include:</p> <ul style="list-style-type: none"> <li>- A source of ground shaking, such as an earthquake, capable of generating soil mass distortions;</li> <li>- A relatively loose silty and/or sandy soil; and</li> <li>- A relatively shallow groundwater table (within approximately 50 feet below ground surface) or completely saturated soil conditions that will allow positive pore pressure generation.</li> </ul> <p>A Preliminary Geotechnical Engineering Investigation, prepared by Salem Engineering Group, Inc., November 30, 2017 is on-file with the City and is summarized herein. According to the Geotechnical Report, the Project Site is not located within a liquefaction zone. Considering the granular nature of the existing subsoils, along with the absence of groundwater within 50 feet of the surface, potential susceptibility for liquefaction due to an earthquake is considered unlikely. Therefore, a less than significant impact related to this issue would occur. No mitigation is required.</p>				
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Response: Less than Significant Impact</b>				
<p>The geologic and topographic characteristics of an area, often determine its potential for landslides. Steep slopes, the extent of erosion, and the rock composition of a hillside all contribute to the potential for slope failure and landslide events. In order to fail, unstable slopes typically need to be disturbed; the common triggering mechanisms of slope failure include undercutting of slopes by erosion or grading, saturation of marginally stable slopes by rainfall or irrigation, and shaking of marginally stable slopes during earthquakes. According to the Geotechnical Report the Project Site is not located in an area that is susceptible to landslides. The Upland Game Hunting Area is located approximately 0.4 mile south of the site, which has the potential for landslides. However, the Proposed Project would be required to adhere to applicable regulations regarding the City's Building Ordinance. With the use of these safety regulations, the potential for landslides to occur within the Project Site is considered to be low. Therefore, the impacts related to landslides would be less than significant. No mitigation is required.</p>				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less than Significant</b></p> <p>The Project Site is underlain by a mix of Gorgonio loamy sand and Hanford coarse sandy loam. Prior to the issuance of grading permits, the Project proponent would be required to prepare and submit detailed grading plans for the Project Site. These plans must be prepared in conformance with applicable standards of the City’s Grading Ordinance.</p> <p>Construction activities associated with the development of the Proposed Project would expose underlying soils, thus increasing their susceptibility to erosion until the Project is fully developed. Development of the site would involve more than one acre of ground disturbance; therefore, the proposed project is required to obtain a National Pollutant Discharge Elimination System (NPDES) permit. A Storm Water Pollution Prevention Plan (SWPPP) would also be required to address erosion and discharge impacts associated with the proposed onsite grading by implementing appropriate best management practices (BMPs). Adherence to the BMPs contained in the SWPPP would ensure that the potential for soil erosion impacts would be reduced to less than significant with mitigation incorporated levels by implementation of existing water quality regulations. No mitigation is required.</p>				
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less than Significant</b></p> <p>Subsidence is the sudden sinking or gradual downward settling of the earth’s surface with little or no horizontal movement. Subsidence is caused by a variety of activities, which include, but are not limited to, withdrawal of groundwater, pumping of oil and gas from underground, the collapse of underground mines, liquefaction, and hydro compaction. The Project Site is generally flat and gently slopes down to the northwest. Onsite soils primarily consist of upper 3 to 4 feet of dry, loose and compressible silty fine sand, overlying gravelly fine to medium coarse sand of moderate consistency with scattered rock fragments and rocks. Due to the absence of groundwater within 50-feet and the relatively flat site topography, the potential susceptibility for onsite soil liquefaction and lateral spreading due to an earthquake is considered low.</p> <p>No structural fills and/or load bearing foundations and concrete slabs should be constructed bearing directly on the surface soils currently existing on the Project Site. The Project Site is not located within an area that is susceptible to landslides. The Proposed Project would be required to adhere to applicable regulations ensuring building safety and a Final geotechnical report shall be prepared and approved by the City Engineer. Therefore, the impacts would be less than significant. No mitigation is required.</p>				

<b>ISSUES &amp; SUPPORTING INFORMATION SOURCES:</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less than Significant</b></p> <p>Expansive soils are fine-grained silts and clays which are subject to swelling and contracting. The swelling and contracting is due to the amount of fine-grained clay materials present in the soils and the amount of moisture either introduced or extracted from the soils. According to the Soils Feasibility Study, 13 onsite soils are considered non-expansive. Additionally, approval of a Final Geotechnical and Soils Report ensure impacts related to soils are reduced to less than significant levels. No mitigation is required.</p>				
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Response: No Impact</b></p> <p>The Proposed Project would connect to existing sewer main lines adjacent to the Project Site. The Proposed Project would not use septic tanks or other alternative wastewater disposal system. Therefore, the development of the project would have no impact related to this issue. No mitigation measures are required.</p>				
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less than Significant with Mitigation Incorporated</b></p> <p>The Project Site contains Alluvial Fan Deposits which consist of unconsolidated gravel, sand, and silt. Cobble- and boulder-size clasts are also present and become more abundant closer to the hills and mountains. These sediments were eroded from higher elevations, carried by flooding streams and debris flows, and deposited in a fan or lobe shape at the base of the hills.<sup>1</sup> Based on the geology of the site, construction of the Proposed Project would not impact, either directly or indirectly, any known unique paleontological resource or site of unique geologic features. Given the site's history of disturbance, the potential for undiscovered paleontological or geological resources is considered low.<sup>2</sup> However, ground-disturbing activities at the Project Site still have the potential to disturb previously unknown resources. With implementation of <b>Mitigation Measure GEO-1</b>, a less than significant impact to paleontological resources would occur.</p> <p><b>Mitigation Measure GEO-1:</b></p> <p>If paleontological resources (fossils) are discovered during Project grading, work will be halted in that area until a qualified paleontologist can be retained to assess the significance of the find. The Project paleontologist shall monitor remaining earthmoving activities at the Project Site and shall be equipped to record and salvage fossil resources that may be</p>				

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<sup>1</sup> USDA Natural Resources Conservation Service (NRCS) Web Soil Survey (USDA 2023)

<sup>2</sup> Phase I Cultural Resources Assessment prepared by Jean A. Keller, April 2023.

<b>ISSUES &amp; SUPPORTING INFORMATION SOURCES:</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>unearthed during grading activities. The paleontologist shall be empowered to temporarily halt or divert grading equipment to allow recording and removal of the unearthed resources. Any fossils found shall be evaluated in accordance with the CEQA Guidelines and offered for curation at an accredited facility approved by the City of Moreno Valley. Once grading activities have ceased or the paleontologist determines that monitoring is no longer necessary, monitoring activities shall be discontinued. This measure shall be implemented to the satisfaction of the City Planning Division.</p>				
<p><b>Sources:</b></p> <ol style="list-style-type: none"> <li>1. Preliminary Geotechnical Engineering Investigation, Salem Engineering Group, Inc., November 30, 2017.</li> <li>2. USDA Natural Resources Conservation Service (NRCS) Web Soil Survey (USDA 2023).</li> <li>3. Phase I Cultural Resources Assessment prepared by Jean A. Keller, April 2023.</li> <li>4. Moreno Valley General Plan, adopted June 15, 2021               <ul style="list-style-type: none"> <li>• Chapter 6 – Safety Element – Section 6.5 – Geologic Hazards</li> <li>• Chapter 7 – Conservation Element – Section 7.4 -- Soils</li> </ul> </li> <li>5. Final Environmental Impact Report City of Moreno Valley General Plan, certified May 20, 2021</li> <li>6. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code</li> <li>7. Moreno Valley Municipal Code Chapter 8.21 – Grading Regulations</li> <li>8. Local Hazard Mitigation Plan, City of Moreno Valley Fire Department, adopted October 4, 2011, amended 2017, <a href="http://www.moval.org/city_hall/departments/fire/pdfs/haz-mit-plan.pdf">http://www.moval.org/city_hall/departments/fire/pdfs/haz-mit-plan.pdf</a> <ul style="list-style-type: none"> <li>• Chapter 4 – Earthquake</li> <li>• Chapter 8 – Landslide</li> </ul> </li> <li>9. Emergency Operations Plan, City of Moreno Valley, March 2009, <a href="http://www.moval.org/city_hall/departments/fire/pdfs/mv-eop-0309.pdf">http://www.moval.org/city_hall/departments/fire/pdfs/mv-eop-0309.pdf</a></li> </ol>				
<p><b>VIII. GREENHOUSE GAS EMISSIONS – Would the project:</b></p>				
<p>a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less than Significant Impact</b></p> <p>The City adopted the Moreno Valley Climate Action Plan (CAP) in June 2021. The CAP is designed to reinforce the City’s commitment to reducing greenhouse gas (GHG) emissions and demonstrate how the City will comply with State of California’s GHG emission reduction standards. As a Qualified GHG Reduction Strategy, the CAP will also enable streamlined environmental review of future development projects, in accordance with the California Environmental Quality Act (CEQA).</p> <p>However, the City of Moreno Valley has not adopted its own numeric threshold of significance for determining impacts with respect to Greenhouse Gas (GHG) emissions. A screening threshold of 3,000 MTCO<sub>2</sub>e/yr. was therefore utilized to determine if additional analysis is required for the Proposed Project).</p>				

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### Construction Activity GHG Emissions

Project construction activities would generate CO<sub>2</sub> and CH<sub>4</sub> emissions. As discussed in the Air Quality Impact Analysis, Construction related emissions are expected from the following construction activities:

- Site Preparation
- Grading
- Building Construction
- Paving
- Architectural Coating

Construction was expected to commence in January 2024 and be operational in 2025. The analysis represents a worst-case scenario, as GHG emissions improve over time due to the introduction of new technologies and larger vehicle fleets utilizing energy sources alternative to fossil fuels. For construction phase Project emissions, GHGs are quantified and amortized over the life of the Project. To amortize the emissions over the life of the Proposed Project, the SCAQMD recommends calculating the total GHG emissions for the construction activities, dividing it by a 30-year Project life then adding that number to the annual operational phase GHG emissions. As such, construction emissions were amortized over a 30-year period and added to the annual operational phase GHG emissions. The amortized construction emissions are presented in Table 6.

**Table 6**  
**Greenhouse Gas Construction Emissions**  
**(Metric Tons per Year)**

<b>Source/Phase</b>	<b>CO<sub>2</sub></b>	<b>CH<sub>4</sub></b>	<b>N<sub>2</sub>O</b>	<b>R1</b>
2024 Annual Max	1,286	0.14	0.08	319
<b>Total MTCO<sub>2</sub>e</b>	<b>1,632</b>			
Construction Amortized over 30 years	<b>6.7</b>			

Source: CalEEMod 2022 Annual Emissions.

### Operational GHG Emissions

Operational activities associated with the Project will result in emissions of CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O from the following primary sources:

- Area Source Emissions
- Energy Source Emissions
- Mobile Source Emissions
- Water Supply, Treatment, and Distribution
- Solid Waste

The annual GHG emissions associated with the operation of the proposed Project are summarized in Table 7. As shown, the Project would generate approximately 1,632 MTCO<sub>2</sub>e/yr.

<b>ISSUES &amp; SUPPORTING INFORMATION SOURCES:</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Table 7  
Greenhouse Gas Operational Emissions  
(Metric Tons per Year)**

Source/Phase	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	R1
Mobile	1,212	0.1	0.08	1.99
Area	0.19	0.0	0.0	--
Energy	72.4	0.01	0.0	--
Water	0.67	0.0	0.0	--
Waste	0.3	0.03	0.0	--
Refrigeration	--	--	--	317
Construction Amortized 30 Years	6.7			
<b>Total MTCO<sub>2</sub>e</b>	<b>1,632</b>			
County Screening Threshold	3,000			
<b>Significant</b>	No			

Source: CalEEMod 2022 Annual Emissions.

As depicted in Tables 6 and 7, the Proposed Project would result in a net total of approximately 1,632 MTCO<sub>2</sub>/yr. The Proposed Project would not exceed the SCAQMD/City's screening threshold of 3,000 MTCO<sub>2</sub>e/yr. Thus, the Proposed Project would not have the potential to result in a cumulatively considerable impact with respect to GHG emissions. A less than significant impact is anticipated and no mitigation is required.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Response: Less than Significant Impact**

Pursuant to 15604.4 of the CEQA Guidelines, a lead agency may rely on qualitative analysis or performance-based standards to determine the significance of impacts from GHG emissions. As such, the Proposed Project's consistency with SB 32 (2017 Scoping Plan), is discussed in the GHG Analysis, 2017 Scoping Plan Consistency of the GHG Analysis. Consistency with AB 32 and the 2008 Scoping Plan is not necessary, since the target year for AB 32 and the 2008 Scoping Plan was 2020. It should be noted that if the project is commenced and completed after the dates cited in the GHG Analysis then the emissions estimates for the project is a worst-case as greenhouse gas and other air pollutant emissions tend to go down over time due to more stringent emission standards for vehicles which are a primary source of such pollutants.

**SB 32/2017 Scoping Plan Consistency**

The 2017 Scoping Plan Update reflects the 2030 target of a 40% reduction below 1990 levels, set by Executive Order B-30-15 and codified by SB 32. The GHG Analysis overviews the Project's consistency with the 2017 Scoping Plan. As summarized, the Project will not conflict with any of the provisions of the Scoping Plan.

As shown in Tables 6 and 7 of the GHG Analysis, the Project would not conflict with any of the 2017 Scoping Plan elements as any regulations adopted would apply directly or indirectly to the Project. Further, recent studies show that the State's existing and proposed regulatory framework will allow the State to reduce its GHG emissions level to 40% below 1990 levels by 2030.

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<b>ISSUES &amp; SUPPORTING INFORMATION SOURCES:</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**City of Moreno Valley General Plan Measure Consistency**

The City of Moreno Valley General Plan does not identify specific GHG or climate change policies or goal, a number of the measures identified in the General Plan’s Air Quality Element act to reduce or control criteria pollutant emissions and peripherally reduce GHG emissions. As shown in the GHG Analysis, the Proposed Project has been evaluated for consistency with the City’s General Plan Air Quality Element. The project is consistent with the City’s General Plan.

**City of Moreno Valley Energy Efficiency and CAS (Climate Action Strategy) Consistency**

The City of Moreno Valley released an Energy Efficiency and CAS as well as a GHG Analysis for public review on May 8, 2012. The documents were approved on October 9, 2012. The CAS identifies ways that the City can reduce energy and water consumption and GHG emissions as an organization (its employees and the operation of its facilities) and outlines the actions that the City can encourage, and community members can employ to reduce their own energy and water consumption and GHG emissions. The policies in the document are to reduce GHG emissions in 2010 by 15% by 2020. The City of Moreno Valley General Plan Consistency of the GHG Analysis consists of an analysis of Project consistency with the policies in the CAS. The project has been found to be consistent with the policies in the CAS (unless the policies are not applicable).

Based on this analysis, the Project would not conflict with any applicable plan, policy or regulation, a less than significant impact is expected. No mitigation is required.

**Sources:**

1. CalEEMod 2022 Outputs.
2. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
3. California’s 2017 Climate Change Scoping Plan, prepared by the California Air Resources Board, November 2017, [https://www.arb.ca.gov/cc/scopingplan/scoping\\_plan\\_2017.pdf](https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf), accessed July 17, 2023.

**IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:**

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Response: Less than Significant Impact**

Potentially hazardous materials such as fuels, lubricants, and solvents would be used during Project construction. The proposed Beyond Food Mart would utilize hazardous materials on a daily basis including gasoline, oil, solvents, and cleaning products. Two underground storage tanks (USTs) (17,000 and 25,000 gallons) are proposed on the south side of the proposed canopy along with 8 MPDs (16 total fueling stations). The transport, use, and storage of hazardous materials during construction and operation of the Proposed Project would be conducted in accordance with all applicable State and federal laws, such as the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Material Management Act, and the California Code of Regulations, Title 22.

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>The Project Applicant would be required to prepare a Spill Contingency Plan to be filed with the County of Riverside Hazardous Materials Department. All operations of the fueling station and related USTs would be required to comply with all federal, state and local laws regulating the management and use of hazardous materials. These regulations mandate the testing and frequent inspections of the UST facilities.</p> <p>Development of the Project Site would also be subject to the National Pollutant Discharge Elimination System. Compliance with all applicable laws and regulations would reduce the potential impact associated with the routine transport, use, storage, or disposal of hazardous materials to a less than significant level.</p> <p>No mitigation is required.</p>				
<p>b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less than Significant Impact</b></p> <p>The Project Applicant would be required to prepare a Spill Contingency Plan to be filed with the County of Riverside Hazardous Materials Department. All operations of the fueling station and related USTs would be required to comply with all federal, state and local laws regulating the management and use of hazardous materials. These regulations mandate the testing and frequent inspections of the UST facilities.</p> <p>Development of the Project Site would be subject to the National Pollutant Discharge Elimination System (NPDES) permit requirements. Requirements of the permit include development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The purpose of the SWPPP is to: 1) identify pollutant sources that may affect the quality of discharges of storm water associated with construction activities and 2) identify, construct, and implement storm water pollution control measures to reduce pollutants in storm water discharges from the construction site during and after construction. The SWPPP must include Best Management Practices (BMPs) to control and abate pollutants.</p> <p>The NPDES also requires a Water Quality Management Plan (WQMP). A Preliminary WQMP has been prepared for the Proposed Project. The WQMP is intended to comply with the requirements of City. Review and approval of the WQMP by the City would ensure that all potential pollutants of concern are minimized or otherwise appropriately treated prior to being discharged from the Project Site.</p> <p>With regulatory compliance, the Proposed Project would have a less than significant impact related to the release of hazardous materials and no mitigation is required.</p>				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less than Significant Impact</b></p> <p>The nearest school to the Project Site is Landmark Middle School located at 15261 Legendary Drive approximately 0.2 mile north of the Project Site. Hazardous or toxic materials transported in association with construction of the Proposed Project may include items such as oils, paints, and fuels. All materials required during construction would be kept in compliance with State and local regulations.</p> <p>The handling of hazardous materials or emission of hazardous substances, at the Project Site would be in accordance with a Hazardous Materials Business Emergency Plan prepared for the Proposed Project and administered by the City Fire Prevention Bureau. All hazardous materials would be handled or transported in accordance with California Health and Safety Code Section 25507 and other local, state, and federal standards, ordinances, and regulations.</p> <p>No mitigation is required.</p>				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to <a href="#">Government Code section 65962.5</a> and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Response: No Impact</b></p> <p>A Phase I Environmental Site Assessment (ESA) for the Proposed Project was completed March 4, 2023 and is included as Appendix E and summarized herein. The assessment concluded that no locations in the immediate adjacency of the Project Site were found to pose any environmental threat to the subject property, based on the data obtained via the Nationwide Environmental Title Research (NETR) governmental records database and the conducted agency records search. There is no indication if the Project Site was once used for agricultural purposes. Dating back to 1967, the Project Site has been vacant and undeveloped with the exception of a structure that once stood on the southeast corner of the property (probably a water tank) but was removed sometime between 1978 and 1996. According to the EnviroStor website and the Phase I ESA, no hazardous material sites on or adjacent to the Project Site were identified. The closest reportable site was the La Jolla Elementary School located approximately 1 mile north of the Project Site. The site type was a school investigation with no action required as of September 8, 2003. The fueling station use would be required to comply with all applicable federal, state, and local laws and regulations regarding hazardous materials. The underground fuel storage tanks would also require permitting and monitoring by the City Fire Department and the County Department of Environmental Health as the Certified Unified Program Agency (CUPA) for Riverside County. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.</p>				

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<b>ISSUES &amp; SUPPORTING INFORMATION SOURCES:</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Response: No Impact</b></p> <p>The Project Site is not located within two miles of an airport or private airstrip. The closest airport is the March Air Reserve Base/March Inland Port Airport, located approximately 3.5 miles to the west of the Project Site. As shown on Map S-7: Airport Land Use Compatibility Zone of the Moreno Valley General Plan, the Proposed Project is located outside of the Airport Influence Area. Therefore, the Proposed Project would have no potential to result in a safety hazard or excessive noise for people residing or working in the Project area, and no mitigation is required.</p>				
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less Than Significant Impact</b></p> <p>According to the Moreno Valley Local Hazard Mitigation Plan (LHMP), emergency evacuation routes within the City includes I-215, SR-60, and major roadways adjacent to the Project Site including Iris Avenue and Oliver Street, and Alessandro Boulevard which is 1.5 miles north of the Project Site. When responding to emergencies, the City uses the Standardized Emergency Management System (SEMS) which provides preparedness, response, recovery, and mitigation to a disaster event. It is not anticipated that development of the Project Site would impair implementation of or physically interfere with the LHMP, SEMS, or other emergency plans because site activities would be confined within the Proposed Project. The proposed onsite parking and circulation plans would be in accordance with the City of Moreno Valley Municipal Code Chapter 9.11: Parking, Pedestrian and Loading Requirements. And reviewed by the Fire Department and City Engineering Department to ensure that the Proposed Project's ingress/egress are adequate for accommodating emergency vehicles. Therefore, through compliance with the City's established LHMP and Municipal Code, and through review of the Project by the Fire Department and City Engineering Department, the potential for the Project to physically interfere with an adopted emergency response plan, or evacuation plan is less than significant. No mitigation is required.</p>				
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less Than Significant Impact</b></p> <p>As further discussed in Section XX Wildfire, the Project Site is not located within a Fire Hazard Severity Zone (FHSZ) as defined in the Fire Hazard Severity maps from CALFIRE and the General Plan Map S-5: Fire Hazard Severity Zones. The Project Site is located within a Local Response Area (LRA) and surrounded by developed property (residential) to the southeast with vacant property routinely disked for weed abatement in the northwest. Due to the site being surrounded by developed property and vacant property devoid of native vegetation (i.e., fuel), there is a less than significant threat of a wildfire occurring in the surrounding area. In addition, Riverside County Fire Department 91 is located at 16110 Lasselle Street, approximately</p>				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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1.35 miles from the Project Site, provides urban fire response. Implementation of the Proposed Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires resulting in a less than significant impact and no mitigation is required.

**Sources:**

1. Moreno Valley General Plan, adopted June 15, 2021
2. Phase I Environmental Site Assessment Report
3. Final Environmental Impact Report City of Moreno Valley General Plan, certified May 20, 2021
4. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
5. Local Hazard Mitigation Plan, City of Moreno Valley Fire Department, adopted October 4, 2011, amended 2017, [http://www.moval.org/city\\_hall/departments/fire/pdfs/haz-mit-plan.pdf](http://www.moval.org/city_hall/departments/fire/pdfs/haz-mit-plan.pdf)
6. Emergency Operations Plan, City of Moreno Valley, March 2009, [http://www.moval.org/city\\_hall/departments/fire/pdfs/mv-eop-0309.pdf](http://www.moval.org/city_hall/departments/fire/pdfs/mv-eop-0309.pdf)
7. EnviroStor. <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=Moreno+Valley>

**X. HYDROLOGY AND WATER QUALITY – Would the project:**

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Response: Less than Significant Impact**

A Preliminary Hydrology Study dated December 2022 and revised April 27, 2023, and a Project Specific WQMP dated November 7, 2022, and revised April 19, 2023, was prepared by Blue Engineering and Consulting, Inc. for the Project Site (see Appendices F and G). Findings of the reports are discussed herein. The Project Site is currently undeveloped and is composed of 100 percent pervious surfaces due to routine disking. Construction of the Project will involve site clearing, rough grading, compaction, pouring of concrete and asphalt, and construction of the structures. The Project Site clearing and grading phases would disturb vegetation and surface soils, potentially resulting in erosion and sedimentation. If left exposed and with no vegetative cover, the Project Site’s bare soil could be subject to additional wind and water erosion. Since the Proposed Project involves over one acre of ground disturbance, it is subject to National Pollution Discharge Elimination System (NPDES) requirements and must implement a Storm Water Pollution Prevention Plan (SWPPP). Implementation of site-specific best management practices (BMPs), as established by the SWPPP, will ensure all impacts related to erosion and sedimentation from ground disturbance are less than significant. Examples of BMPs include sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, sweep roadway from track-out, and rumble strips.

Under existing conditions, the Project Site drains in a northwesterly direction toward the Kaiser Permanente Hospital. The Proposed Project includes a storm water detention system with one underground bioretention basin with a capacity of 15,237 cubic feet (CF) that would be located on the northwest portion of the project Site and one vegetation swale located off site near the northeast corner of the Project, along Oliver Street (refer to Site Plan). To address potential

<b>ISSUES &amp; SUPPORTING INFORMATION SOURCES:</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>water contaminants, the Project is required to comply with applicable federal, state, and local water quality regulations in accordance with the Project specific NPDES and SWPPP. Given compliance with all applicable federal, state, and local laws regulating surface water quality, the Proposed Project as designed would result in a less than significant impact. No mitigation is required.</p> <p>Prior to the issuance of a grading permit, the Project applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. In addition, the SWPPP shall emphasize structural and nonstructural Best Management Practices (BMPs) to control sediment and non-visible discharges from the site. The SWPPP will include inspection forms for routine monitoring of the site during construction phase to ensure NPDES compliance and additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary. The SWPPP shall address the potential for an extended and discontinuous construction period based on funding availability. The SWPPP will be kept on site for the entire duration of Project construction and will be available to the local RWQCB for inspection at any time. BMPs included in the SWPPP may include the following:</p> <ul style="list-style-type: none"> <li>- Sediment discharges from the site may be controlled by the following: sandbags, silt fences, straw wattles, and temporary basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction and repairs will be made when necessary, as required by the SWPPP.</li> <li>- Materials that have the potential to contribute to non-visible pollutants to storm water must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.</li> <li>- All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate and discharge from the site. Stockpiles will be surrounded by silt fences and covered with plastic tarps.</li> <li>- In addition, the construction contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sandbag barriers and other sediment control measures called for in the SWPPP. Monthly reports and inspection logs shall be maintained by the Contractor and reviewed by the City and the representatives of the State Water Resources Control Board. In the event that it is not feasible to implement specific BMPs, the City can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.</li> </ul> <p>The WQMP includes mandatory compliance of BMPs as well as compliance with NPDES Permit requirements. Review and approval of the WQMP by the City of Moreno Valley and the SWPPP by the Regional Water Quality Control Board would ensure that all potential pollutants of concern are minimized or otherwise appropriately treated prior to being discharged from the Project Site. Therefore, the Proposed Project would result in less than significant impacts..</p>				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less than Significant Impact</b></p> <p>Groundwater in the Project Site area is managed and distributed by the Eastern Municipal Water District (EMWD) a regional water management and wholesale agency. The City of Moreno Valley is within the boundaries of the EMWD. The EMWD is required by state law (Urban Water Planning Management Act or AB 797 in 1983) to prepare an Urban Water Management Plan (UWMP) to identify its sources/supplies of potable water, its historical and projected consumption by its customers, and evaluate various mandated scenarios for water shortages (e.g., single dry year, and multiple dry years) to assure its customers and the state that it will have adequate water supplies now and in the future, even under expected drought conditions.</p> <p>The 2020 UWMP concluded the City could supply water to its customers until at least 2040 under single dry and multiple drought year scenarios. The Project does not involve a General Plan Amendment or Zone Change, so the City in its UWMP has accounted for future water consumption of existing and planned land uses, including residential and commercial uses such as the Proposed Project.</p> <p>The Project is also subject to NPDES requirements and will be designed and constructed to ensure compliance with the water quality standards and waste discharge requirements. Compliance with these regulations, along with all City water supply requirements, will ensure there will be no significant impacts related to groundwater supply or recharge resulting from the Proposed Project. A less than significant impact would occur related to this issue and no mitigation is required.</p>				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less than Significant Impact</b></p> <p>Development of the Proposed Project's buildings and pavement will alter the amount of existing impervious surface area and the amount of generated storm water runoff. Currently, the site has a 4.4 percent slope and runoff generally drains from the southeast to the northwest. No streams, rivers, or other drainage features are located on site. The Proposed Project would implement structures and impervious surfaces that could potentially alter the current drainage pattern. Pursuant to the requirements of the NPDES permit, as discussed previously, excess flows and sediment would be captured by BMPs identified in the WQMP. The Proposed Project's WQMP is subject to review and approval by the City prior to issuance of grading permits. With implementation of required BMPs, the Proposed Project is not expected to result in substantial erosion or siltation. Therefore, impacts would be less than significant, and no mitigation is required.</p>				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Response: No Impact</b></p> <p>No streams, rivers, or other drainage features are located on the Project Site. The Project proposes a storm water detention system with one underground bioretention basin with a capacity of 15,237 cubic feet (CF) that would be located on the northwest portion of the Project Site and one vegetation swale located off near the northeast corner of the Project Site, along Oliver Street (refer to Site Plan). The stormwater infiltration system would prevent flows that could result in on- or off-site flooding. Since the Proposed Project does not significantly increase storm water flows, no impact related to flooding would occur. No mitigation is warranted.</p>				
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less than Significant Impact</b></p> <p>The existing Project Site slopes down from the southeast to the northwest toward the Moreno Valley Hospital. The Project proposes a storm water detention system with one underground bioretention basin with a capacity of 15,237 cubic feet (CF) that would be located on the northwest portion of the Project Site and one vegetation swale located off near the northeast corner of the Proposed Project, along Oliver Street (refer to Site Plan). The nature of the proposed development would not generate flows previously unaccounted for in drainage plans. The Proposed Project will incorporate BMPs that will moderate flows into existing storm drain systems. As the Proposed Project would maintain drainage patterns and flow rates comparable to the existing condition, a less than significant impact would occur with the development of the Proposed Project, and no mitigation is warranted.</p>				
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Response: No Impact</b></p> <p>The Project Site is not located within a 100-year flood hazard area and does not include the development of housing. Therefore, the Project would not place a structure within a 100-year flood hazard area that would impede or redirect flood flows. No impact would occur, and no mitigation is required.</p> <p>Two locations of concern exist within the City of Moreno Valley: Poorman Reservoir (Pigeon Pass Reservoir) and Lake Perris. Dam failure at Portman’s Reservoir could result in extensive flooding along the downstream watercourse. Dam failure at Lake Perris would only affect a very small area south of Nandina Avenue along the Perris Valley Storm Drain and the Mystic Lake area in the southeast corner of the City. However, according to the City’s General Plan, the Project Site will not expose people or structures to a risk of loss, injury or death involving the failure of a levee or dam. Therefore, no impacts would occur, and no mitigation is required.</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Response: No Impact</b></p> <p>The Project Site is located approximately 2 miles north of Lake Perris. At this distance, the Project Site is not considered susceptible to seiche-related hazards originating at Lake Perris. Additionally, the Upland Game Hunting Area is located between the Project Site and Lake Perris, initially creating a buffer from the Project Site and the waterbody. The Project Site and Lake Perris have an elevation of approximately 1560 feet above mean sea level (amsl) while the Upland Game Hunting Area hills are approximately 1813 feet amsl which approximately 253 feet above the Project Site. The Project Site is at an elevation of approximately 1,560 feet amsl and is located approximately 42 miles northeast of the Pacific Ocean. Therefore, the Proposed Project is not subject to flood hazards, tsunami threats, or seiche zones, and no impact would occur.</p>				
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less than Significant Impact with Mitigation Incorporated</b></p> <p>The Proposed Project would be required to comply with the Regional Water Quality Control Board's Santa Ana River Basin Water Quality Control Program, which includes the requirement to complete and submit a SWPPP for construction related activities. The Proposed Project is in a developed urban setting and through adherence to the City of Moreno Valley's water quality regulations it would not substantially degrade water quality. Therefore, a less than significant impact would occur with implementation of the recommended mitigation measures. No additional mitigation measures are required.</p>				
<p><b>Sources:</b></p> <ol style="list-style-type: none"> <li>1. Preliminary Hydrology Study and WQMP. Blue Engineering and Consulting, Inc. May 2, 2023.</li> <li>2. Moreno Valley General Plan, adopted June 15, 2021               <ul style="list-style-type: none"> <li>• Chapter 6 – Safety Element – Section 6.7 – Water Quality                   <ul style="list-style-type: none"> <li>- Figure 6-4 – Flood Hazards</li> </ul> </li> <li>• Chapter 7 – Conservation Element – Section 7.5 – Water Resources                   <ul style="list-style-type: none"> <li>- Figure 7-1 Water Purveyor Service Area Map</li> </ul> </li> </ul> </li> <li>3. Final Environmental Impact Report City of Moreno Valley General Plan, certified May 20, 2021               <ul style="list-style-type: none"> <li>• Section 5.5 – Hazards and Hazardous Materials                   <ul style="list-style-type: none"> <li>- Figure 5.5-2 – Floodplains and High Fire Hazard Areas</li> </ul> </li> <li>• Section 5.7 – Hydrology and Water Quality                   <ul style="list-style-type: none"> <li>- Figure 5.7-1 – Storm Water Flows and Major Drainage Facilities</li> <li>- Figure 5.7-2 – Groundwater Basins</li> </ul> </li> </ul> </li> <li>4. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code               <ul style="list-style-type: none"> <li>• Section 9.10.080 – Liquid and Solid Waste</li> </ul> </li> <li>5. Moreno Valley Municipal Code Chapter 8.12 – Flood Damage Prevention</li> </ol>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
6. Moreno Valley Municipal Code Chapter 8.21 – Grading Regulations 7. Eastern Municipal Water District (EMWD) Groundwater Reliability Plus, <a href="http://gwrplus.org/">http://gwrplus.org/</a> 8. Eastern Municipal Water District (EMWD) 2015 Urban Water Management Plan				
<b>XI. LAND USE AND PLANNING – Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Response: No Impact</b></p> <p>The physical division of an established community is typically associated with construction of a linear feature, such as a major highway or railroad tracks, or the removal of a means of access, such as a local road or bridge, which would impair mobility in an existing community or between a community and outlying area.</p> <p>The Project proposes the development of a Beyond Food Mart on land designated as Downtown Center (DC). To the north and west is vacant land and the Kaiser Permanente Moreno Valley Hospital while residential communities are located to the south and east. The Project would not introduce linear features such as highways or transit lines that would divide an established community. Therefore, no impact regarding dividing an established neighborhood would occur, and no mitigation is required.</p>				
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less than Significant Impact</b></p> <p>The Project Site is currently undeveloped, and the General Plan designates the site as Downtown Center (DC), which allows for commercial uses. The City’s General Plan contains goals and objectives that are applicable to the Proposed Project and the DC land use designation. Additionally, the Proposed Project is located within the Multiple Species Habitat Conservation Plan (MSHCP) Moreno Valley Area Plan; however, the Proposed Project is not located in a criteria cell and is not adjacent to Public/Quasi-Public or Conservation Land. The Project is located within the MSHCP survey area for burrowing owl. Because the Proposed Project is not located within a Criteria Cell, it is not subject to possible land conservation requirement under the MSHCP. Therefore, development of the Proposed Project would have a less than significant impact related to an applicable land use plan, policy, regulation, or habitat conservation plan and no mitigation is required.</p> <p>Table 8, General Plan Consistency Analysis provides a consistency analysis of the Proposed Project to the applicable General Plan goals and objectives, which identifies that the Project would not result in a conflict with any applicable General Plan goals and objectives.</p>				



**Table 8  
General Plan Consistency Analysis**

Goal/Policy No.	General Plan Goal and Objectives	Project Consistency
<b>Land Use Element</b>		
<b>Goal LCC-1</b>	Establish an identifiable city structure and a flexible land use framework that accommodates growth and development over the planning horizon.	<b>Consistent.</b> The Proposed Project would provide a mix of commercial related uses that supports the Downtown Center.
<b>Goal LCC. 1-4</b>	Focus new development in centers and corridors so as to support the vitality of existing businesses, optimize the use of utility infrastructure, and reduce vehicle trip frequency, length, and associated emissions.	<b>Consistent.</b> The Proposed Project would develop a vacant lot in the Downtown Center zone. The new development would benefit local residence by providing fuel and convenience goods, which would minimize vehicle trips to further destinations.
<b>Goal LCC. 1-5</b>	Encourage mixed use development in either a vertical or horizontal configuration in the Downtown Center, the Moreno Valley Mall/Towngate Center area, and at key intersection along major transit routes.	<b>Consistent.</b> The Proposed Project would support the Downtown Center urbanization by promoting local community commercial uses such as a convenience store, car wash, and fueling stations.
<b>Circulation Element</b>		
<b>Goal C. 1-1</b>	Support regional infrastructure investments for all modes to relieve congestion and support healthy communities in the City of Moreno Valley.	<b>N/A.</b> The Proposed Project does not provide for regional infrastructure.
<b>Parks and Public Services Element</b>		
<b>Goal PPS-1</b>	Provide and maintain a comprehensive system of quality parks, multi-use trails, and recreational facilities to meet the needs of Moreno Valley's current and future population.	N/A. Goal is not for individual projects.
<b>Safety Element</b>		
<b>Goal S-1</b>	Protect life and property from natural and humanmade hazards.	<b>Consistent.</b> The Project Site is not located within an Alquist-Priolo or any other major fault zone. The Project would implement LID strategies and BMPs to reduce stormwater runoff or any other potential hazards.
<b>Goal S. 1-4</b>	Ensure that structures intended for human occupancy are designed and constructed to retain their structural integrity when	<b>Consistent.</b> All structures within the Proposed Project would be constructed in accordance with the California Building Code, to

ISSUES & SUPPORTING INFORMATION SOURCES:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
	subjected to seismic activity, in accordance with the California Building Code.		prevent future seismic hazards.		
<b>Goal S. 1-12</b>	Work to prevent wildland fire and to protect lives, property, and watersheds from fire dangers.		<b>Consistent.</b> The Project Site is not within Wildfire Hazard Severity Zone, but is within a Local Response Area. County Fire Department 91 will respond to any potential wildfire threats. The Proposed Project would add impervious surfaces and maintained landscape areas across the site.		
<b>Goal S. 1-25</b>	Consistent with State regulations, require proper storage and disposal of hazardous materials to reduce the likelihood of leakage, explosions, of fire, and to properly contain potential spills from leaving the site.		<b>Consistent.</b> The Proposed Project will adhere to the Storm Water Pollution Prevention Plan (SWPPP), the National Pollutant Discharge Elimination System (NPDES), and the California Building Code to prevent any potential spills from leaving the site.		
<b>Noise Element</b>					
<b>Goal N-1</b>	Design for a pleasant, healthy sound environment conducive to living and working.		The Proposed Project will adhere to the City's noise thresholds and Municipal Code Standards.		
<b>Environmental Justice Element</b>					
<b>Goal EJ-1</b>	Reduce pollution exposure and improve community health.		The Proposed Project would be an acceptable use within the City Air Quality Standards.		
<b>Open Space and Resource Conservation Element</b>					
<b>Goal OSRC-1</b>	Preserve, protect, and enhance natural resources, habitats, and watersheds in Moreno Valley and the surrounding area, promoting responsible management practices.		(Not sure if this is needed, could put N/A)		
<b>Goal OSRC. 1-7</b>	Require that grading plans include appropriate and feasible measures to minimize erosion, sedimentation, wind erosion, and fugitive dust. Particularly in hillside areas, new roadways, and trails should follow natural contours to minimize grading.		<b>Consistent.</b> According to the LHMP Moreno Valley Slope Analysis, the Project Site and its surrounding land uses do not have any significant slope. Additionally, grading plans will include appropriate erosion mitigation measures.		

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<p>Zoning for the Project Site is Downtown Center (DC) which allows up to 20 DU/AC on the Project Site on the periphery of the DC (CMVMC 9.07.010B). The Project proposes commercial uses which would be consistent with the DC land use designation. Therefore, the Proposed Project is consistent with the General Plan’s goals and policy’s and will not significantly detriment the Project Site’s environment or surrounding land uses.</p>				
<p><b>Sources:</b></p> <ol style="list-style-type: none"> <li>1. Moreno Valley General Plan, adopted June 15, 2021</li> <li>2. Final Environmental Impact Report City of Moreno Valley General Plan, certified May 20, 2021               <ul style="list-style-type: none"> <li>• Section 5.12 – Population and Housing</li> </ul> </li> </ol>				
<p><b>XII. MINERAL RESOURCES – Would the project:</b></p>				
<p>a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Response: No Impact</b></p> <p>The Project Site is vacant and undeveloped. The mineral resources known to occur within the City of Moreno Valley include sand, gravel and rock used in making concrete and as road base. According to the City’s General Plan, one recently active sand and gravel quarry is known to occur within the City’s sphere of influence: the Jack Rabbit Canyon Quarry. The Jack Rabbit Canyon Quarry was inactive as of 2001 and is located in a drainage course at the northeast corner of Jack Rabbit Trail and Gilman Springs Road approximately 6.5 miles west of the Project Site. According to the Department of Conservation Mineral Lands Classification interactive map and General Plan, the Project Site is located within an area classified as MRZ-3. MRZ-3 areas are considered to have a moderate potential for the discovery of economic mineral deposits. The Project Site has a current General Plan land use designation of Commercial and zoning of Downtown Center (DC). Mineral resource mining would not be compatible with the surrounding land uses and the General Plan designation for the Project Site. Moreover, the Proposed Project’s demand for mineral resources will be considered less than significant due to the readily available aggregate resources in the Southern California region. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.</p>				
<p>b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Response: No Impact</b></p> <p>As discussed previously, there are no significant mineral resources or mineral extraction process facilities on or near the site. The City previously planned for development of the Project Site and a Downtown Center Concept Area. Implementation of the Proposed Project would not result in the loss of availability of a known locally significant mineral resource. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.</p>				

Attachment: Exhibit A - Initial Study / Mitigated Negative Declaration [Revision 1] (6422 : Beyond Food Mart)

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Sources:**

1. Department of Conservation Mineral Lands Classification, <https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc>
2. Moreno Valley General Plan, adopted June 15, 2021
  - Chapter 7 – Conservation Element – Section 7.9 – Mineral Resources
3. Final Environmental Impact Report City of Moreno Valley General Plan, certified May 20, 2021
  - Section 4.12 – Mineral Resources

**XIII. NOISE – Would the project result in:**

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Response: Less than Significant Impact**

A Noise Impact Analysis prepared by Ganddini Group Inc. was completed on July 7, 2023 (see Appendix H). The Noise Study determines the noise exposure and the necessary noise mitigation measures for the Proposed Project. The noise study was prepared to satisfy applicable City of Moreno Valley noise standards and significance criteria based on Appendix G of the CEQA Guidelines. The Noise Study is available for review at the City of Moreno Valley Community Development Department and results of the study are summarized herein.

Environmental noise descriptors are generally based on averages, rather than instantaneous, noise levels. The most used metric is the equivalent level (Leq). Equivalent sound levels are not measured directly but are calculated from sound pressure levels typically measured in A-weighted decibels (dBA). The equivalent sound level (Leq) represents a steady state sound level containing the same total energy as a time varying signal over a given sample period and is commonly used to describe the “average” noise levels within the environment.

**Construction Noise**

Construction noise is regulated within Sections 8.14.040 and 11.80.030(D)(7) of the City of Moreno Valley Municipal Code (see Regulatory Setting section of the Noise Report). Accordingly, the project would result in a significant impact if:

- Project construction occurs outside the hours of 7:00 AM to 7:00 PM Monday through Friday, excluding holidays, and from 8:00 AM to 4:00 PM on Saturday; or,
- Project construction occurs within the hours of 8:00 PM and 7:00 AM the following day such that the sound there from creates a noise disturbance; or,
- Project construction noise exceeds 80 dBA Leq for an 8-hour period at residential uses and 85 dBA Leq for an 8-hour period at commercial uses.

Attachment: Exhibit A - Initial Study / Mitigated Negative Declaration [Revision 1] (6422 : Beyond Food Mart)

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Project construction noise levels at nearby sensitive receptors were calculated using the FTA methodology. Construction noise modeling worksheets for each phase are provided in Appendix H Anticipated noise levels during each construction phase are presented in Table 10 of the Noise Study.</p> <p>Table 10 of the Noise Study (referenced in Appendix H, shows that modeled construction noise levels reach up to 59 dBA Leq at the nearest school property line to the northeast, 74.1 dBA Leq at the nearest residential property line to the east, 70.8 dBA Leq at the nearest residential property line to the south, 65.8 dBA Leq at the nearest hospital property line to the west, and 66.7 dBA Leq at the nearest medical office property line to the northwest of the Project Site.</p> <p>Based on the modeled construction noise levels (, construction noise levels are estimated to reach up to 74.1 dBA Leq at the nearest receptor. Therefore, the Proposed Project would not exceed City-established standards relating to construction noise of 80 dBA Leq at residential uses and 85 dBA Leq at commercial uses. Construction-related noise impacts are less than significant and no mitigation is required.</p> <p><b><u>Stationary Source Noise</u></b></p> <p>Stationary noise source standards are established within Section 11.80.030-2 of the City of Moreno Valley Municipal Code. Accordingly, the project would result in a significant impact if:</p> <ul style="list-style-type: none"> <li>The project operational noise exceeds the City-established noise standards that apply to project. Project generated on-site noise may not 60 dBA Leq during the daytime (8:00 AM to 10:00 PM) and 55 dBA Leq during nighttime hours (10:01 PM to 7:59 AM) at residential land uses; or exceed 65 dBA Leq during the daytime (8:00 AM to 10:00 PM) and 60 dBA Leq during nighttime hours (10:01 PM to 7:59 AM) at commercial land uses (City of Moreno Municipal Code 11.80.030).</li> </ul> <p>Noise levels at nearby sensitive receptors were determined based on the SoundPLAN acoustical model developed for the project. SoundPLAN modeling worksheets are provided in the Noise Impact Analysis.</p> <p>The project will not exceed City-established daytime noise standards at the existing residential lots but would exceed nighttime noise standards at residential lots located south of the project site if the car wash is operated during nighttime hours. Impacts will be less than significant by limiting hours of operation of the proposed car wash and associated vacuums. The car wash shall not be in operation between 10:00 PM and 8:00 AM.</p> <p><b><u>Mobile Source Noise</u></b></p> <p><i>Project Operational Mobile Source Noise</i></p> <p>Roadway noise levels were calculated at roadways included in the <i>Beyond Food Mart (Oliver and Iris) Traffic Impact Analysis</i> (Ganddini Group, Inc., April 14, 2023) and based on the FHWA Traffic Noise Prediction Model methodology. During operation, with incorporation of pass-by trip reductions, the proposed project is expected to generate approximately 4,346 average daily trips with 155 trips during the AM peak-hour and 185 trips during the PM peak-hour. Roadway noise levels were calculated for the following scenarios:</p>				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<ul style="list-style-type: none"> <li>Existing (without Project): This scenario refers to existing year traffic noise conditions.</li> <li>Existing Plus Project: This scenario refers to existing year plus project traffic noise conditions.</li> </ul> <p>Table 11 of the Noise Study (referenced in Appendix H) shows the change in existing roadway noise levels with the addition of project-generated operational trips.</p> <p>Modeled existing traffic noise levels range between 58-76 dBA CNEL and the modeled Existing Plus Project traffic noise levels range between 59-76 dBA CNEL at the right-of-way of each study roadway segment. All the modeled roadway segments, other than John F Kennedy Way east of Moreno Beach Drive, are below the lowest threshold of a 1.5 dB increase. The modeled existing noise level along the roadway segment of John F Kennedy Way east of Moreno Beach Drive is 64.5 dBA CNEL and the project generated vehicle trips are anticipated to increase the noise level along this roadway segment by approximately 1.7 dBA CNEL. Therefore, the appropriate threshold for this roadway segment is an increase of 3 dB. The approximately 1.7 dB increase along John F Kennedy Way is below the 3 dB increase threshold.</p> <p>The addition of project trips is not expected to change noise levels in excess of the applicable threshold at any of the study roadway segments. The project impact is less than significant; no mitigation is required.</p> <p><i>Construction Mobile Source Noise</i></p> <p>Construction truck trips would occur throughout the construction period. Given the project site's proximity to the 215 Freeway and State Route 60, it is anticipated that vendor and/or haul truck traffic would take the most direct route to the appropriate freeway ramps.</p> <p>Iris Avenue currently handles approximately 16,000 average daily vehicle trips and Oliver Street currently handles approximately 2,300 average daily vehicle trips in the vicinity of the project site.<sup>8</sup> According to the CalEEMod modeling in the Air Quality Study prepared for the Proposed Project (Lilburn, 2023), the greatest number of construction-related vehicle trips per day would be during the demolition and paving phases of construction at up to 13 vehicle trips per day (12.5 worker trips per day for both demolition and paving). Therefore, vehicle traffic generated during project construction is nominal relative to existing roadway volumes and would not result in the doubling of traffic volume necessary to increase noise levels by 3 dBA. The Proposed Project would have a less than significant; no mitigation is required.</p>				
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Response: Less than Significant Impact</b>				
<p>In relation to the Environmental Checklist noise issue “b”, the City of Moreno Valley has not established thresholds of significance concerning groundborne vibration. In the absence of City-established thresholds, groundborne vibration impacts are based on guidance from the Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual (FTA, September 2018) (see Regulatory Setting section). Accordingly, the project would result in a significant impact if:</p> <ul style="list-style-type: none"> <li>Groundborne vibration levels generated by the project have the potential to cause architectural damage at nearby buildings by exceeding the following PPV:</li> </ul>				

Attachment: Exhibit A - Initial Study / Mitigated Negative Declaration [Revision 1] (6422 : Beyond Food Mart)

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<ul style="list-style-type: none"> <li>○ 0.10 in/sec at buildings extremely susceptible to vibration damage</li> <li>○ 0.20 in/sec at non-engineered timber and masonry buildings</li> <li>○ 0.30 in/sec at engineered concrete and masonry (no plaster) buildings</li> <li>○ 0.50 in/sec at reinforced-concrete, steel or timber (no plaster) buildings</li> <li>● Groundborne vibration levels generated by the project have the potential to cause annoyance at sensitive receptors by exceeding 72 VdB.</li> </ul> <p>Based on the groundborne vibration modeling, use of a vibratory roller is expected to generate a PPV of 0.021 in/sec and use of a bulldozer is expected to generate a PPV of 0.009 in/sec at the closest off-site building, a residential use located approximately 115 feet east of the Project Site. Other equipment anticipated to be used during project construction generate lower PPV. Therefore, groundborne vibration generated by project construction would not exceed the levels necessary to cause architectural damage. Use of vibratory rollers could theoretically exceed the threshold for annoyance due to vibration (72 VdB at offsite residential sensitive uses) at the existing residential receptor to the east of the project site, and residents may be temporarily annoyed. However, perceptibility of construction vibration would be temporary and would only occur while vibratory equipment is utilized within 21 feet of the project property lines in proximity of the residential use to the east. Furthermore, this impact would only occur during daytime hours. The most substantial sources of groundborne vibration during post-construction project operations will include the movement of passenger vehicles and trucks on paved and generally smooth surfaces. Loaded trucks generally have a PPV of 0.076 at a distance of 25 feet (Caltrans 2020), which is a substantially lower PPV than that of a vibratory roller (0.210 in/sec PPV at 25 feet). Therefore, groundborne vibration levels generated by project operation would not exceed those modeled for project construction and the Proposed Project would result in a less than significant impact. No mitigation is required.</p>				
<p>c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Response: No Impact</b></p>				
<p>The closest airport to the Project Site is the March Air Reserve Base/Inland Port Airport, with airport runways located as close as approximately 2.26 miles to the west/southwest of the Project Site. The City of Moreno Valley 2040 General Plan Map S-7, Airport Land Use Compatibility Zones and the Riverside County Airport Land Use Commission March Air Reserve Base / Inland Port Airport Land Use Compatibility Plan Map MA-1 (ALUCP 2014), show that the Project Site is outside of both the airport influence areas as well as the airport's compatibility zones. Therefore, the Proposed Project would not expose people residing or working in the area to excessive noise levels. There is no impact, and no mitigation is required.</p>				
<p><b>Sources:</b></p> <ol style="list-style-type: none"> <li>1. Noise Impact Analysis. Ganddini Group Inc. July 7, 2023.</li> <li>2. Moreno Valley General Plan, adopted June 15, 2021</li> <li>3. Final Environmental Impact Report City of Moreno Valley General Plan, certified May 20, 2021</li> </ol>				

<b>ISSUES &amp; SUPPORTING INFORMATION SOURCES:</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- 4. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
  - Section 9.10.140 Noise and Sound
- 5. Moreno Valley Municipal Code Chapter 11.80 Noise Regulations

**XIV. POPULATION AND HOUSING – Would the project:**

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Response: Less than Significant Impact**

During the construction process, the Proposed Project would create short-term construction jobs and are anticipated to be filled primarily by workers who reside in the Project vicinity. The Proposed Project would generate a maximum of 12 employees. New employment opportunities are projected to be filled by local residents who reside in or near the City of Moreno Valley. The current city unemployment rate is 4.8%.<sup>3</sup> A large influx of new residents to the City due to the Proposed Project is not expected.

The Proposed Project will not have a direct effect on population growth within the City. The Proposed Project would generate employment opportunities but is not expected to induce substantial growth in the City or region beyond the growth forecasts detailed in the City’s General Plan or SCAG’s regional growth forecasts since the Proposed Project is consistent with the existing land use and zoning designations (i.e., Commercial). Therefore, a less than significant impact related to this issue, and no mitigation is required.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Response: No Impact**

The Proposed Site is currently vacant and does not contain any residences that would be removed as a result of the Proposed Project. Therefore, the Proposed Project would not displace a substantial number of existing housing or residences so as to necessitate the construction of replacement of housing. No impact would occur with respect to the displacement of existing housing, and no mitigation is required.

**Sources:**

1. Moreno Valley General Plan, adopted June 15, 2021
  - Chapter 2 – Community Development Element – Section 2.1 – Land Use
  - Chapter 8 – 2014 – 2021 Housing Element
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified May 20, 2021
  - Section 5.12 – Population and Housing
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. U.S. Bureau of Labor Statistics. bls.gov , accessed July 19, 2023.

<sup>3</sup> U.S. Bureau of Labor Statistics. bls.gov , accessed July 19, 2023.

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XV. PUBLIC SERVICES – Would the project:</b>				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less than Significant Impact</b></p> <p>The Proposed Project would place a Beyond Food Mart on undeveloped land. The City of Moreno Valley Fire Service contracts with the Riverside County Fire Department Services. Fire Station 91 (College Park) is the closest station to the site located at 16110 Lasselle Street approximately 1.4 miles southwest. Fire Station 91 houses one 75-foot ladder truck, one second line engine and a breathing support. Because the Project proposes a fueling station, fire services may be needed at a quick response time. According to the City's General Plan, a five-minute response time is considered to be the maximum time standard for serving urban and suburban uses. However, the need for fire services to the Project Site is considered unlikely. Considering this, the Proposed Project will have a less than significant impact on fire protection. No mitigation is required.</p>				
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less than Significant Impact</b></p> <p>The Project includes the development of a Beyond Food Mart on the northwest corner of Iris Avenue and Oliver Street. Police services are provided by the Moreno Valley Police Department (MVPD) which has 162 sworn officers and a current officer to population ration of 0.9 officers per 1,000 populations. The nearest police station is located at 22850 Calle San Juan De Los Lagos approximately 4.8 miles west northwest of the project site. The Project could introduce a maximum of 12 new employees to the City, which would incrementally increase the need for police. Therefore, development of the Proposed Project would have a less than significant impact on police protection. No mitigation is required.</p>				
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Response: No Impact</b></p> <p>The Project Site is located within the boundaries of Moreno Valley Unified School District (MVUSD) and is near several schools. The closest school is Landmark Middle School is located four tenths (0.4) of a mile northeast of the Project Site, at the intersection of Oliver Street and John F Kennedy Drive. Other school establishments located near the Project Site are La Jolla Elementary School, Moreno Valley College, Ridge Crest Elementary School, Valley Christian Academy, and Vista del Lago High School.</p> <p>The increase in employment from the Proposed Project is anticipated to be fulfilled by the local, existing population. Additionally, the Beyond Food Mart development would not generate school aged children. Therefore, no impact would occur related to this issue and no mitigation is required.</p>				

Attachment: Exhibit A - Initial Study / Mitigated Negative Declaration [Revision 1] (6422 : Beyond Food Mart)

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response: No Impacts**

The City of Moreno Valley currently operates approximately 482 acres of parks within the City boundaries. The City has established a park service standard of 3.0 acres of parkland per 1,000 residents to ensure that access to parks is adequate and commensurate with the size of the community. The nearest parks to the Project Site are Celebration Park and Fairway Park, both being approximately half (0.5) a mile northeast of the Project Site. Implementation of the Proposed project would not induce residential development and would not significantly increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of any facilities would result. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Response: Less than Significant Impact**

Implementation of the Proposed Project would not induce population growth in the City of Moreno Valley or adversely affect other public facilities or require the construction of new or modified facilities. The Proposed Project is not expected to have a significant impact on public facilities or services, such as libraries, community recreation centers, and/or animal shelters. The Proposed Project would introduce a maximum of 12 employees into the City. Because the Proposed Project would not introduce a substantial amount of population into the City of Moreno Valley, development of the Proposed Project would have a less than significant impact. No mitigation is required.

**Sources:**

1. Moreno Valley General Plan, adopted June 15, 2021
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified May 20, 2021
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. City of Moreno Valley Police Department. <https://moval.gov/departments/police/dept-zone-policing.html>
5. Moreno Valley Unified School District. DIF. [https://www.mvusd.net/apps/pages/index.jsp?uREC\\_ID=786774&type=d&pREC\\_ID=181763](https://www.mvusd.net/apps/pages/index.jsp?uREC_ID=786774&type=d&pREC_ID=181763)

**XVI. RECREATION – Would the project:**

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Response: No Impact**

The Proposed Project includes the construction of a Beyond Food Mart on the corner of Iris Avenue and Oliver Street. The Project would generate a maximum of 12 employees and may contribute to residents working and living in the City of Moreno Valley. The closest parks to the Proposed Project are the Fairway Park and Celebration Park approximately half a mile (0.5)

<b>ISSUES &amp; SUPPORTING INFORMATION SOURCES:</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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mile north of the Project Site. The Project would be required to pay development fees to offset the impact to parks and recreation. Therefore, with the development of the Proposed Project, it will not create a significant increase in the use of existing neighborhood, regional parks, or other recreational facilities, with a less than significant impact related to this issue. No mitigation is required.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Response: No Impact**

The Proposed Project does not include any recreational facilities or parkland. Furthermore, the Project does not include any residential development and will not directly increase population associated with the Proposed Project. The Project will also be required to pay applicable development fees to offset the impact to parks and recreation. Therefore, the construction or expansion of recreational facilities in the absence of a population increase is not necessary. No impact would occur regarding this issue. No mitigation is required.

**Sources:**

1. Moreno Valley General Plan, adopted June 15, 2021
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified May 20, 2021
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code

**XVII. TRANSPORTATION – Would the project:**

a) Conflict with program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Response: Less than Significant Impact**

A Traffic Impact Analysis (TIA) dated May 12, 2023 (see Appendix I), and a Vehicle Miles Traveled (VMT) Screening Assessment dated April 11, 2023 (see Appendix J) was orchestrated by Ganddini Group, Inc. and is available for review at City offices. The TIA and VMT Assessment analyzed the Site Plan, which is a 1.31-acre lot to be developed with a 7,460 sf convenience store, an eight island fueling station with a 5,979 sf canopy, and a sf drive-thru car wash. As detailed in Table 9 below, the Proposed Project is forecast to generate 4,346 daily trips, including 155 trips occurring during the a.m. peak hour and 185 trips occurring during the p.m. peak hour (see Appendix J).

**Table 9  
Project Trip Generation**

Land Use	Units	A.M. Peak Hour			P.M. Peak Hour			Daily Trips
		In	Out	Total	In	Out	Total	
Gasoline Station with Convenience Market and Car Wash	16 Fueling Stations	78	77	155	93	92	185	4,346
Trip Generation								

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Regional access to the Project Site is provided by State Route 60 approximately 3.0 miles to the north and Interstate 215 approximately 5.0 miles to the west of the Project Site. Local north-south circulation is provided by Nasson Street, Oliver Street, Via Del Lago, and Moreno Beach Drive; and east-west circulation is provided by Iris Avenue and John f Kennedy Drive.</p> <p><b>Nasson Street:</b> This four-lane divided roadway trends in a north-south direction and is classified as a Divided Arterial (four-lane divided roadway with 8-foot shoulders) on the City of Moreno Valley circulation system in the study area. On-street parking appears to be restricted in the Project vicinity. Class II bike lanes are on both sides of the roadway in the Project vicinity. Sidewalks are provided on the east side of the roadway in the Project vicinity.</p> <p><b>Oliver Street:</b> This two-lane undivided to four-lane undivided to four-lane divided roadway trends in a north-south direction and is classified as a Minor Arterial (four-lane divided or undivided roadway with 5 to 8-foot shoulders) a on the City of Moreno Valley General Plan Circulation Element in the project vicinity north of Iris Avenue and is unclassified south of Iris Avenue. On-street parking does not appear restricted in the study area, except at the Landmark Middle School bus loading zone. Currently, there are no designated bicycle facilities in the project vicinity; however, marked Class II bike lanes are proposed for this roadway on the master plan. Sidewalks are provided on both sides of the roadway in the Project vicinity.</p> <p><b>Via Del Lago:</b> This four-lane divided roadway trends in a north-south direction and is unclassified on the City of Moreno Valley General Plan Circulation Element in the study area. On-street parking is restricted in the Project vicinity. A Class II bike lane is on the west side of the roadway in the Project vicinity, and a marked shared bike-auto lane is on the east side of the roadway. Sidewalks are not provided on either side of the roadway.</p> <p><b>Moreno Beach Drive:</b> This six-lane divided roadway trends in an east-west direction and is classified as a Divided Major Arterial (six-lane divided roadway with 8-foot shoulders) on the City of Moreno Valley General Plan Circulation Element in the study area. On-street parking appears to be restricted in the Project vicinity. Class II bike lanes are on both sides of the roadway in the Project vicinity. Sidewalks are provided on both sides of the roadway.</p> <p><b>Iris Avenue:</b> This six-lane divided roadway trends in an east-west direction and is classified as a Divided Major Arterial (six-lane divided roadway with 8-foot shoulders) on the City of Moreno Valley General Plan Circulation Element in the study area. On-street parking appears to be restricted in the Project vicinity. Class II bike lanes are on both sides of the roadway in the Project vicinity.</p> <p><b>John F Kennedy Drive:</b> This two-lane divided to four-lane undivided roadway trends in an east-west direction and is classified as a Minor Arterial (four-lane divided or undivided roadway with 5 to 8-foot shoulders) a on the City of Moreno Valley General Plan Circulation Element in the study area. On-street parking appears to be restricted in the Project vicinity. Currently, Class II bike lanes are west of Moreno Beach Drive and Class III bike routes are east of Moreno Beach Drive. Sidewalks are provided on both sides of the roadway.</p> <p><b>Transit Facilities:</b> Route 20 runs along Iris Avenue and Moreno Beach Drive. The closest bus stop to the Project is at the northwest corner of Iris Avenue in front of the Project location.</p>				

<b>ISSUES &amp; SUPPORTING INFORMATION SOURCES:</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><b>Bicycle Facilities Master Plan:</b> According to the General Plan Bicycle Master Plan, there are proposed bike facilities on Oliver Street and existing bike lanes on Iris Avenue, Nasson Street, Via Del Lago, Moreno Beach Drive, and John F Kennedy Drive.</p> <p><b>Designated Truck Routes:</b> There are no designated truck routes encompassing the Project Site.</p> <p><b>Pedestrian Facilities:</b> Currently, there are no sidewalks or other pedestrian accessible amenities surrounding the Project Site. However, the Proposed Project site plan includes an approximate six-foot-wide sidewalk on the south an eastern portion of the Project Site.</p> <p>The TIA states the study intersections are forecast to operate within acceptable Levels of Service (C or better) during the peak hours for all analysis scenarios. Therefore, the Proposed Project is forecast to result in no substantial transportation effects relating to Level of Service operations for all analysis scenarios.</p> <p>The Proposed Project would not impede the implementation of City programs supporting walking, bicycling, and use of buses. Therefore, the Proposed Project would not conflict with any adopted transportation policies, no impact associated with this issue would occur and no mitigation is required.</p>				
b) Conflict or be inconsistent with <a href="#">CEQA Guidelines section 15064.3, subdivision (b)</a> ?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less than Significant Impact</b></p> <p>The Proposed Project is forecast to generate a total of approximately 4,346 new daily trips, including 155 new trips during the AM peak hour and 185 new trips during the PM peak hour. Project design features involve improvements necessary to provide Project Site access. To maintain sufficient storage capacity for the eastbound left-turn lane at the Oliver Street/Iris Avenue intersection, it is recommended that the raised median on the eastbound Iris Avenue approaching Oliver Street be modified to provide a minimum of 285 feet of storage for the left-turn pocket.. Additionally, the Vehicle Miles Traveled Screening Analysis, completed April 11, 2023, concludes that the Proposed Project satisfies the City-established VMT screening criteria as adopted by the City of Moreno Valley and is anticipated to result in a less than significant VMT impact.</p> <p>Therefore, the Proposed Project is presumed to have a less than significant impact on VMT and no additional VMT modeling or mitigation measures are required. As such, the Proposed Project shall not conflict or be inconsistent with the CEQA Guidelines Section 15064.3, subdivision (b).</p>				
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Response: Less than Significant Impact</b></p> <p>The Project is on a 1.31-acre vacant lot located on one corner of a major intersection with no long roadway segments within the property. The design of roadways must provide adequate</p>				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>sight distance and traffic control measures. This provision is normally realized through roadway design to facilitate roadway traffic flows. Roadway improvements in and around the Project Site would be designed and constructed to satisfy all City requirements for street widths, corner radii, intersection control as well as incorporate design standards tailored specifically to site access requirements. Adherence to applicable City requirements would ensure the proposed development would not include any sharp curves or dangerous intersections. Therefore, no substantial increase in hazards due to a design feature would occur, resulting in a less than significant impact. No mitigation is required.</p>				
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Response: No Impact</b></p> <p>The Moreno Valley Police Service (located at 22850 Calle San Juan De Los Lagos) is approximately 4.8 miles northwest of the Project Site, and the Moreno Valley Fire Department Station 74 (located at 16110 Lasselle Street) is approximately 1.4 miles southwest of the Project Site. Traffic associated with Project construction may have a temporary effect on existing traffic circulation patterns. The Proposed Project is in an urban setting and direct access to the site will be available via Iris Avenue and Oliver Street which would also accommodate emergency services and evacuation routes. Additionally, the I-60 and I-215, are both within five miles of the Project Site, should the area need to be evacuated. Due to the proximity of emergency services, the urban setting, and availability of access to the site, impacts to emergency access will be less than significant. The Proposed Project will also comply with all of the City's requirements for emergency access. Therefore, there no significant impacts would occur and no mitigation is required.</p>				
<p><b>Sources:</b></p> <ol style="list-style-type: none"> <li>1. Traffic Impact Analysis Ganddini Group Inc. May 2023.</li> <li>2. Vehicle Miles Traveled Screening Assessment. Ganddini Group Inc. April 2023.</li> <li>3. Moreno Valley General Plan, adopted June 15, 2021               <ul style="list-style-type: none"> <li>• Chapter 5 Circulation Element</li> </ul> </li> <li>4. Final Environmental Impact Report City of Moreno Valley General Plan, certified May 20, 2021               <ul style="list-style-type: none"> <li>• Section 5.2 – Traffic/Circulation</li> </ul> </li> <li>5. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code</li> <li>6. Moreno Valley Municipal Code Chapter 3.18 Special Gas Tax Street Improvement Fund</li> <li>7. Moreno Valley Master Bike Plan, adopted January 2015</li> <li>8. Riverside County Transportation Commission, Congestion Management Program, December 14, 2011</li> </ol>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVIII. TRIBAL CULTURAL RESOURCES – Would the project:</b>				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in <a href="#">Public Resources Code Section 21074</a> as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in <a href="#">Public Resources Code Section 5020.1(k)</a> , or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Response: Less than Significant with Mitigation Incorporated</b>				
<p>California Assembly Bill 52 (AB52) was approved by Governor Brown on September 25, 2014. AB52 specifies that CEQA projects with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource may have a significant effect on the environment. As such, the bill requires lead agency consultation with California Native American tribes traditionally and culturally affiliated with the geographic area of a proposed project, if the tribe requested to the lead agency, in writing, to be informed of proposed projects in that geographic area. The legislation further requires that the tribe-requested consultation be completed prior to determining whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project.</p>				
<p>A Phase I Cultural Resources Assessment of Master Plot Plan No. PEN22-0238 and Conditional Use Permit No. PEN 22-0176, dated April 2023, was conducted by a Cultural Resources Consultant, Jean A. Keller. The investigation confirmed that the Project Site does not contain any features or resources listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources. The Project Site is located in a well-studied area with 11 previous cultural resource studies have been conducted within a one-mile radius, and 22 cultural resource properties been recorded, one of which is located on the Project Site (see Section V). The remaining 21 resource properties encompassing the Project Site are Native American milling locations, including one site having a small rock shelter and midden. Five sites only have a single milling slick, indicating the use by an individual in processing plant food (seed) resources. The remainder have multiple milling features, generally indicating that a small group worked together processing resources or that these were site visited over several seasons and used by a multiple of individuals.</p>				
<p>A Sacred Land File report was conducted February 14, 2023, by the Native American Heritage Commission (NAHC). Based on the provided USGS quadrangle information, the search had negative results.</p>				
<p>During AB 52 consultation with the City of Moreno Valley, seven tribes were contacted concerning the development of the Proposed Project. The Aqua Caliente Band of Mission Indians and the San Manuel Band of Mission Indians contacted the City regarding the Proposed Project. The Agua Caliente Band of Cahuilla Indians determined that their concerns had been addressed. The San Manuel Band of Mission Indians (SMBMI) determined that the Project Site is outside of Serrano ancestral territory</p>				
<p>Therefore, the implementation of <b>Mitigation Measures CUL-1</b>, would reduce impacts to Tribal Cultural Resources defined in <a href="#">Public Resources Code Section 21074</a> as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, to less than significant.</p>				

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<b>ISSUES &amp; SUPPORTING INFORMATION SOURCES:</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of <a href="#">Public Resources Code section 5024.1</a> . In applying the criteria set forth in subdivision (c) of <a href="#">Public Resources Code section 5024.1</a> , the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Response: Less than Significant with Mitigation Incorporated**

A Sacred Land File report was conducted February 14, 2023, by the Native American Heritage Commission (NAHC). Based on the provided USGS quadrangle information, the search had negative results.

During AB 52 consultation with the City of Moreno Valley, the Agua Caliente Band of Cahuilla Indians determined that their concerns had been addressed. The San Manuel Band of Mission Indians (SMBMI) determined that the Project Site is outside of Serrano ancestral territory. However, to ensure no significant impacts to Tribal Cultural Resources occur, implementation of **Mitigation Measures CUL-1 will be required.**

**Sources:**

1. Moreno Valley General Plan, adopted July 11, 2006
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified May 20, 2021
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. Moreno Valley Municipal Code Title 7 – Cultural Preservation
5. Cultural Resources Inventory for the City of Moreno Valley, Riverside County, California, prepared by Daniel F. McCarthy, Archaeological Research Unit, University of California, Riverside, October 1987 (*This document cannot be provided to the public due to the inclusion of confidential information pursuant to Government Code Section 6254.10.*)

**XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:**

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Response: Less than Significant Impact**

Water Infrastructure

**Less Than Significant Impact:** Water demand for the Proposed Project would be met by the existing Eastern Municipal Water District (EMWD) water distribution system. The project would connect to an existing water line located on Iris Avenue. The EMWD has provided a will serve letter dated November 14, 2022 stating it has the capability to provide water service for the

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<b>ISSUES &amp; SUPPORTING INFORMATION SOURCES:</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Proposed Project.<sup>4</sup> Therefore, development of the Project would not result in the relocation or construction of new or expanded water facilities that would impact the environment, resulting in a less than significant impact; no mitigation is required.</p> <p><u>Wastewater</u></p> <p><b>Less Than Significant Impact:</b> Wastewater collection and treatment would be provided by EMWD. The District is responsible for the collection, transmission, treatment, reclamation, and disposal of wastewater within its service area, which includes the City of Moreno Valley. Wastewater from the Proposed Project would discharge to the existing sewer lines in Iris Avenue. EMWD operates and maintains four Publicly Owned Treatment Works (POTWs) located in San Jacinto, Moreno Valley, Temecula, and Perris. The Moreno Valley Regional Water Reclamation Facility provides service for the area of the Project Site. The plant treats approximately 11.5 Million Gallons Per Day (MGD), has a current capacity of 16 MGD, with an ultimate capacity of 18 MGD. Sufficient capacity exists to meet demands of the Proposed Project; a Will Serve letter from EMWD is on-file with the City.<sup>5</sup> Impacts would be less than significant impact, and no mitigation is required.</p> <p><u>Storm Drainage</u></p> <p><b>Less Than Significant Impact:</b> Within the Project Site, the highest point is along the southerly property line closest to the southeast corner and the existing low point is along the northern property line, close to the northeast corner. The commercial car wash facilities shall be designed such that no runoff from the facility is discharged to the off-site storm drain system. Development of the Proposed Project would result in new impervious surfaces on-site. The Proposed Project will include an underground infiltration basin with a retention volume of 15,237 CF, located in the northwest side of the Project Site. Additionally, proposed storm drain laterals will collect water from the landscape swale. Proposed storm drain lines will run along the drive aisles and drain northwest toward the proposed underground infiltration chambers. As such, direct infiltration of storm water from impervious surfaces would be captured and would allow for groundwater recharge.</p> <p>Therefore impacts would be less than significant related to storm water runoff or storm drain systems and no mitigation is required.</p> <p><u>Electric Power</u></p> <p><b>Less Than Significant Impact:</b> In 2001, the Moreno Valley City Council established the Moreno Valley Utility (MVU). The utility served its first customers on February 6, 2004 in the Promontory Park subdivision at Cactus Avenue and Moreno Beach Drive. MVU serves over 6,500 customers within its service area. The Project would connect to the existing Moreno Valley Utility (MVU) electrical distribution facilities that are adjacent to the Project Site and would not require the construction of new electrical facilities resulting in a less than significant impact, and no mitigation is required.</p>				

<sup>4</sup> EMWD Will Serve Letter dated November 14, 2022

<sup>5</sup> Will Serve Letter from EMWD, November 14, 2022

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Natural Gas

**Less Than Significant Impact:** Southern California Gas Company (SoCalGas) provides natural gas service to the vicinity and the Project Site. Therefore, the Proposed Project will receive natural gas from SoCalGas by connecting to the existing line along Iris Avenue, south of the Project Site. The existing SoCalGas facilities are expected to sufficiently serve the increased demand of natural gas. In 2021, the Commercial sector of the Southern California Gas Company planning area consumed 98.293612 million therms of natural gas. Based on the CalEEMod emission output tables for the Proposed Project, the estimated natural gas demand is 1,552.59 therms of natural gas per year. The Proposed Project’s estimated annual natural gas consumption compared to the 2020 annual natural gas consumption of the overall Industry Sector in the Southern California Gas Company Planning Area would account for approximately 0.0015795 percent of total natural gas consumption. Therefore, the natural gas demand from the Proposed Project would represent an insignificant percentage to the overall demand in SoCalGas’ service area, and no mitigation is required.

Telecommunications

**Less Than Significant Impact:** Development of the Project would require a connection to telecommunication services for internet service and phone service. Connection to existing services is available adjacent to the Project Site at Iris Avenue. The Proposed Project’s demand for services is anticipated to be minimal based on the uses proposed. Therefore, development of the Project would not require the relocation or construction of new communications facilities resulting in a less than significant impact, and no mitigation is required.

The Proposed Project would be an acceptable use within the Commercial land use category. Therefore, the Proposed Project is not anticipated to require or result in the relocation or construction of new expanded water, wastewater treatment, storm water drainage, electrical power, natural gas, or telecommunications facilities; the construction or relocation of which could cause significant environmental effects. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Response: Less than Significant Impact**

According to the Eastern Municipal Water District’s Urban Water Management Plan (UWMP) prepared by Water Systems Consulting, Inc. in 2021, EMWD has a diverse portfolio of local and imported water supplies. Local supplies include recycled water, potable groundwater, and desalinated water. Additionally, the EMWD receives imported water from the Metropolitan Water District of Southern California. During a multiple dry-year period, the EMWD’s total water supply is projected to be 184,700 acre-feet (AF) by 2040, while the total water demand is projected to be 184,700 AF in the same year, resulting in neither surplus nor deficit. The Proposed Project is an acceptable use within the Planned Commercial land use area. As identified in the UWMP, the EMWD has the ability to meet current and projected water demands through 2040 during normal, historic single-dry and historic multiple-dry year periods using imported water from Metropolitan Water District (MWD) with existing supply resources. Additionally, the anticipated available water supply within EMWD’s service area would be

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<b>ISSUES &amp; SUPPORTING INFORMATION SOURCES:</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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greater than the demand for water in the future, which indicates that EMWD has available capacity to serve the Project without requiring the construction of new water facilities beyond those that would be developed within the Project site to serve the future residences.

Therefore, because the Proposed Project has sufficient water sources, and will not significantly impact the City of Moreno Valley’s water supply, impacts are considered less than significant, and no mitigation measures are required.

c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Response: Less than Significant Impact**

Wastewater flows from the Project Site would be collected and treated by EMWD and would be conveyed to the Moreno Valley Regional Water Reclamation Facility (MVRWRF) located in the southwestern portion of the City. EMWD has provided a Will Serve letter dated November 14, 2022 indicating it is willing to provide water and sewer service to the Proposed Project. The Proposed Project would not require the construction of a new water or wastewater treatment facilities or expansion of existing facilities, which could cause significant environmental effects; and impacts related to this issue would be considered less than significant. No mitigation is required.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Response: Less than Significant Impact**

Solid waste collection is a “demand-responsive” service and current service levels can be expanded and funded through user fees without difficulty. Solid waste generated by the Proposed Project will be disposed of in the Riverside County Waste Management Department’s Badlands Landfill located at 31125 Ironwood Avenue approximately 5 miles northeast of the Project Site. The Badlands Sanitary Landfill has a maximum daily permitted throughput of 5,000 tons per day, a remaining capacity of 7,800,000 cubic yards, and an estimated cease operation date in 2059. Based on the CalRecycle Solid Waste Generation Rates, the 57,064 square-foot Project Site is expected to generate approximately 285.32 lbs of solid waste per day or 0.14 tons per day. As adequate daily surplus capacity exists at the receiving landfill, development of the Proposed Project would not significantly impact current operations or the expected lifetime of the landfill serving the project area. Therefore, a less than significant impact would occur, and no mitigation is required.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Response: No Impact**

All land uses that generate waste within the City of Moreno Valley during construction and operations are required to coordinate with the City’s contracted waste hauler, Waste Management Inc., to schedule waste and recycling pickup as established in applicable local,

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>regional, and state programs that mandate recycling, organic waste diversion, and other practices result in reduced waste generation. With the passage of AB 341, each jurisdiction in California is required to meet the mandatory state diversion goal of 75% by and after the year 2020.</p> <p>In addition, the City’s Building Code requires the Project Applicant to complete and submit a Waste Management and Recycling Plan for approval prior to issuance of building permits. This Waste Management and Recycling Plan would identify the Project type and would estimate the amount of materials to be recycled during construction. Set forth in Section 5.408.1 of the California Green Code, it is required that demolition and construction activities recycle or reuse a minimum of 65 percent of the nonhazardous construction and demolition waste.</p> <p>Additionally, the Proposed Project would be required to complete a Diversion Report for review by the City’s Building Department to demonstrate that the required recycling minimum percent of its construction waste. All development within the City is required to comply with applicable elements of AB 1383, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991), Title 8.80 Recycling and Diversion of Construction and Demolition Waste of the City Municipal Code, AB 341 establishing a 75% diversion goal statewide, and other local, state, and federal solid waste disposal standards, thereby ensuring that the solid waste stream to the waste disposal facilities is reduced in accordance with existing regulations. Therefore, the Proposed Project would be required to comply with all regulations related to solid waste under federal, state, and local statutes resulting in no impact.</p>				
<p><b>Sources:</b></p> <ol style="list-style-type: none"> <li>1. Moreno Valley General Plan, adopted June 15, 2021.</li> <li>2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006</li> <li>3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code</li> <li>4. Moreno Valley Municipal Code Chapter 8.10 Stormwater/Urban Runoff Management and Discharge Controls</li> <li>5. Moreno Valley Municipal Code Section 8.21.170 National Pollutant Discharge Elimination System (NPDES).</li> <li>6. Moreno Valley Municipal Code Chapter 8.80 – Recycling and Diversion of Construction and Demolition Waste</li> <li>7. California Department of Conservation, CalRecycle Database.</li> <li>8. Eastern Municipal Water District. Public Map Portal. <a href="https://mapportal.emwd.org/">https://mapportal.emwd.org/</a></li> <li>9. Eastern Municipal Water District “Will Serve” Letter dated November 14, 2022</li> <li>10. Eastern Municipal Water District Urban Water Management Plan. July 1, 2021</li> <li>11. Riverside County. Gas Transmission Pipeline Interactive Map. <a href="https://socalgas.maps.arcgis.com/apps/webappviewer/index.html?id=aaebac8286ea4e4b8e425e47771b8138">https://socalgas.maps.arcgis.com/apps/webappviewer/index.html?id=aaebac8286ea4e4b8e425e47771b8138</a></li> </ol>				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XX. WILDFIRE</b> – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, <b>would the project:</b>				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Response: No Impact</b></p> <p>The Project Site is not located within a Fire Hazard Severity Zone, as identified by the Moreno Valley General Plan, Map S-5: Fire Hazard Severity Zones. The nearest fire hazard zone to the Project Site is located approximately 0.3 miles southeast of the site in the Bernasconi Hills. The Moreno Valley Local Hazard Mitigation Plan (LHMP) (Figure 12-2) identifies that Iris Avenue and Oliver Street are both Primary Evacuation Routes. Additionally, The General Plan states that I-215 and SR-60 are both major roadways that would constitute evacuation routes in the event of an emergency. The Project Site is located within a Local Response Area (LRA) and surrounded by developed property (residential) to the southeast with vacant property routinely disked for weed abatement to the northwest.<sup>6</sup> Due to the site being surrounded by developed property and vacant property devoid of native vegetation (i.e., fuel), there is a significantly minimized threat of wildfires occurring in the surrounding area. In addition, Riverside County Fire Department 91 is located at 16110 Lasselle Street, approximately 1.35 miles from the Project Site provides urban fire response. Therefore, development of the Proposed Project would not substantially impair an adopted emergency response plan or emergency evacuation plan in the case of a wildfire, and the Project would not have a significant effect on any emergency response or evacuation procedures; no mitigation measure are required.</p>				
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Response: No Impact</b></p> <p>The Project Site is not located within a Fire Hazard Severity Zone. The Project Site is primarily flat, and construction of the Proposed Project would include pre-construction grading. Additionally, the site is located within a predominately developed region with no wildlands located on or adjacent to the Project Site. Typically, wildland fire hazards are of concern where development is adjacent to wildland areas, otherwise known as Wildland Urban Interface. The Project Site is not within any Wildland Urban Interface areas, as identified in the California Department of Forestry and Fire Protection’s Fire and Resource Assessment Program (FRAP). Therefore, the Project would not exacerbate wildfire risks, thereby exposing Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire, and no impacts would occur.</p>				

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<sup>6</sup> CALFIRE FHSZ Viewer: <https://egis.fire.ca.gov/FHSZ/>

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Response: No Impact</b></p> <p>The Project Site is currently vacant and consists of a mix-ruderal plant community. Implementation of the Proposed Project would eliminate the existing vegetation on-site and provide a paved foundation, thereby reducing the risk of wildfire. Per the General Plan, the Proposed Project is required to be consistent with the California Building Code Chapter 7A, the International Wildland-Urban Interface Code, and the Moreno Valley Municipal Code Chapter 8.36: California Fire Code. None of the Proposed Project improvements would require the installation of any new infrastructure thereby exacerbating fire risk No impact would occur.</p>				
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Response: No Impact</b></p> <p>The Project Site is not located on or near hilly terrain and is not located in a FEMA 100- or 500-year floodplain. The Project Site is located in Class V (Moderate Risk) of the Landslide Susceptibility Classes, as shown in the General Plan, Map S-3: Landslide Hazards. The majority of the Project Site's surrounding land uses are primarily flat and graded towards the southeast. Additionally, the Moreno Valley LHMP Slope Analysis does not identify the Project Site or its surrounding land uses in having any significant sloping elevation. Therefore, the Proposed Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire stability, or drainage change and no impact would occur.</p>				
<p><b>Sources:</b></p> <ol style="list-style-type: none"> <li>1. Moreno Valley General Plan, adopted June 15, 2021.</li> <li>2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006</li> <li>3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code</li> <li>4. Moreno Valley Local Hazard Mitigation Plan, City of Moreno Valley Fire Department, adopted October 4, 2011, amended 2022, <a href="http://www.moval.org/city_hall/departments/fire/pdfs/haz-mit-plan.pdf">http://www.moval.org/city_hall/departments/fire/pdfs/haz-mit-plan.pdf</a></li> <li>5. Emergency Operations Plan, City of Moreno Valley, March 2009, <a href="http://www.moval.org/city_hall/departments/fire/pdfs/mv-eop-0309.pdf">http://www.moval.org/city_hall/departments/fire/pdfs/mv-eop-0309.pdf</a></li> <li>6. CALFIRE FHSZ Viewer: <a href="https://egis.fire.ca.gov/FHSZ/">https://egis.fire.ca.gov/FHSZ/</a></li> </ol>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**XXI. MANDATORY FINDINGS OF SIGNIFICANCE**

<p>a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Response: Less than Significant with Mitigation Incorporated**

Based on a Biological Resources Assessment (BRA), Jurisdictional Delineation, and MSHCP Consistency Analysis prepared by Jennings Environmental, LLC in February 2023, portions of the Project Site and the immediate surrounding area do provide suitable habitat for nesting birds. There are mature trees in the adjacent neighborhoods and the vacant lands provide suitable habitat for other ground nesting species (i.e. killdeer (*Charadrius vociferus*)). Therefore, possible significant adverse impacts have been identified or are anticipated and **Mitigation Measure BIO-1** is required as a condition of project approval to reduce these impacts to a level below significant. The Proposed Project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or a wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, and reduce the number or restrict the range of a rare or endangered plant or animal with implementation of **Mitigation Measure BIO-1**. No additional mitigation is warranted.

A Phase I Cultural Resources Assessment of Master Plot Plan No. PEN22-0238 and Conditional Use Permit No. PEN 22-0176, dated April 2023, was conducted by a Cultural Resources Consultant, Jean A. Keller. A records search was also conducted by staff at the Eastern Information Center on March 29, 2023, indicated that the subject property had been involved in one previous cultural resources study, conducted in 2017 by LSA. Entitled “Cultural Resources Assessment, Sater Arco Project, City of Moreno Valley, Riverside County, California” (RI- 10128), the study included the entirety of what is now PEN22-0238 and PEN22-0176. During the course of the field survey, a single isolated artifact of historical origin, P-33-027260, was recorded approximately 130 feet northwest of the intersection of Iris Avenue and Oliver Road. The artifact was a fragment of a pre-WWII riveted steel irrigation pipe. The report determined that isolated artifacts, particularly those of historic-period origin that have no specific association are generally considered not significant and therefore, are not “historical resources” under the California Environmental Quality Act (CEQA). The artifact was left *in situ*, or its original place and no further research was recommended.

The Project Site is located in a well-studied area, with 11 previous cultural resources studies having been conducted within a one-mile radius, most of which have large acreage. During the course of these studies, 22 cultural resources properties have been recorded, one of which was located on the Project Site. With the exception of the isolated historical-era artifact found on the Project Site, all of the remaining sites are Native American bedrock milling sites, although one site also has a small rock shelter and midden. No significant archaeological sites have been recorded in less than a one-half mile radius of the subject property. However, due to the existence of a historical artifact on the Project Site, the presence of another irrigation feature off property, and the number of Native American milling sites within a one mile radius, LSA recommended part-time archaeological monitoring of grading, which would be addressed with

Attachment: Exhibit A - Initial Study / Mitigated Negative Declaration [Revision 1] (6422 : Beyond Food Mart)

<b>ISSUES &amp; SUPPORTING INFORMATION SOURCES:</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Mitigation Measure CUL-1.** Therefore, with the adherence to **Mitigation Measure CUL-1**, the Proposed Project will have a less than significant impact on historic or archaeological resources within the Project Site and surrounding land uses.

<p>b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Response: Less than Significant Impact**

Cumulative impacts are defined as two or more individual affects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several Projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a period. The CEQA Guidelines, Section 15130 (a) and (b), states:

- (a) Cumulative impacts shall be discussed when the Project’s incremental effect is cumulatively considerable.
- (b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the Project. The discussion should be guided by the standards of practicality and reasonableness.

No potential impacts associated with the Proposed Project would be considered individually adverse or unfavorable. The Proposed Project is a compatible use identified in and previously evaluated as part of the City of Moreno Valley’s General Plan and Municipal Code. No additional potential cumulative adverse impacts are identified or are anticipated, and no additional mitigation measures are required.

<p>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Response: Less than Significant Impact**

Incorporation of mitigation measures, City of Moreno Valley’s policies, standards, and guidelines would ensure that the Proposed Project would have no substantial adverse effects on human beings, either directly or indirectly on an individual or cumulative basis. Therefore, a less than significant impact is anticipated.

Attachment: Exhibit A - Initial Study / Mitigated Negative Declaration [Revision 1] (6422 : Beyond Food Mart)



**Exhibit B**

**MITIGATION MONITORING AND REPORTING PROGRAM**

**Attachment: Exhibit B - Mitigation Monitoring and Reporting Program [Revision 1] (6422 : Beyond Food Mart)**

# Mitigation Monitoring and Reporting Program

## Introduction

The California Environmental Quality Act (CEQA) requires a lead or public agency that approves or carries out a project for which an Mitigated Negative Declaration has been certified which identifies one or more significant adverse environmental effects and where findings with respect to changes or alterations in the project have been made, to adopt a "...reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment" (CEQA, Public Resources Code Sections 21081, 21081.6).

A Mitigation Monitoring and Reporting Program (MMRP) is required to ensure that adopted mitigation measures are successfully implemented. The City of Moreno Valley is the Lead Agency for the project and is responsible for implementation of the MMRP. **Table 1** of this report describes the MMRP for the Project and identifies the parties that will be responsible for monitoring implementation of the individual mitigation measures in the MMRP. This report also describes existing Plans, Programs, or Policies (PPPs) that apply to the project in **Table 2**.

## Mitigation Monitoring and Reporting Program

The MMRP for the Project will be active through all phases of the Project, including design, construction, and operation. The attached table identifies the mitigation program required to be implemented by the City for the Project. The table identifies mitigation measures required by the City to mitigate or avoid significant impacts associated with the implementation of the Project, the timing of implementation, and the responsible party or parties for monitoring compliance.

The MMRP also includes a column that will be used by the compliance monitor (individual responsible for monitoring compliance) to document when implementation of the measure is completed. As individual Plan, Program, Policies; and mitigation measures are completed, the compliance monitor will sign and date the MMRP, indicating that the required actions have been completed.

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**TABLE 1: MITIGATION MONITORING AND REPORTING PROGRAM**

MITIGATION MEASURE	ACTION AND TIMING	Responsible for ENSURING COMPLIANCE / VERIFICATION	DATE COMPLETED AND INITIALS
<b>Air Quality</b>			
<p><b>MM AQ-1: Compliance with SCAQMD Rules 402 and 403.</b> The Project Proponent would be required to comply with Rules 402 nuisance, and 403 fugitive dust, which require the implementation of Best Available Control Measures (BACMs) for each fugitive dust source, and the AQMP, which identifies Best Available Control Technologies (BACTs) for area sources and point sources. The BACMs and BACTs would include, but not be limited to the following:</p> <ol style="list-style-type: none"> <li>1. The Project Proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities (see Figures 4 and 6).</li> <li>a) The Project Proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading activity on the site. Portions of the site that are actively being graded shall be watered regularly (3x daily) to ensure that a crust is formed on the ground surface and shall be watered at the end of each workday.</li> <li>b) The Project Proponent shall ensure that all disturbed areas are treated to prevent erosion until the site is constructed upon.</li> <li>c) The Project Proponent shall ensure that landscaped areas are installed as soon as possible to reduce the potential for wind erosion.</li> <li>d) The Project Proponent shall ensure that all grading activities are suspended during first and second stage ozone episodes or when winds exceed 25 miles per hour.</li> </ol> <p>During construction, exhaust emissions from construction vehicles and equipment and fugitive dust generated by</p>	<p>In Construction Plans and Specifications. Prior to Demolition, Grading and Building Permits</p>	<p>City of Moreno Valley Building and Safety Division</p>	

Attachment: Exhibit B - Mitigation Monitoring and Reporting Program [Revision 1] (6422 : Beyond Food

MITIGATION MEASURE	ACTION AND TIMING	Responsible for ENSURING COMPLIANCE / VERIFICATION	DATE COMPLETED AND INITIALS
<p>equipment traveling over exposed surfaces would increase NO<sub>x</sub> and PM<sub>10</sub> levels in the area. Although the Proposed Project does not exceed SCAQMD thresholds during construction, the Applicant/Contractor would be required to implement the following conditions as required by SCAQMD:</p> <ol style="list-style-type: none"> <li>1. To reduce emissions, all equipment used in grading and construction must be tuned and maintained to the manufacturer’s specification to maximize efficient burning of vehicle fuel.</li> <li>2. The Project Proponent shall ensure that existing power sources are utilized where feasible via temporary power poles to avoid on-site power generation during construction.</li> <li>3. The Project Proponent shall ensure that construction personnel are informed of ride sharing and transit opportunities.</li> <li>4. All buildings on the Project Site shall conform to energy use guidelines in Title 24 of the California Administrative Code.</li> <li>5. The operator shall maintain and effectively utilize and schedule on-site equipment in order to minimize exhaust emissions from truck idling.</li> <li>6. The operator shall comply with all existing and future California Air Resources Board (CARB) and SCAQMD regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment.</li> </ol>			

MITIGATION MEASURE	ACTION AND TIMING	Responsible for ENSURING COMPLIANCE / VERIFICATION	DATE COMPLETED AND INITIALS
<b>Biological Resources</b>			
<p><b>MM BIO-1: Migratory Bird Treaty Act.</b> Nesting bird nesting season generally extends from February 1 through September 15 in southern California and specifically, March 15 through August 31 for migratory passerine birds. To avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist will conduct pre-construction Nesting Bird Surveys (NBS) prior to Project-related disturbance to nestable vegetation to identify any active nests. If no active nests are found, no further action will be required. If an active nest is found, the biologist will set appropriate no-work buffers around the nest which will be based upon the nesting species, its sensitivity to disturbance, nesting stage, and expected types, intensity, and duration of the disturbance. The nests and buffer zones shall be field-checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.</p>	<p>Surveys to be conducted if construction occurs during the nesting period of February 1 through September 15.</p>	<p>City of Moreno Valley Community Development Department</p>	
<b>Cultural Resources</b>			
<p><b>MM CR-1: Archaeological Monitoring.</b> Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist to conduct monitoring of all mass grading and trenching activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a Cultural Resources Management Plan (CRMP) in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting tribe is defined as a tribe that initiated</p>	<p>Confirmation of professional archaeologist retention/ongoing/monitoring/submittal of Report of Findings. Prior to issuance of Grading Permit and during subsurface excavation.</p>	<p>City of Moreno Valley Community Development Department</p>	

Attachment: Exhibit B - Mitigation Monitoring and Reporting Program [Revision 1] (6422 : Beyond Food

MITIGATION MEASURE	ACTION AND TIMING	Responsible for ENSURING COMPLIANCE / VERIFICATION	DATE COMPLETED AND INITIALS
<p>the AB 52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:</p> <ul style="list-style-type: none"> <li>a. Project grading and development scheduling;</li> <li>b. The Project archeologist and the Consulting Tribes(s) as defined in CR-1 shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel that will conduct earthwork or grading activities that begin work on the Project following the initial Training must take the Cultural Sensitivity Training prior to beginning work and the Project archaeologist and Consulting Tribe(s) shall make themselves available to provide the training on an as needed basis;</li> <li>c. The protocols and stipulations that the contractor, City, Consulting Tribe(s), and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, include any newly discovered cultural resource deposits that shall be subject to a cultural resource evaluation.</li> </ul>			

MITIGATION MEASURE	ACTION AND TIMING	Responsible for ENSURING COMPLIANCE / VERIFICATION	DATE COMPLETED AND INITIALS
<b>Geology and Soils</b>			
<p><b>MM GEO-1: Paleontological Resources.</b> A paleontologist selected from the roll of qualified paleontologists maintained by the City shall be retained to provide spot-check monitoring services for the project. The paleontologist shall develop a Paleontological Resources Impact Mitigation Plan (PRIMP) to mitigate the potential impacts to unknown buried paleontological resources that may exist onsite. The PRIMP shall require that the paleontologist be present at the pre-grading conference to establish procedures for paleontological resource surveillance. The PRIMP shall require paleontological spot-check monitoring of excavation that exceeds depths of 5 feet. The PRIMP shall state that the project paleontologist shall re-evaluate the necessity for paleontological monitoring after 50 percent or greater of the excavations deeper than 5 feet have been completed.</p> <p>In the event that paleontological resources are encountered, ground-disturbing activity within 50 feet of the area of the discovery shall cease. The paleontologist shall examine the materials encountered, assess the nature and extent of the find, and recommend a course of action to further investigate and protect or recover and salvage those resources that have been encountered.</p> <p>Criteria for discard of specific fossil specimens will be made explicit. If a qualified paleontologist determines that impacts to a sample containing significant paleontological resources cannot be avoided by project planning, then recovery may be applied. Actions may include recovering a sample of the fossiliferous material prior to construction, monitoring work and halting construction if an important fossil needs to be recovered, and/or cleaning, identifying, and cataloging specimens for curation and research purposes. Recovery, salvage and treatment shall be</p>	<p>Confirmation of professional paleontologist retention/ongoing/monitoring/submittal of Paleontological Resources Impact Mitigation Plan (PRIMP). Prior to issuance of Grading Permit and during subsurface excavation.</p>	<p>City of Moreno Valley Community Development Department</p>	

Attachment: Exhibit B - Mitigation Monitoring and Reporting Program [Revision 1] (6422 : Beyond Food



MITIGATION MEASURE	ACTION AND TIMING	Responsible for ENSURING COMPLIANCE / VERIFICATION	DATE COMPLETED AND INITIALS
done at the applicant’s expense. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the paleontologist. Resources shall be identified and curated into an established accredited professional repository. The paleontologist shall have a repository agreement in hand prior to initiating recovery of the resource.			

Attachment: Exhibit B - Mitigation Monitoring and Reporting Program [Revision 1] (6422 : Beyond Food

**TABLE 2: EXISTING PLANS, PROGRAMS, OR POLICIES**

PPP	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<b>AIR QUALITY</b>			
<p><b>PPP AQ-1: Rule 402.</b> The project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 402. The project shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.</p>	<p>Compliance with Rule 402. Construction.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p><b>PPP AQ-2: Rule 403.</b> The project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 403, which includes the following:</p> <ul style="list-style-type: none"> <li>• All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.</li> <li>• The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered, with complete coverage of disturbed areas, at least 3 times daily during dry weather; preferably in the mid-morning, afternoon, and after work is done for the day.</li> <li>• The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less.</li> </ul>	<p>Compliance with Rule 403. Construction.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p><b>PPP AQ-3: Rule 1113.</b> The project is required to comply with the provisions of South Coast Air Quality Management District Rule (SCAQMD) Rule 1113. Only</p>	<p>Compliance with Rule 1113. Construction.</p>	<p>City of Moreno Valley Community Development Department</p>	

<p>“Low-Volatile Organic Compounds” paints (no more than 50 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications shall be used.</p>			
<p><b>BIOLOGICAL RESOURCES</b></p>			
<p><b>PPP BIO-1: MSHCP Development Impact Fees.</b> Prior to issuance of a grading or building permit, the project applicant will be required to pay relevant City of Moreno Valley mitigation fees to the City.</p>	<p>Pay MSHCP fee. Prior to Grading Permit.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p><b>GEOLOGY</b></p>			
<p><b>PPP GEO-1: California Building Code.</b> The Project is required to comply with the California Building Code as included in the City’s Municipal Code Chapter 8.20 to preclude significant adverse effects associated with seismic hazards. California Building Code related and geologist and/or civil engineer specifications for the Project are required to be incorporated into grading plans and specifications as a condition of Project approval.</p>	<p>Comply with California Building Cod. Prior to Grading Permit.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p><b>GREENHOUSE GAS EMISSIONS</b></p>			
<p><b>PPP GHG-1: CalGreen Compliance.</b> The project is required to comply with the CalGreen Building Code as included in the City’s Municipal Code to ensure efficient use of energy. CalGreen specifications are required to be incorporated into building plans as a condition of building permit approval.</p>	<p>Comply with CalGreen efficient energy specifications. Prior to building permit.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p><b>PUBLIC SERVICES</b></p>			
<p><b>PPP PS-1:</b> The project will be required to pay applicable development fees levied by the Moreno Valley Unified School District pursuant to the School Facilities Act (Senate Bill [SB] 50, Stats. 1998, c.827) to offset any effects on school facilities resulting from new development.</p>	<p>Pay SB 50 school fees. Prior to building permits.</p>	<p>City of Moreno Valley Community Development Department</p>	

Attachment: Exhibit B - Mitigation Monitoring and Reporting Program [Revision 1] (6422 : Beyond Food

<p><b>PPP PS-2: Park Fees.</b> As a condition of the approval of a residential development, the project shall pay applicable park related fees and/or dedicate parkland pursuant to Municipal Code Section 3.38.080 and Chapter 3.40.</p>	<p>Pay applicable park fees. Prior to building permits.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p><b>WATER QUALITY</b></p>			
<p><b>PPP WQ-1: Stormwater Pollution Prevention Plan.</b> Prior to grading permit issuance, the project developer shall have a Stormwater Pollution Prevention Plan (SWPPP) prepared by a Qualified SWPPP Developer (QSD) in accordance with the City’s Municipal Code Chapter 8.10 and the Santa Ana Regional Water Quality Control Board National Pollution Discharge Elimination System (NPDES) Storm Water Permit Order No. R4-2012-0175 (MS4 Permit). The SWPPP shall incorporate all necessary Best Management Practices (BMPs) and other NPDES regulations to limit the potential of erosion and polluted runoff during construction activities. Project contractors shall be required to ensure compliance with the SWPPP and permit periodic inspection of the construction site by the City of Moreno Valley staff or its designee to confirm compliance.</p>	<p>Review and approval of SWPPP. Prior to Grading Permit.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p><b>PPP WQ-2: Water Quality Management Plan,</b> Prior to grading permit issuance, the project applicant shall have a Water Quality Management Plan (WQMP) approved by the City for implementation. The project shall comply with the City’s Municipal Chapter 8.10 and the Municipal Separate Storm Sewer System (MS4) permit requirements in effect for the Regional Water Quality Control Board (RWQCB) at the time of grading permit to control discharges of sediments and other pollutants during operations of the project.</p>	<p>Review and approval of WQMP. Prior to Grading Permit.</p>	<p>City of Moreno Valley Community Development Department</p>	

Attachment: Exhibit B - Mitigation Monitoring and Reporting Program [Revision 1] (6422 : Beyond Food

Exhibit C

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

Attachment: Exhibit C - Notice of Intent to Adopt Mitigated Negative Declaration [Revision 1] (6422 : Beyond Food Mart)

**CITY OF MORENO VALLEY  
NOTICE OF INTENT TO ADOPT A  
MITIGATED NEGATIVE DECLARATION**

**NOTICE IS HEREBY GIVEN** that the City of Moreno Valley is considering a recommendation that the project herein identified will have no significant environmental impact in compliance with Section 15070 of the CEQA guidelines. A copy of the **MITIGATED NEGATIVE DECLARATION** and the **ENVIRONMENTAL CHECKLIST**, which supports the proposed findings, are on file at the City of Moreno Valley.

Project: Master Plot Plan (PEN22-0238) and Conditional Use Permit (PEN22-0176)  
 Applicant: Beyond Food Mart, Inc.  
 Owner: Tabel Center, LLC  
 Representative: Michael Ramirez  
 Location: Northwest corner of the intersection of Iris Avenue and Oliver Street (APN: 486-310-038)  
 Proposal: A request to develop a project site containing approximately 1.31 acres and operate an eight (8) island fueling station, six (6) vehicle charging stations, a 7,400 square foot convenience store, and a 1,790 square foot drive-thru carwash.  
 Council District: 4

This Notice of Intent has been prepared to notify agencies and interested parties that the City of Moreno Valley, as the Lead Agency, has prepared an Initial Study/Mitigated Negative Declaration pursuant to the requirements of the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts associated with construction and operation of the project as described below.

**Project Description:** The Proposed Project consists of a proposal for a Master Plot Plan (PEN22-0238) and Conditional Use Permit (PEN22-0176) that provides for the development and operation of an eight (8) island fueling station, six (6) vehicle charging stations, a 7,400 square foot convenience store, and a 1,790 square foot drive-thru carwash on a site containing 1.31 acres within the Downtown Center (DC) zone. The Proposed Project design also includes auto parking areas, landscaping, lighting, and off-site improvements.

The Project Site is not included on any list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**Document Availability:** The Initial Study/Mitigated Negative Declaration and all documents incorporated and/or referenced therein can be reviewed during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday and Friday, 7:30 a.m. to 4:30 p.m.) at the City of Moreno Valley Planning Division counter, located at 14177 Frederick Street, Moreno Valley, CA 92553. The documents may also be reviewed on the City's website at <http://www.moreno-valley.ca.us/cdd/documents/about-projects.html>

**Potential Environmental Impacts:** The City of Moreno Valley has prepared an Initial Study to determine the environmental effects associated with the above actions and finds the issuance of a Mitigated Negative Declaration is the appropriate level of environmental review. The Initial Study/Mitigated Negative Declaration concludes that all potentially significant impacts of the Project would be mitigated to a less than significant level.

**Comment Deadline:** Pursuant to Section 15105(b) of the CEQA Guidelines, the City has established a 20-day public review period for the Initial Study/Mitigated Negative Declaration, which begins on October 13, 2023, and ends November 2, 2023. Written comments on the Initial Study/Mitigated Negative Declaration must be received at the City of Moreno Valley Community Development Department by no later than the conclusion of the 20-day review period, 5:30 p.m. on November 1, 2023. Written comments on the Initial Study/Mitigated Negative Declaration should be addressed to:

Oliver Mujica, Contract Planner  
 14177 Frederick Street  
 Post Office Box 88005  
 Moreno Valley, California 92552 Phone: (951) 413-3215  
 Email: [planningnotices@moval.org](mailto:planningnotices@moval.org)

	Press-Enterprise	October 13, 2023
Sean Kelleher	Newspaper	Date of Publication
Community Development Director		
Community Development Department		

## RESOLUTION NUMBER 2023-48

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A MASTER PLOT PLAN (PEN22-0238) AND CONDITIONAL USE PERMIT (PEN22-0176) FOR THE BEYOND FOOD MART LOCATED ON THE NORTHWEST CORNER OF IRIS AVENUE AND OLIVER STREET (APN: 486-310-038)

**WHEREAS**, the City of Moreno Valley (“City”) is a general law city and a municipal corporation of the State of California, and

**WHEREAS**, Beyond Food Mart, Inc. (“Applicant”) has submitted applications for a Master Plot Plan (PEN22-0238) for a 1.31-acre commercial development (57,063 square feet); and a Conditional Use Permit (PEN22-0176) for the operation of an eight (8) island fueling station, six (6) vehicle charging stations, convenience store (7,400 square feet), and drive-thru carwash (1,790 square feet) (“Proposed Project”), located at the northwest corner of Iris Avenue and Oliver Street (APN: 486-310-038), within the Downtown Center (DC) District (“Project Site”); and

**WHEREAS**, the applications for the Proposed Project have been evaluated in accordance with Section 9.02.070 (Plot Plans) and 9.02.060 (Conditional Use Permits), respectively, of the Municipal Code with consideration given to the City’s General Plan, Zoning Ordinance, and other applicable laws and regulations; and

**WHEREAS**, Section 9.02.070 (Plot Plans) of the Municipal Code imposes conditions of approval upon projects for which a Plot Plan is required, which conditions may be imposed by the Planning Commission to address on-site improvements, off-site improvements, the manner in which the site is used and any other conditions as may be deemed necessary to protect the public health, safety and welfare and ensure that the Proposed Project will be developed in accordance with the purpose and intent of Title 9 (“Planning and Zoning”) of the Municipal Code; and

**WHEREAS**, Section 9.02.020 (Permitted Uses) provides that Auto Service Stations with accessory uses including vehicle charging stations, convenience stores, and drive-thru carwashes are allowed within the Downtown Center (DC) District, with a properly secured Conditional Use Permit approved through the Planning Commission when the use is located 300 feet or less from a residential zone or use; and

**WHEREAS**, the parcels to the east of the Project Site across Oliver Street are within 300 feet and developed with single-family residences within the Residential Medium Low (ML) District of the Moreno Valley Ranch Specific Plan (SP193), and the parcels to the south of the Project Site across Iris Avenue are also within 300 feet and developed with single-family residences within the Residential Medium Low (ML) District of the Moreno Valley Ranch Specific Plan (SP193); and

**WHEREAS**, Section 9.02.060 (Conditional Use Permits) of the Moreno Valley Municipal Code acknowledges that the purpose of Conditional Use Permits is to allow the establishment of uses that may have special impacts or uniqueness such that their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location and that the conditional use permit application process involves the review of location, design, and configuration of improvements related to the project, and the potential impact of the project on the surrounding area based on fixed and established standards; and

**WHEREAS**, Section 9.02.060 (Conditional Use Permits) of the Municipal Code imposes conditions of approval upon projects for which a Conditional Use Permit is required, which conditions may be imposed by the Planning Commission to address on-site improvements, off-site improvements, the manner in which the site is used, and any other conditions as may be deemed necessary to protect the public health, safety and welfare to ensure that the proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning) of the Municipal Code; and

**WHEREAS**, consistent with the requirements of Section 9.02.060 (Conditional Use Permits) of the Municipal Code, at the public hearing the Planning Commission considered Conditions of Approval to be imposed upon Conditional Use Permit (PEN22-0176), which conditions were prepared by Planning Division staff who deemed said conditions to be necessary to protect the public health, safety, and welfare and to ensure the proposed Project will be developed in accordance with the purpose and intent of Title 9 (“Planning and Zoning”) of the Municipal Code; and

**WHEREAS**, consistent with the requirements of Section 9.02.070 (Plot Plans) of the Municipal Code, at the public hearing, the Planning Commission considered Conditions of Approval to be imposed upon Master Plot Plan (PEN22-0238), which conditions were prepared by Planning Division staff who deemed said conditions to be necessary to protect the public health, safety, and welfare and to ensure the Proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning) of the Municipal Code; and

**WHEREAS**, pursuant to the provisions of Section 9.02.200 (Public Hearing and Notification Procedures) of the Municipal Code, a public hearing was scheduled for November 9, 2023, and notice thereof was duly published, posted, and mailed to all property owners of record within 600 feet of the Project Site; and

**WHEREAS**, on November 9, 2023, the public hearing to consider the Proposed Project was duly conducted by the Planning Commission, at which time all interested persons were provided with an opportunity to testify and present evidence; and

**WHEREAS**, at the public hearing, the Planning Commission considered whether each of the requisite findings specified in Section 9.02.070 (Plot Plans) of the Municipal Code and set forth herein could be made concerning the Proposed Project as conditioned by Conditions of Approval; and



**WHEREAS**, at the public hearing, the Planning Commission considered whether each of the requisite findings specified in Section 9.02.060 (Conditional Use Permits) of the Municipal Code and set forth herein could be made concerning the Proposed Project as conditioned by Conditions of Approval; and

**WHEREAS**, on November 9, 2023, in accordance with the provisions of the California Environmental Quality Act (CEQA<sup>1</sup>) and CEQA Guidelines<sup>2</sup>, the Planning Commission approved Resolution 2023-47, certifying a Mitigated Negative Declaration and approving the Mitigation Monitoring and Reporting Program for the Proposed Project.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1. Recitals and Exhibits**

That the foregoing Recitals and attached exhibits are true and correct and are hereby incorporated by this reference.

**Section 2. Notice**

That pursuant to Government Code Section 66020(d)(1), notice is hereby given that the Proposed Project is subject to certain fees, dedications, reservations, and other exactions as provided herein, in the staff report and conditions of approval (collectively, "Conditions"); and these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the ninety-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun.

**Plot Plans**

**Section 3. Evidence**

That the Planning Commission has considered all evidence submitted into the Administrative Record for the Proposed Project, including, but not limited to, the following:

- (a) Moreno Valley General Plan and all other relevant provisions contained therein;
- (b) Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all other relevant provisions referenced therein;
- (c) Application for Master Plot Plan (PEN22-0238), including Resolution No. 2023-48 and all documents, records, and references contained therein;
- (d) Conditions of Approval for Master Plot Plan (PEN22-0238), attached hereto as Exhibit A;

<sup>1</sup> Public Resources Code §§ 21000-21177

<sup>2</sup> 14 California Code of Regulations §§15000-15387

- (e) Application for the approval of Conditional Use Permit (PEN22-0176), including Resolution No. 2023-48 and all documents, records, and references contained therein;
- (f) Conditions of Approval for Conditional Use Permit (PEN22-0176), attached hereto as Exhibit B;
- (g) Planning Division Staff Report prepared for the Planning Commission's consideration and all documents, records, and references related thereto, and Planning Division Staff's presentation at the public hearing;
- (h) Testimony, and/or comments from Applicant and its representatives during the public hearing; and
- (i) Testimony and/or comments from all persons provided in written format or correspondence, at, or prior to, the public hearing.

#### **Section 4. Findings**

That based on the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission makes the following findings in approving the Proposed Project:

- a. The proposed project is consistent with the goals, objectives, policies and programs of the General Plan;
- b. The proposed project complies with all applicable zoning and other regulations;
- c. The proposed project will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity;
- d. The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

#### **Section 5. Approval**

That based on the foregoing Recitals, Evidence contained in the Administrative Record and Findings, as set forth herein, the Planning Commission hereby approves the Proposed Project subject to the Conditions of Approval for the Master Plot Plan (PEN22-0238), attached hereto as Exhibit A, and Conditions of Approval for the Conditional Use Permit (PEN22-0176), attached hereto as Exhibit B.

#### **Section 6. Repeal of Conflicting Provisions**

That all the provisions as heretofore adopted by the Planning Commission that are in conflict with the provisions of this Resolution are hereby repealed.

#### **Section 7. Severability**

That the Planning Commission declares that, should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive

legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

**Section 8.**            **Effective Date**

That this Resolution shall take effect immediately upon the date of adoption.

**Section 9.**            **Certification**

That the Secretary of the Planning Commission shall certify to the passage of this Resolution.

[Remainder of Page Intentionally Left Blank]

**PASSED AND ADOPTED THIS 9<sup>th</sup> DAY OF NOVEMBER 2023.**

CITY OF MORENO VALLEY  
PLANNING COMMISSION

\_\_\_\_\_  
Alvin DeJohnette, Chairperson

ATTEST:

\_\_\_\_\_  
Sean P. Kelleher,  
Community Development Director

APPROVED AS TO FORM:

\_\_\_\_\_  
Steven B. Quintanilla,  
City Attorney

- Exhibits:
- Exhibit A: Master Plot Plan (PEN22-0238), Conditions of Approval
- Exhibit B: Conditional Use Permit (PEN22-0176), Conditions of Approval

Attachment: Resolution No. 2023-48 [Revision 2] (6422 : Beyond Food Mart)

Exhibit A

**Master Plot Plan (PEN22-0238) Conditions of Approval**

**CONDITIONS OF APPROVAL**

Plot Plan (PEN22-0238)

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CITY OF MORENO VALLEY  
 CONDITIONS OF APPROVAL  
 Plot Plan (PEN22-0238)

EFFECTIVE DATE:

EXPIRATION DATE:

**COMMUNITY DEVELOPMENT DEPARTMENT**Planning Division

1. A change or modification to the land use or the approved site plans may require a separate approval. Prior to any change or modification, the property owner shall contact the City of Moreno Valley Community Development Department to determine if a separate approval is required.
2. In accordance with the Developer's obligation to defend, indemnify and hold harmless the City, including but not limited to as set forth in more detail in the Project's Conditions of Approval, Moreno Valley Municipal Code Section 9.02.310 (Indemnification of City for Discretionary Approvals), and the Project application, Developer shall enter into an Advanced Funding Agreement with the City no later than ten (10) calendar days from Planning Commission's approval of the Project. A copy of said Agreement is on file with the Community Development Director.
3. Any expansion to this use or exterior alterations will require the submittal of a separate application(s) and shall be reviewed and approved under separate permit(s). (MC 9.02.080)
4. 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)
5. The expiration date of this modification does not extend the expiration of any related project or activity.
6. 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)
7. In the event the use hereby permitted ceases operation for a period of one (1) year or more, or as defined in the current Municipal Code, this permit may be revoked in

**CONDITIONS OF APPROVAL**

Plot Plan (PEN22-0238)

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accordance with provisions of the Municipal Code. (applicable to CUP's)

8. The Developer shall defend, indemnify and hold harmless the City, city council, commissions, boards, subcommittees and the City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any prior or current agreements by and among the City and the Developer; (ii) the current, concurrent and subsequent permits, licenses and entitlements approved by the City; (iii) any environmental determination made by the City in connection with the Project Site and the Project; and (iv) any proceedings or other actions undertaken by the City in connection with the adoption or approval of any of the above. In the event of any administrative, legal, equitable action or other proceeding instituted by any third party (including without limitation a governmental entity or official) challenging the legality, validity or adequacy of any of the above items or any portion thereof, the Parties shall mutually cooperate with each other in defense of said action or proceeding. Notwithstanding the above, the City, at its sole option, may tender the complete defense of any third party challenge as described herein. In the event the City elects to contract with special counsel to provide for such a defense, the City shall meet and confer with the Developer regarding the selection of counsel, and the Developer shall pay all costs related to retention of such counsel by the City.
9. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
10. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
11. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
12. All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

**CONDITIONS OF APPROVAL**

Plot Plan (PEN22-0238)

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Special Conditions

13. The site has been approved for a Master Plot Plan (PEN22-0238) for a commercial development comprised of an eight (8) island fueling station, six (6) vehicle charging stations, convenience store (7,400 square feet), and drive-thru carwash (1,790 square feet), a state-of-the-art security system with alarms, surveillance cameras, and security lighting, on a 1.31-acre site. A change or modification shall require separate approval. For a Conditional Use Permit, violation may result in revocation of the Conditional Use Permit.
14. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security shall remain in place until the project is completed or the above conditions no longer exist. (Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard).
15. Drive-through speaker system for the carwash shall not be detectable above daytime ambient noise levels beyond the property line boundaries, and shall not exceed fifty-five (55) dBA at any one time beyond the boundaries of the property line. (MC9.09.080 C.6 and 9.10.140)
16. The use of the carwash and vacuum stations shall be limited to the operating hours of 8:00 a.m. and 10:00 p.m. The use of the carwash and vacuum stations shall be prohibited between 10:00 p.m. and 8:00 a.m.
17. The owner or owner's representative shall establish and maintain a relationship with the City of Moreno Valley and cooperate with the Problem Oriented Policing (POP) program, or its successors.
18. One outdoor trash receptacle shall be provided shall be provided for every ten (10) required parking spaces, with a minimum of one receptacle provided to be located front portion of the site for use by patrons. (MC 9.09.080 C 5.)
19. Prior to approval of any grading permit, the tree plan shall be submitted to and approved by the Panning 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 Planning Official. (GP Objective 4.4, 4.5, DG)



**CONDITIONS OF APPROVAL**

Plot Plan (PEN22-0238)

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Prior to Building Permit

20. Prior to issuance of any building permit, all Conditions of Approval, and Mitigation Measures shall be printed on the building plans.
21. Prior to the issuance of building permits, the developer shall provide documentation that contact was made to the U.S. Postal Service to determine the appropriate type and location of mailboxes.
22. Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approved by the Planning Division. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Requirements and shall include:
  - a. A three (3) foot high decorative wall, solid hedge or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
  - b. Finger and end planters with required step outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.
  - c. Drought tolerant landscape shall be used. Sod shall be limited to gathering areas. (or No sod shall be installed)
  - d. Street trees shall be provided every 40 feet on center in the right of way.
  - e. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of the perimeter of a parking lot and per thirty linear feet of a building dimension for the portions of the building visible from a parking lot or right of way. Trees may be massed for pleasing aesthetic effects.
  - f. Enhanced landscaping shall be provided at all driveway entries and street corner locations. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view.
  - g. Landscaping on three sides of any trash enclosure.
  - h. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question (master plot plan). [only include items above that apply to the project]
23. Prior to issuance of building permits, the Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets,

**CONDITIONS OF APPROVAL**

Plot Plan (PEN22-0238)

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- commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping. (GP Objective 43.30)
24. Prior to issuance of a building permit, the developer/property owner or developer's successor-in-interest shall pay all applicable impact fees due at permit issuance, including but not limited to Multi-species Habitat Conservation Plan (MSHCP) mitigation fees. (Ord)
  25. Prior to building final, the developer/owner or developer's/owner's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)
  26. Prior to issuance of building permits, proposed covered trash enclosure(s) shall be included in the Planning review of the Fence and Wall plans. The trash enclosure(s), including the roof materials, shall be compatible with the architecture, color and materials of the building(s) design. Trash enclosure areas shall include landscaping on three sides unless located within the truck loading area. Approved design plans shall be included in a Building submittal (Fence and walls or building design plans). (GP Objective 43.6, DG)
  27. Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:
    - a. The name (if applicable) and address of the development.
    - b. The developer's name, address, and a 24-hour emergency telephone number.
  28. Prior to issuance of grading permits, the location of the trash enclosure shall be included on the plans.
  29. Prior to approval of any grading permit, the tree plan shall be submitted to and approved by 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 Planning Official. (GP Objective 4.4, 4.5, DG)

**CONDITIONS OF APPROVAL**

Plot Plan (PEN22-0238)

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30. At least thirty days prior to issuance of any grading permit, the developer shall retain a qualified archaeologist, provide a letter identifying the name and qualifications of the archaeologist to the Planning Division for approval, to monitor all ground disturbing activities in an effort to identify any unknown archaeological resources and to evaluate and recommend appropriate actions for any archaeological deposits exposed by construction activity.

At least thirty days prior to issuance of a grading permit, the applicant shall provide evidence that contact has been established with the appropriate Native American Tribe(s), providing notification of grading, excavation and the proposed monitoring program and to coordinate with the City and Tribe(s) to develop a cultural resources treatment and monitoring agreement. The agreement shall address treatment of known cultural resources, the designation, responsibilities and participation of Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.

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

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

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

**CONDITIONS OF APPROVAL**

Plot Plan (PEN22-0238)

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31. Prior to issuance of any grading permit, all Conditions of Approval, and Mitigation Measures shall be printed on the grading plans.
32. Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)
33. If potential historic, archaeological, Native American cultural resources or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area must cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

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

34. Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Building and Safety Division for review and approval by the Planning Division as follows:
  - a. A maximum 6-foot high solid decorative block perimeter wall with pilasters and a cap shall be required adjacent to all residential zoned areas.
  - b. 3-foot high decorative wall, solid hedge, or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
  - c. Any proposed retaining walls shall also be decorative in nature, while the

**CONDITIONS OF APPROVAL**

Plot Plan (PEN22-0238)

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combination of retaining and other walls on top shall not exceed the height requirement.

d. Proposed screening walls for truck loading areas and required loading docks shall also include decorative block walls with pilasters with a height of up to fourteen (14) feet to fully screen trucks (industrial and some situations with commercial uses).

e. Walls and fences for visual screening are required when there are adjacent residential uses or residentially zone property. The height, placement, and design will be based on a site-specific review of the project. All walls are subject to the approval of the Planning Official. (MC 9.08.070) [select those that apply]

Prior to Building Final or Occupancy

35. Prior to building final, all required landscaping and irrigation shall be installed per plan, certified by the Landscape Architect and inspected by the Planning Division. (MC 9.03.040, MC 9.17).
36. Prior to building final, Planning approved/stamped landscape plans shall be provided to the Community Development Department – Planning Division on a CD disk.
37. Prior to building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).
38. Prior to building final or Certificate of Occupancy, the owner or owner's representative shall provide documentation to the Planning Division that they have contacted the Moreno Valley Police Department to establish and maintain a relationship with the City of Moreno Valley Police Department and cooperate with the Problem Oriented Policing (POP) program, or its successors. [multi-family, night clubs, liquor stores]

Building Division

39. 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.
40. Prior to submittal, all new development, including residential second units, are required to obtain a valid property address prior to permit application. Addresses can be obtained by contacting the Building Safety Division at 951.413.3350.

**CONDITIONS OF APPROVAL**

Plot Plan (PEN22-0238)

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41. Contact the Building Safety Division for permit application submittal requirements.
42. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m.(except for holidays which occur on weekdays), eight a.m. to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
43. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
44. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
45. The proposed project will be subject to approval by the Eastern Municipal Water District and all applicable fees and charges shall be paid prior to permit issuance. Contact the water district at 951.928.3777 for specific details.
46. All new structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Code, (CBC) Part 2, Title 24, California Code of Regulations including requirements for allowable area, occupancy separations, fire suppression systems, accessibility, etc.
47. The proposed non-residential project shall comply with California Green Building Standards Code, Section 5.106.5.3, mandatory requirements for Electric Vehicle Charging Station (EVCS).
48. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing fixtures shall be provided per the California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
49. 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)
50. The appropriation from local tax from construction contracts to the local jurisdiction of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.

**CONDITIONS OF APPROVAL**

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The qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:

- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
- b) must be registered as a retailer, not consumer, of materials, and
- c) have an executed contract over \$5 million to install materials at the jobsite.

The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project.

**FIRE DEPARTMENT****Fire Prevention Bureau**

51. All Fire Department access roads or driveways shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
52. The Fire Department emergency vehicular access road shall be (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. The approved fire access road shall be in place during the time of construction. Temporary fire access roads shall be approved by the Fire Prevention Bureau. (CFC 501.4, and MV City Standard Engineering Plan 108d)
53. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)
54. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4)
55. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)

**CONDITIONS OF APPROVAL**

Plot Plan (PEN22-0238)

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56. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 509.1 and MVLT 440A-0 through MVLT 440C-0)
57. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve inches in height. (CFC 505.1, MVMC 8.36.060[I])
58. 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 105)
59. Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 507, 501.3) a - After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.
60. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in effect at the time of building plan submittal.
61. 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 be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)
62. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
63. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)



**CONDITIONS OF APPROVAL**

Plot Plan (PEN22-0238)

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64. Fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) feet and an unobstructed vertical clearance of not less than thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])
65. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9, MVMC 8.36.100[D])
66. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060, CFC 501.4)
67. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Code Official. All exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)
68. The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with the C.F.C., MVMC, and NFPA 24. Fire hydrants shall be located no closer than 40 feet to a building. A fire hydrant shall be located within 50 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6" x 4" x 2 ½" x 2 ½") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)
69. Fire Department access driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. (CFC 503 and MVMC 8.36.060, CFC 501.4)
70. 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)
71. 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)
72. Plans for private water mains supplying fire sprinkler systems and/or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)

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73. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering said waterflow for 2 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B)
74. Dead-end streets and/or fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround for fire apparatus.
75. 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)
76. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 105)
77. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:
  - a. Be signed by a registered civil engineer or a certified fire protection engineer;
  - b. Contain a Fire Prevention Bureau approval signature block; and
  - c. Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

**FINANCIAL & MANAGEMENT SERVICES DEPARTMENT****Moreno Valley Utility**

78. 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.
79. This project requires the installation of electric distribution facilities. The developer shall submit a detailed engineering plan showing design, location and schematics

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for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer shall execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

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

80. 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.
81. This project shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City fiber optic cable improvements consisting of fiber optic cable, splices and termination equipment to serve the identified development and other adjoining, abutting, or benefiting projects as determined by Moreno Valley Utility along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all “fiber optic services” to and within the project.

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82. This project shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to Moreno Valley Utility fiber optic cable improvements consisting of conduit, and pull boxes to serve the identified development and other adjoining, abutting, or benefiting projects as determined by Moreno Valley Utility along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all “fiber optic services” to and within the project.
83. This project shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to Moreno Valley Utility electric streetlight improvements consisting of streetlight poles, mast-arms, fixtures conduit, wiring, terminations and pull boxes to serve the identified development and other adjoining, abutting, or benefiting projects as determined by the Land Development Department along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all “street light services” to and within the project.

**PUBLIC WORKS DEPARTMENT****Land Development**

84. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.
85. 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]
86. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
87. The developer shall monitor, supervise and control all construction related activities,

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so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

- (a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.
- (b) Observance of working hours as stipulated on permits issued by the Land Development Division.
- (c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.
- (d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements during the grading operations.

Violation of any condition, restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedy as noted in City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

- 88. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
- 89. In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. If unsuccessful, the Developer shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. [GC 66462.5]
- 90. If improvements associated with this project are not initiated within two (2) years of the date of approval of the Public Improvement Agreement (PIA), the City Engineer may require that the engineer's estimate for improvements associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the PIA or issuance of a permit. [MC 9.14.210(B)(C)]
- 91. The developer shall protect downstream properties from damage caused by alteration of drainage patterns (i.e. concentration or diversion of flow, etc). Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. [MC 9.14.110]

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92. The maintenance responsibility of the proposed storm drain line shall be clearly identified. Storm drain lines within private property will be privately maintained and those within public streets will be publicly maintained.
93. The proposed private storm drain system shall connect to the onsite proposed underground basin and then discharge offsite through an outlet at the northwest corner of the parcel.
94. This project shall submit civil engineering design plans, reports and/or documents (prepared by a registered/licensed civil engineer) for review and approval by the City Engineer per the current submittal requirements, prior to the indicated threshold or as required by the City Engineer. The submittal consists of, but is not limited to, the following:
  - a. Rough grading w/ erosion control plan (prior to grading permit issuance);
  - b. Precise grading w/ erosion control plan (prior to grading permit issuance);
  - c. Public improvement plan (e.g., street/storm drain with striping, sewer/water, 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, offers of dedication, etc. (prior to building permit issuance);
  - g. As-Built revision for all plans (prior to occupancy release).
95. Water quality best management practices (BMPs) designed to meet Water Quality Management Plan (WQMP) requirements for development shall not be used as a construction BMP. Water quality BMPs shall be maintained for the entire duration of the project construction and be used to treat runoff from those developed portions of the project. Water quality BMPs shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. Water quality BMPs shall be graded per the approved design plans and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to the private owner association (POA) or responsible party for maintenance.

Prior to Grading Plan Approval

96. Resolution of all drainage issues shall be as approved by the City Engineer.
97. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage

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study shall be submitted to the Land Development Division.

98. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity.
99. A final project-specific Water Quality Management Plan (WQMP) shall be submitted for review and approved by the City Engineer, which:
- a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
  - b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
  - c. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
  - d. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

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

100. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the approved P-WQMP, as well as in full conformance with the document: "Water Quality Management Plan - A Guidance Document for the Santa Ana Region of Riverside County" dated October 22, 2012. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements for BMPs and sources of funding for BMP implementation.
- a. The Applicant has proposed to incorporate the use of underground infiltration chambers, inlet filter inserts, and vegetated swale. Final design and sizing details of all BMPs must be provided in the first submittal of the F-WQMP. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance document.
  - b. The Applicant shall substantiate the applicable Hydrologic Condition of Concerns (HCOC) in Section F of the F-WQMP. The HCOC designates that the project will be exempt from mitigation requirements based on Exemption 3.
  - c. All proposed LID BMP's shall be designed in accordance with the RCFC&WCD's Design Handbook for Low Impact Development Best Management Practices, dated September 2011.
  - d. The proposed LID BMP's as identified in the project-specific P-WQMP shall be incorporated into the Final WQMP.
  - e. The NPDES notes per City Standard Drawing No. MVFE-350-0 shall be

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included in the grading plans.

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

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

101. The developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. All improvement plans are substantially complete and appropriate clearance letters are provided to the City.

d. A soils/geotechnical report (addressing the soil's stability and geological conditions of the site) shall be submitted to the Land Development Division for review. A digital (pdf) copy of the soils/geotechnical report shall be submitted to the Land Development Division.

102. Grading plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.

103. The developer shall select Low Impact Development (LID) Best Management Practices (BMPs) designed per the latest version of the Water Quality Management Plan (WQMP) - a guidance document for the Santa Ana region of Riverside County.

104. The developer shall submit recorded slope easements from adjacent property owners in all areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.

105. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared in conformance with the State's current Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request.

106. Any proposed trash enclosure shall include a solid cover (roof) and sufficient size for



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dual bin (one for trash and one for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building & Safety Division.

107. For projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB) which shall be noted on the grading plans.

Prior to Grading Permit

108. A receipt showing payment of the Area Drainage Plan (ADP) fee to Riverside County Flood Control and Water Conservation District shall be submitted. [MC 9.14.100(O)]
109. For non-subdivision projects, a copy of the Covenants, Conditions and Restrictions (CC&Rs) shall be submitted for review by the City Engineer. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project.
110. If the developer chooses to construct the project in phases, a Construction Phasing Plan for the construction of on-site public or private improvements shall be submitted for review and approved by the City Engineer.
111. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the implementation and maintenance of erosion control measures. At least twenty-five (25) percent of the required security shall be in the form of a cash deposit with the City. [MC 8.21.160(H)]
112. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]

Prior to Improvement Plan Approval

113. The developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, all access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless otherwise approved by the City Engineer.
114. The developer shall submit clearances from all applicable agencies, and pay all applicable plan check fees.

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115. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVSI-160 series, etc.) throughout this project.
116. Drainage facilities (i.e. catch basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
117. The hydrology study shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of current City standards shall apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the City Engineer. [MC 9.14.110 A.2]
118. All public improvement plans (prepared by a licensed/registered civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
119. Any missing or deficient existing improvements along the project frontage shall be constructed or secured for construction. The City Engineer may require the ultimate structural section for pavement to half-street width plus 18 feet or provide core test results confirming that existing pavement section is per current City Standards; additional signing & striping to accommodate increased traffic imposed by the development, etc.
120. Prior to improvement plan approval, pavement core samples of existing pavement shall 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 2 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.
121. For non-subdivision projects, all street dedications shall be free of encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.
122. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement

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cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.

123. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.

Prior to Encroachment Permit

124. For non-subdivision projects, execution of a Public Improvement Agreement (PIA) and/or security (in the form of a cash deposit or other approved means) may be required as determined by the City Engineer. [MC 9.14.220]
125. Any work performed within public right-of-way requires an encroachment permit.

Prior to Building Permit

126. An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of the approved compaction report shall be submitted to the Land Development Division. All pads shall meet pad elevations per approved grading plans as noted by the setting of "blue-top" markers installed by a registered land surveyor or licensed civil engineer.
127. Prior to building permit issuance, the developer shall dedicate the following right of way to accommodate the required improvements:
- (a) The necessary street right of way dedication on the west side of Oliver Street (88' R/W / 64' CC: Minor Arterial, City Standard No. MVSI-105A-2) along the project frontage.
  - (b) The necessary street right of way dedication on the north side of Iris Avenue (134' R/W / 110' CC: Divided Major Arterial, City Standard No. MVSI-101A-1) for transition, alignment, and/or drainage purposes.
  - (c) A 4 foot minimum pedestrian right of way dedication behind any driveway approach per City Standard No. MVSI-112C-0, as applicable.
  - (d) Corner cutback right of way dedication per City Standard No. MVSI-165-0 on all intersecting public streets, as directed by the City Engineer.
128. For non-subdivision projects, all street dedications shall be free of encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or

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abandons such offers, unless otherwise approved by the City Engineer.

129. A walk through with a Land Development Inspector shall be scheduled to inspect existing improvements within public right of way along project frontage. Any missing, damaged or substandard improvements including ADA access ramps that do not meet current City standards shall be required to be installed, replaced and/or repaired. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.
130. Certification to the line, grade, flow test and system invert elevations for the water quality control BMPs shall be submitted for review and approved by the City Engineer.

Prior to Occupancy

131. All required as-built plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
132. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
133. 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), signing, striping, landscaping and irrigation, medians, and traffic control devices as appropriate.
  - b. Storm drain facilities including, but not limited to: storm drain pipe and storm drain laterals.
  - c. City-owned utilities.
  - d. Sewer and water systems including, but not limited to: sanitary sewer, potable water, and recycled water.
134. Prior to occupancy, the following improvements shall be completed:  
Oliver Street (88' R/W / 64' CC: Minor Arterial, City Standard No. MVSI-105A-2) shall be constructed to achieve a half-width of 32' plus 18' beyond centerline, along the entire project's east frontage. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, any necessary offsite joins to existing, pedestrian ramps, and dry and wet utilities. Any missing or deficient improvements along the project's east frontage shall be constructed.  
Prior to improvement plan approval, the developer shall provide to the City Engineer

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the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-105A-2.

135. For commercial, industrial and multi-family projects, a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant", "Maintenance Agreement for Water Quality Improvements located in the public right-of-way" and a "Declaration of Restrictive Covenants (encroachment on City easement)" shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific WQMP. A boilerplate copy of the covenants and agreements can be obtained by contacting the Land Development Division.
136. The applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:
- a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP).
  - b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted for review and approved by the City Engineer.
137. The Developer shall comply with the following water quality related items:
- a. Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
  - b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
  - c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
  - d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
  - e. Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
  - f. Obtain approval and complete installation of the irrigation and landscaping.
138. Prior to occupancy, the following improvements shall be completed:  
Iris Avenue (134' R/W / 110' CC: Divided Major Arterial, City Standard No. MVSI-101A-1) shall be constructed to achieve a half-width of 55' along the entire project's south frontage. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, any necessary offsite joins to existing, street lights, pedestrian ramps, and dry and wet utilities. Any missing or deficient improvements along the project's south frontage shall be constructed.  
Prior to improvement plan approval, the developer shall provide to the City Engineer

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the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-101A-1. Any missing or deficient improvements along the project's south frontage shall be constructed prior to issuance of a certificate of occupancy.

Special Districts Division

139. Street Light Coordination/Advanced Energy Fees. Prior to the issuance of the 1st Building Permit for this project, the Developer shall pay New Street Light Installation Fees for all street lights required to be installed for this development. Payment will be collected by the Land Development Division. Fees are based on the street light administration/coordination and advanced energy fees as set forth in the City Fees, Charges, and Rates as adopted by City Council and effective at the time of payment. Any change in the project which increases the number of street lights to be installed requires payment of the fees at the then current fee. Questions may be directed to the Special Districts Administration at 951.413.3470 or SAdmin@moval.org.
140. CFD 2014-01. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee, form an association to fund the services or fund an endowment) to provide an ongoing funding source for Street Lighting Services for capital improvements, energy charges, and maintenance.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

Alternatively, the condition can be satisfied by the Developer forming a property owner association that will be responsible for the improvements and any and all operation and maintenance costs for the improvements or by funding an endowment

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in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at SAdmin@moval.org to satisfy this condition.

141. Major Infrastructure SFD Major Infrastructure Financing District. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the construction and maintenance of major infrastructure improvements, which may include but is not limited to thoroughfares, bridges, and certain flood control improvements. This condition will be applicable provided said district is under development at the time this project applies for the 1st Building Permit. This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings. An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SAdmin@moval.org to determine if this condition is applicable.
142. Park Maintenance Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or fund an endowment) to provide an ongoing funding source for the continued maintenance, enhancement, and/or retrofit of parks, open spaces, linear parks, and/or trails systems.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment,

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or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

Alternatively, the condition can be satisfied by the Developer funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to satisfy this condition.

143. Maintenance Services Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the operation and maintenance of public improvements and/or services associated with impacts of the development. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

An alternative to satisfying this funding source will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at



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SDAdmin@moval.org to determine if this condition is applicable.

144. **Public Safety Funding.** Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for Public Safety services, which may include but is not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

145. **Maintenance Responsibility.** The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
146. **Damage.** 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.
147. The ongoing maintenance of any water quality BMP (e.g. Bioswale) constructed in the public right of way shall be the responsibility of a property owner association or the property owner.
148. The existing parkway behind the curb will no longer be maintained by the City and

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will become the responsibility of the property owner. Please coordinate abandonment of existing City irrigation system with Landscape Services at 951-413-3480.

Transportation Engineering Division

149. Conditions of approval may be modified or added if a phasing plan is submitted for this development.
150. Project driveways shall conform to City of Moreno Valley Standard Plans No. MVSI-112C-0 for Commercial Driveway Approaches. Access at the project driveways shall be as follows:
  - Iris Avenue: Right-Turn In/Out Only
  - Oliver Street: Right-Turn In/Out Only
151. Iris Avenue is classified as a Divided Major Arterial (134'RW/110'CC) per City Standard Plan No. MVSI-101A-1. Any improvement undertaken by this project shall be in conformance with City standards. Communication conduit shall be installed per City Standard Plan No. MVSI-186-0.
152. Oliver Street is classified as a Minor Arterial per City Standard Plan No. MVSI-105A-2. Any improvements undertaken by this project shall be in conformance with City standards.
153. Prior to final approval of any landscaping or monument sign plans, the project plans shall demonstrate that sight distance at the project driveways conforms to City Standard Plan No. MVSI-164A, B, C-0.
154. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets within the project area.
155. Prior to the final approval of the street improvement plans, a bus turnout in the westbound direction along Iris Avenue, west of Oliver Street shall be designed per City Standard Plan No. MVSI-161-0. The bus turnout shall be designed to serve as a combination right turn lane/bus bay to the satisfaction of the City Engineer.
156. Prior to the final approval of the street improvement plans, the existing landscaped median on Iris Avenue along the project frontage shall be designed to extend the existing eastbound left-turn lane storage length to a minimum of 285 feet at the Iris Avenue/Oliver Street intersection. Median construction shall include but is not limited to, paving, concrete curbs, landscape, and signs. Exact requirements will be determined during the plan check process.

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157. Prior to issuance of a certificate of occupancy, all approved street improvements including the median and bus turnout improvements shall be installed to the satisfaction of the City Engineer.

**PARKS & COMMUNITY SERVICES DEPARTMENT**

158. This project is subject to current Development Impact Fees.

**Exhibit B**

**Conditional Use Permit (PEN22-0176) Conditions of Approval**

**Attachment: Resolution No. 2023-48 [Revision 2] (6422 : Beyond Food Mart)**

**CONDITIONS OF APPROVAL**

Conditional Use Permit (PEN22-0176)

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CITY OF MORENO VALLEY  
 CONDITIONS OF APPROVAL  
 Conditional Use Permit (PEN22-0176)

EFFECTIVE DATE:

EXPIRATION DATE:

**COMMUNITY DEVELOPMENT DEPARTMENT**Planning Division

1. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
2. A change or modification to the land use or the approved site plans may require a separate approval. Prior to any change or modification, the property owner shall contact the City of Moreno Valley Community Development Department to determine if a separate approval is required.
3. In accordance with the Developer's obligation to defend, indemnify and hold harmless the City, including but not limited to as set forth in more detail in the Project's Conditions of Approval, Moreno Valley Municipal Code Section 9.02.310 (Indemnification of City for Discretionary Approvals), and the Project application, Developer shall enter into an Advanced Funding Agreement with the City no later than ten (10) calendar days from Planning Commission's approval of the Project. A copy of said Agreement is on file with the Community Development Director.
4. Any expansion to this use or exterior alterations will require the submittal of a separate application(s) and shall be reviewed and approved under separate permit(s). (MC 9.02.080)
5. 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)
6. The expiration date of this modification does not extend the expiration of any related project or activity.
7. 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)

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Conditional Use Permit (PEN22-0176)

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8. In the event the use hereby permitted ceases operation for a period of one (1) year or more, or as defined in the current Municipal Code, this permit may be revoked in accordance with provisions of the Municipal Code. (applicable to CUP's)
9. The Developer shall defend, indemnify and hold harmless the City, city council, commissions, boards, subcommittees and the City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any prior or current agreements by and among the City and the Developer; (ii) the current, concurrent and subsequent permits, licenses and entitlements approved by the City; (iii) any environmental determination made by the City in connection with the Project Site and the Project; and (iv) any proceedings or other actions undertaken by the City in connection with the adoption or approval of any of the above. In the event of any administrative, legal, equitable action or other proceeding instituted by any third party (including without limitation a governmental entity or official) challenging the legality, validity or adequacy of any of the above items or any portion thereof, the Parties shall mutually cooperate with each other in defense of said action or proceeding. Notwithstanding the above, the City, at its sole option, may tender the complete defense of any third party challenge as described herein. In the event the City elects to contract with special counsel to provide for such a defense, the City shall meet and confer with the Developer regarding the selection of counsel, and the Developer shall pay all costs related to retention of such counsel by the City.
10. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
11. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
12. All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

**CONDITIONS OF APPROVAL**

Conditional Use Permit (PEN22-0176)

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Special Conditions

13. 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.
14. Drive-through speaker system for the carwash shall not be detectable above daytime ambient noise levels beyond the property line boundaries, and shall not exceed fifty-five (55) dBA at any one time beyond the boundaries of the property line. (MC9.09.080 C.6 and 9.10.140)
15. The use of the carwash and vacuum stations shall be limited to the operating hours of 8:00 a.m. and 10:00 p.m. The use of the carwash and vacuum stations shall be prohibited between 10:00 p.m. and 8:00 a.m.
16. The site has been approved for a Master Plot Plan (PEN22-0238) and Conditional Use Permit (PEN22-0176) for a commercial development comprised of an eight (8) island fueling station, six (6) vehicle charging stations, convenience store (7,400 square feet), and drive-thru carwash (1,790 square feet), including a state-of-the-art security system with alarms, surveillance cameras, and security lighting, on a 1.31-acre site. A change or modification shall require separate approval. For a Conditional Use Permit, violation may result in revocation of the Conditional Use Permit.
17. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security shall remain in place until the project is completed or the above conditions no longer exist. (Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard).
18. One outdoor trash receptacle shall be provided shall be provided for every ten (10) required parking spaces, with a minimum of one receptacle provided to be located front portion of the site for use by patrons. (MC 9.09.080 C 5.)
19. Prior to approval of any grading permit, the tree plan shall be submitted to and approved by the Panning 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 Planning Official. (GP Objective 4.4, 4.5, DG)

**CONDITIONS OF APPROVAL**

Conditional Use Permit (PEN22-0176)

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Prior to Building Permit

20. Prior to issuance of any building permit, all Conditions of Approval, and Mitigation Measures shall be printed on the building plans.
21. Prior to the issuance of building permits, the developer shall provide documentation that contact was made to the U.S. Postal Service to determine the appropriate type and location of mailboxes.
22. Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approved by the Planning Division. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Requirements and shall include:
- a. A three (3) foot high decorative wall, solid hedge or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
  - b. Finger and end planters with required step outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.
  - c. Drought tolerant landscape shall be used. Sod shall be limited to gathering areas. (or No sod shall be installed)
  - d. Street trees shall be provided every 40 feet on center in the right of way.
  - e. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of the perimeter of a parking lot and per thirty linear feet of a building dimension for the portions of the building visible from a parking lot or right of way. Trees may be massed for pleasing aesthetic effects.
  - f. Enhanced landscaping shall be provided at all driveway entries and street corner locations. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view.
  - g. Landscaping on three sides of any trash enclosure.
  - h. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question (master plot plan). [only include items above that apply to the project]
23. Prior to issuance of building permits, the Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets,



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commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping. (GP Objective 43.30)

24. Prior to issuance of a building permit, the developer/property owner or developer's successor-in-interest shall pay all applicable impact fees due at permit issuance, including but not limited to Multi-species Habitat Conservation Plan (MSHCP) mitigation fees. (Ord)
25. Prior to building final, the developer/owner or developer's/owner's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)
26. Prior to issuance of building permits, proposed covered trash enclosure(s) shall be included in the Planning review of the Fence and Wall plans. The trash enclosure(s), including the roof materials, shall be compatible with the architecture, color and materials of the building(s) design. Trash enclosure areas shall include landscaping on three sides unless located within the truck loading area. Approved design plans shall be included in a Building submittal (Fence and walls or building design plans). (GP Objective 43.6, DG)
27. At least thirty days prior to issuance of any grading permit, the developer shall retain a qualified archaeologist, provide a letter identifying the name and qualifications of the archaeologist to the Planning Division for approval, to monitor all ground disturbing activities in an effort to identify any unknown archaeological resources and to evaluate and recommend appropriate actions for any archaeological deposits exposed by construction activity.

At least thirty days prior to issuance of a grading permit, the applicant shall provide evidence that contact has been established with the appropriate Native American Tribe(s), providing notification of grading, excavation and the proposed monitoring program and to coordinate with the City and Tribe(s) to develop a cultural resources treatment and monitoring agreement. The agreement shall address treatment of known cultural resources, the designation, responsibilities and participation of Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.

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Conditional Use Permit (PEN22-0176)

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

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

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

28. Prior to issuance of any grading permit, all Conditions of Approval, and Mitigation Measures shall be printed on the grading plans.
29. Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)
30. If potential historic, archaeological, Native American cultural resources or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area must cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community

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Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

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

31. Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Building and Safety Division for review and approval by the Planning Division as follows:
  - a. A maximum 6-foot high solid decorative block perimeter wall with pilasters and a cap shall be required adjacent to all residential zoned areas.
  - b. 3-foot high decorative wall, solid hedge, or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
  - 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.
  - d. Proposed screening walls for truck loading areas and required loading docks shall also include decorative block walls with pilasters with a height of up to fourteen (14) feet to fully screen trucks (industrial and some situations with commercial uses).
  - e. Walls and fences for visual screening are required when there are adjacent residential uses or residentially zone property. The height, placement, and design will be based on a site-specific review of the project. All walls are subject to the approval of the Planning Official. (MC 9.08.070) [select those that apply]
32. Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:
  - a. The name (if applicable) and address of the development.
  - b. The developer’s name, address, and a 24-hour emergency telephone

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number.

33. Prior to issuance of grading permits, the location of the trash enclosure shall be included on the plans.
34. Prior to approval of any grading permit, the tree plan shall be submitted to and approved by 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 Planning Official. (GP Objective 4.4, 4.5, DG)

Prior to Building Final or Occupancy

35. Prior to building final, all required landscaping and irrigation shall be installed per plan, certified by the Landscape Architect and inspected by the Planning Division. (MC 9.03.040, MC 9.17).
36. Prior to building final, Planning approved/stamped landscape plans shall be provided to the Community Development Department – Planning Division on a CD disk.
37. Prior to building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).
38. Prior to building final or Certificate of Occupancy, the owner or owner's representative shall provide documentation to the Planning Division that they have contacted the Moreno Valley Police Department to establish and maintain a relationship with the City of Moreno Valley Police Department and cooperate with the Problem Oriented Policing (POP) program, or its successors. [multi-family, night clubs, liquor stores]

Building Division

39. 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.
40. Prior to submittal, all new development, including residential second units, are required to obtain a valid property address prior to permit application. Addresses can be obtained by contacting the Building Safety Division at 951.413.3350.

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Conditional Use Permit (PEN22-0176)

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41. Contact the Building Safety Division for permit application submittal requirements.
42. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m.(except for holidays which occur on weekdays), eight a.m. to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
43. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
44. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
45. The proposed project will be subject to approval by the Eastern Municipal Water District and all applicable fees and charges shall be paid prior to permit issuance. Contact the water district at 951.928.3777 for specific details.
46. All new structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Code, (CBC) Part 2, Title 24, California Code of Regulations including requirements for allowable area, occupancy separations, fire suppression systems, accessibility, etc.
47. The proposed non-residential project shall comply with California Green Building Standards Code, Section 5.106.5.3, mandatory requirements for Electric Vehicle Charging Station (EVCS).
48. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing fixtures shall be provided per the California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
49. 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)
50. The appropriation from local tax from construction contracts to the local jurisdiction of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.

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The qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:

- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
- b) must be registered as a retailer, not consumer, of materials, and
- c) have an executed contract over \$5 million to install materials at the jobsite.

The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project.

**FIRE DEPARTMENT****Fire Prevention Bureau**

51. All Fire Department access roads or driveways shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
52. The Fire Department emergency vehicular access road shall be (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. The approved fire access road shall be in place during the time of construction. Temporary fire access roads shall be approved by the Fire Prevention Bureau. (CFC 501.4, and MV City Standard Engineering Plan 108d)
53. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)
54. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4)
55. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)

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56. Prior to issuance of Certificate of Occupancy or Building Final, “Blue Reflective Markers” shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 509.1 and MVLT 440A-0 through MVLT 440C-0)
57. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve inches in height. (CFC 505.1, MVMC 8.36.060[I])
58. Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 507, 501.3) a - After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.
59. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in effect at the time of building plan submittal.
60. 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 be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)
61. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
62. Fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) feet and an unobstructed vertical clearance of not less than the thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])
63. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9, MVMC 8.36.100[D])

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64. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060, CFC 501.4)
65. Prior to issuance of a Certificate of Occupancy or Building Final, a “Knox Box Rapid Entry System” shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Code Official. All exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)
66. The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with the C.F.C., MVMC, and NFPA 24. Fire hydrants shall be located no closer than 40 feet to a building. A fire hydrant shall be located within 50 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6” x 4” x 2 ½” x 2 ½”) (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)
67. 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)
68. 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)
69. Plans for private water mains supplying fire sprinkler systems and/or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)
70. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering said waterflow for 2 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B)
71. 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)
72. Prior to issuance of Certificate of Occupancy or Building Final, the



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applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 105)

73. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall: a. Be signed by a registered civil engineer or a certified fire protection engineer; b. Contain a Fire Prevention Bureau approval signature block; and c. Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.
74. 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 105)

**FINANCIAL & MANAGEMENT SERVICES DEPARTMENT****Moreno Valley Utility**

75. 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.
76. 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

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install, construct, improve, and dedicate to the City all utility infrastructure including but not limited to, conduit, equipment, vaults, ducts, wires (including fiber optic cable), switches, conductors, transformers, and “bring-up” facilities including electrical capacity to serve the identified development and other adjoining, abutting, 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.

77. 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.
78. This project shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City fiber optic cable improvements consisting of fiber optic cable, splices and termination equipment to serve the identified development and other adjoining, abutting, or benefiting projects as determined by Moreno Valley Utility along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all “fiber optic services” to and within the project.
79. This project shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to Moreno Valley Utility fiber optic cable improvements consisting of conduit, and pull boxes to serve the identified development and other adjoining, abutting, or benefiting projects as determined by Moreno Valley Utility along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all “fiber optic services” to and within the project.
80. This project shall coordinate and receive approval from the City Engineer to install,

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construct, improve, and dedicate to Moreno Valley Utility electric streetlight improvements consisting of streetlight poles, mast-arms, fixtures conduit, wiring, terminations and pull boxes to serve the identified development and other adjoining, abutting, or benefiting projects as determined by the Land Development Department along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all “street light services” to and within the project.

**PUBLIC WORKS DEPARTMENT****Land Development**

81. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.
82. 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]
83. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
84. The developer shall monitor, supervise and control all construction related activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:
  - (a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.
  - (b) Observance of working hours as stipulated on permits issued by the Land Development Division.
  - (c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

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- (d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements during the grading operations.  
Violation of any condition, restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedy as noted in City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.
85. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
  86. In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. If unsuccessful, the Developer shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. [GC 66462.5]
  87. If improvements associated with this project are not initiated within two (2) years of the date of approval of the Public Improvement Agreement (PIA), the City Engineer may require that the engineer's estimate for improvements associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the PIA or issuance of a permit. [MC 9.14.210(B)(C)]
  88. The developer shall protect downstream properties from damage caused by alteration of drainage patterns (i.e. concentration or diversion of flow, etc). Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. [MC 9.14.110]
  89. The maintenance responsibility of the proposed storm drain line shall be clearly identified. Storm drain lines within private property will be privately maintained and those within public streets will be publicly maintained.
  90. The proposed private storm drain system shall connect to the onsite proposed underground basin and then discharge offsite through an outlet at the northwest corner of the parcel.

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91. This project shall submit civil engineering design plans, reports and/or documents (prepared by a registered/licensed civil engineer) for review and approval by the City Engineer per the current submittal requirements, prior to the indicated threshold or as required by the City Engineer. The submittal consists of, but is not limited to, the following:
- a. Rough grading w/ erosion control plan (prior to grading permit issuance);
  - b. Precise grading w/ erosion control plan (prior to grading permit issuance);
  - c. Public improvement plan (e.g., street/storm drain with striping, sewer/water, 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, offers of dedication, etc. (prior to building permit issuance);
  - g. As-Built revision for all plans (prior to occupancy release).
92. Water quality best management practices (BMPs) designed to meet Water Quality Management Plan (WQMP) requirements for development shall not be used as a construction BMP. Water quality BMPs shall be maintained for the entire duration of the project construction and be used to treat runoff from those developed portions of the project. Water quality BMPs shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. Water quality BMPs shall be graded per the approved design plans and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to the private owner association (POA) or responsible party for maintenance.

Prior to Grading Plan Approval

93. Resolution of all drainage issues shall be as approved by the City Engineer.
94. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
95. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity.
96. A final project-specific Water Quality Management Plan (WQMP) shall be submitted for review and approved by the City Engineer, which:
- a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly

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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.

97. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the approved P-WQMP, as well as in full conformance with the document: "Water Quality Management Plan - A Guidance Document for the Santa Ana Region of Riverside County" dated October 22, 2012. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements for BMPs and sources of funding for BMP implementation.

a. The Applicant has proposed to incorporate the use of underground infiltration chambers, inlet filter inserts, and vegetated swale. Final design and sizing details of all BMPs must be provided in the first submittal of the F-WQMP. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance document.

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

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

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

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

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

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

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98. The developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:
- a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.
  - b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.
  - c. All improvement plans are substantially complete and appropriate clearance letters are provided to the City.
  - d. A soils/geotechnical report (addressing the soil's stability and geological conditions of the site) shall be submitted to the Land Development Division for review. A digital (pdf) copy of the soils/geotechnical report shall be submitted to the Land Development Division.
99. Grading plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
100. The developer shall select Low Impact Development (LID) Best Management Practices (BMPs) designed per the latest version of the Water Quality Management Plan (WQMP) - a guidance document for the Santa Ana region of Riverside County.
101. The developer shall submit recorded slope easements from adjacent property owners in all areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.
102. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared in conformance with the State's current Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request.
103. Any proposed trash enclosure shall include a solid cover (roof) and sufficient size for dual bin (one for trash and one for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building & Safety Division.
104. For projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB) which shall be noted on the grading plans.

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Prior to Grading Permit

105. A receipt showing payment of the Area Drainage Plan (ADP) fee to Riverside County Flood Control and Water Conservation District shall be submitted. [MC 9.14.100(O)]
106. For non-subdivision projects, a copy of the Covenants, Conditions and Restrictions (CC&Rs) shall be submitted for review by the City Engineer. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project.
107. If the developer chooses to construct the project in phases, a Construction Phasing Plan for the construction of on-site public or private improvements shall be submitted for review and approved by the City Engineer.
108. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the implementation and maintenance of erosion control measures. At least twenty-five (25) percent of the required security shall be in the form of a cash deposit with the City. [MC 8.21.160(H)]
109. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]

Prior to Improvement Plan Approval

110. The developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, all access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless otherwise approved by the City Engineer.
111. The developer shall submit clearances from all applicable agencies, and pay all applicable plan check fees.
112. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVS1-160 series, etc.) throughout this project.
113. Drainage facilities (i.e. catch basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
114. The hydrology study shall be designed to accept and properly convey all off-site



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drainage flowing onto or through the site. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of current City standards shall apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the City Engineer. [MC 9.14.110 A.2]

115. All public improvement plans (prepared by a licensed/registered civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
116. Any missing or deficient existing improvements along the project frontage shall be constructed or secured for construction. The City Engineer may require the ultimate structural section for pavement to half-street width plus 18 feet or provide core test results confirming that existing pavement section is per current City Standards; additional signing & striping to accommodate increased traffic imposed by the development, etc.
117. For non-subdivision projects, all street dedications shall be free of encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.
118. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
119. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.
120. Prior to improvement plan approval, pavement core samples of existing pavement shall 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 2 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

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pavement structural section standard.

Prior to Encroachment Permit

121. For non-subdivision projects, execution of a Public Improvement Agreement (PIA) and/or security (in the form of a cash deposit or other approved means) may be required as determined by the City Engineer. [MC 9.14.220]
122. Any work performed within public right-of-way requires an encroachment permit.

Prior to Building Permit

123. An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of the approved compaction report shall be submitted to the Land Development Division. All pads shall meet pad elevations per approved grading plans as noted by the setting of "blue-top" markers installed by a registered land surveyor or licensed civil engineer.
124. For non-subdivision projects, all street dedications shall be free of encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.
125. A walk through with a Land Development Inspector shall be scheduled to inspect existing improvements within public right of way along project frontage. Any missing, damaged or substandard improvements including ADA access ramps that do not meet current City standards shall be required to be installed, replaced and/or repaired. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.
126. Certification to the line, grade, flow test and system invert elevations for the water quality control BMPs shall be submitted for review and approved by the City Engineer.
127. Prior to building permit issuance, the developer shall dedicate the following right of way to accommodate the required improvements:
  - (a) The necessary street right of way dedication on the west side of Oliver Street (88' R/W / 64' CC: Minor Arterial, City Standard No. MVSI-105A-2) along the project frontage.
  - (b) The necessary street right of way dedication on the north side of Iris Avenue (134' R/W / 110' CC: Divided Major Arterial, City Standard No. MVSI-101A-1) for transition, alignment, and/or drainage purposes.

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

(d) Corner cutback right of way dedication per City Standard No. MVSI-165-0 on all intersecting public streets, as directed by the City Engineer.

Prior to Occupancy

128. All required as-built plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
129. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
130. 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), signing, striping, landscaping and irrigation, medians, and traffic control devices as appropriate.
  - b. Storm drain facilities including, but not limited to: storm drain pipe and storm drain laterals.
  - c. City-owned utilities.
  - d. Sewer and water systems including, but not limited to: sanitary sewer, potable water, and recycled water.
131. For commercial, industrial and multi-family projects, a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant", "Maintenance Agreement for Water Quality Improvements located in the public right-of-way" and a "Declaration of Restrictive Covenants (encroachment on City easement)" shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific WQMP. A boilerplate copy of the covenants and agreements can be obtained by contacting the Land Development Division.
132. The applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:
- a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP).
  - b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted for review and approved by the City Engineer.

**CONDITIONS OF APPROVAL**

Conditional Use Permit (PEN22-0176)

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133. The Developer shall comply with the following water quality related items:
- a. Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
  - b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
  - c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
  - d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
  - e. Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
  - f. Obtain approval and complete installation of the irrigation and landscaping.
134. Prior to occupancy, the following improvements shall be completed:  
Oliver Street (88' R/W / 64' CC: Minor Arterial, City Standard No. MVSI-105A-2) shall be constructed to achieve a half-width of 32' plus 18' beyond centerline, along the entire project's east frontage. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, any necessary offsite joins to existing, pedestrian ramps, and dry and wet utilities. Any missing or deficient improvements along the project's east frontage shall be constructed.  
Prior to improvement plan approval, the developer shall provide to the City Engineer the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-105A-2.
135. Prior to occupancy, the following improvements shall be completed:  
Iris Avenue (134' R/W / 110' CC: Divided Major Arterial, City Standard No. MVSI-101A-1) shall be constructed to achieve a half-width of 55' along the entire project's south frontage. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, any necessary offsite joins to existing, street lights, pedestrian ramps, and dry and wet utilities. Any missing or deficient improvements along the project's south frontage shall be constructed.  
Prior to improvement plan approval, the developer shall provide to the City Engineer the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-101A-1. Any missing or deficient improvements along the project's south frontage shall be constructed prior to issuance of a certificate of occupancy.

Special Districts Division

136. Street Light Coordination/Advanced Energy Fees. Prior to the issuance of the 1st Building Permit for this project, the Developer shall pay New Street Light Installation

**CONDITIONS OF APPROVAL**

Conditional Use Permit (PEN22-0176)

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Fees for all street lights required to be installed for this development. Payment will be collected by the Land Development Division. Fees are based on the street light administration/coordination and advanced energy fees as set forth in the City Fees, Charges, and Rates as adopted by City Council and effective at the time of payment. Any change in the project which increases the number of street lights to be installed requires payment of the fees at the then current fee. Questions may be directed to the Special Districts Administration at 951.413.3470 or SDAdmin@moval.org.

137. CFD 2014-01. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee, form an association to fund the services or fund an endowment) to provide an ongoing funding source for Street Lighting Services for capital improvements.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

Alternatively, the condition can be satisfied by the Developer forming a property owner association that will be responsible for the improvements and any and all operation and maintenance costs for the improvements or by funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to satisfy this condition.

138. Major Infrastructure SFD Major Infrastructure Financing District. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the construction and maintenance of major infrastructure improvements, which may include but is not limited to thoroughfares, bridges, and certain flood control

**CONDITIONS OF APPROVAL**

Conditional Use Permit (PEN22-0176)

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improvements. This condition will be applicable provided said district is under development at the time this project applies for the 1st Building Permit. This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings. An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

139. Park Maintenance Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or fund an endowment) to provide an ongoing funding source for the continued maintenance, enhancement, and/or retrofit of parks, open spaces, linear parks, and/or trails systems.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

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Alternatively, the condition can be satisfied by the Developer funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to satisfy this condition.

140. Maintenance Services Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the operation and maintenance of public improvements and/or services associated with impacts of the development. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

An alternative to satisfying this funding source will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

141. Public Safety Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for Public Safety services, which may include but is not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

This condition must be fully satisfied prior to issuance of the 1st Certificate of

**CONDITIONS OF APPROVAL**

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Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

142. Maintenance Responsibility. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
143. Damage. 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.
144. The existing parkway behind the curb will no longer be maintained by the City and will become the responsibility of the property owner. Please coordinate abandonment of existing City irrigation system with Landscape Services at 951-413-3480.
145. The ongoing maintenance of any water quality BMP (e.g. Bioswale) constructed in the public right of way shall be the responsibility of a property owner association or the property owner.

Transportation Engineering Division

146. Conditions of approval may be modified or added if a phasing plan is submitted for this development.
147. Project driveways shall conform to City of Moreno Valley Standard Plans No. MVS1-112C-0 for Commercial Driveway Approaches. Access at the project



**CONDITIONS OF APPROVAL**

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driveways shall be as follows:

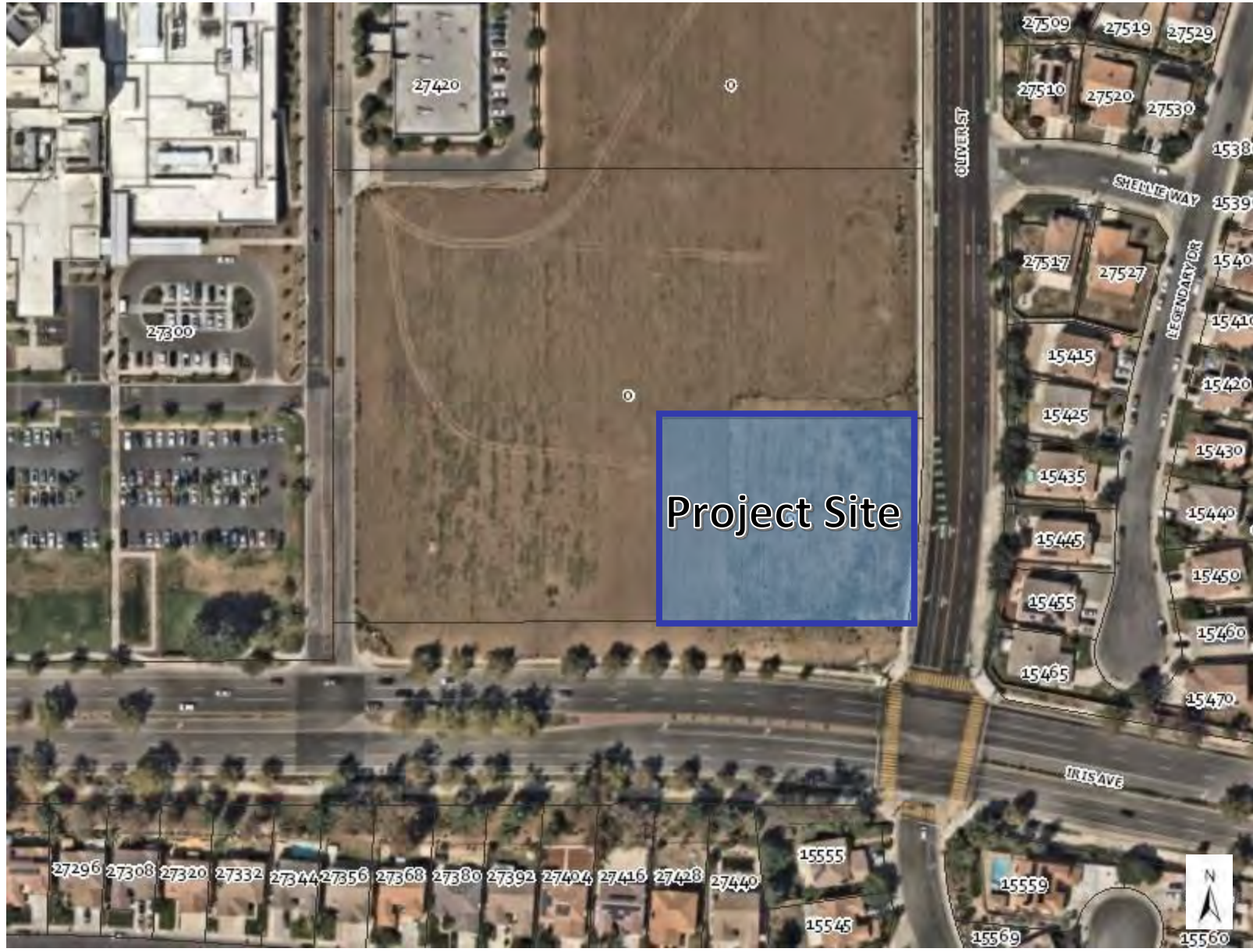
- Iris Avenue: Right-Turn In/Out Only
- Oliver Street: Right-Turn In/Out Only

148. Iris Avenue is classified as a Divided Major Arterial (134'RW/110'CC) per City Standard Plan No. MVSI-101A-1. Any improvement undertaken by this project shall be in conformance with City standards. Communication conduit shall be installed per City Standard Plan No. MVSI-186-0.
149. Oliver Street is classified as a Minor Arterial per City Standard Plan No. MVSI-105A-2. Any improvements undertaken by this project shall be in conformance with City standards.
150. Prior to final approval of any landscaping or monument sign plans, the project plans shall demonstrate that sight distance at the project driveways conforms to City Standard Plan No. MVSI-164A, B, C-0.
151. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets within the project area.
152. Prior to the final approval of the street improvement plans, a bus turnout in the westbound direction along Iris Avenue, west of Oliver Street shall be designed per City Standard Plan No. MVSI-161-0. The bus turnout shall be designed to serve as a combination right turn lane/bus bay to the satisfaction of the City Engineer.
153. Prior to the final approval of the street improvement plans, the existing landscaped median on Iris Avenue along the project frontage shall be designed to extend the existing eastbound left-turn lane storage length to a minimum of 285 feet at the Iris Avenue/Oliver Street intersection. Median construction shall include but is not limited to, paving, concrete curbs, landscape, and signs. Exact requirements will be determined during the plan check process.
154. Prior to issuance of a certificate of occupancy, all approved street improvements including the median and bus turnout improvements shall be installed to the satisfaction of the City Engineer.

**PARKS & COMMUNITY SERVICES DEPARTMENT**

155. This project is subject to current Development Impact Fees.

# Location Map

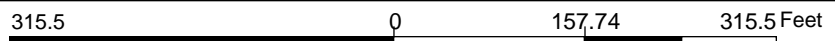


- Legend**
- Master Plan of Trails
    - Bridge
    - Improved
    - Multiuse
    - Proposed
    - Regional
    - State
  - Road Labels
  - Parcels
  - City Boundary
  - Sphere of Influence

Attachment: Location Map [Revision 1] (6422 : Beyond Food Mart)

Image Source: Nearmap

Notes:



*DISCLAIMER: The information shown on this map was compiled from the City of Moreno Valley GIS and Riverside County GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map.*

# New Beyond Foodmart Development

27990 IRIS AVE.,  
MORENO VALLEY, CA 92555

## Project Directory

**OWNER:**  
TABEL CENTER LLC.  
2501 EAST CHAPMAN AVE, STE 130  
FULLERTON CA 92831  
E: MRAMIREZ@BEYONDFOODMART.COM  
TEL: 760-810-8548

**ARCHITECT:**  
C.F. LAU, A.I.A.  
PEGASUS ARCHITECTS  
4300 EDISON AVE., CHINO, CA 91710  
E: CHAK@PEGASUSARC.COM  
TEL: (909) 465.4101

**PHOTOMETRIC:**  
NAI CONSULTING ENGINEERS  
MIRIL THOMAS  
931 E. WALNUT ST., #201  
PASADENA, CA 91106  
E: MTHOMAS@NAI-ENGINEERS.COM  
TEL: 626-440-1313

**CIVIL ENGINEER:**  
BLUE ENGINEERING & CONSULTING, INC.  
MARTIN GONZALEZ  
9320 BASELINE RD., STE. D  
RANCHO CUCAMONGA, CA 91710  
E: MARTIN@BLUECIVILENG.COM  
TEL: 909-970-5654

**LANDSCAPE ARCHITECT:**  
PHILMAY LANDSCAPE ARCHITECTURE  
ROSALIO SERNA  
2532 WALLACE AVENUE  
FULLERTON, CA 92831  
E: PMAY@PHILMAYDESIGN.COM  
TEL: 909-373-1959

## Planning Notes

- PEDESTRIAN WALKWAYS ACROSS DRIVE AISLES SHALL BE CONSTRUCTED WITH DECORATIVE CONCRETE OR OTHER MATERIAL(S) IN PLACE OF PAINTED PATHWAYS.
- PROPOSED BUS TURNOUT SHALL BE PER CITY STANDARD MVSI-161-0. DIMENSIONS PER STANDARD.
- ALL PROJECT SIGNS WILL BE REVIEWED THROUGH A SEPARATE APPLICATION(S) AFTER PROJECT APPROVAL. ALL SIGNS MUST BE CONSISTENT WITH THE CITY'S MUNICIPAL CODE CHAPTER 9.12 SIGN REGULATIONS.
- ROOF EQUIPMENT WILL BE BELOW A PARAPET, OUT OF THE LINE OF SITE.
- THE PROJECT SITE IS ZONED DOWNTOWN CENTER (DC). THE DC ZONE APPLIES PRIMARILY TO PARCELS IN THE AREA GENERALLY BOUNDED BY LASSALLE STREET, IRIS AVENUE, NASON STREET, AND EXTENDING TO COTTONWOOD AVENUE AT SOME LOCATIONS. THE INTENT IS TO ALLOW FOR DEVELOPMENT OF A DOWNTOWN THAT WILL INCLUDE COMMERCIAL, OFFICE, VERTICAL, AND HORIZONTAL MIXED USE, HIGHER DENSITY MULTIFAMILY DEVELOPMENT, AND LOWER DENSITY RESIDENTIAL ON THE PERIPHERY. THE MOST INTENSE DEVELOPMENT IS EXPECTED TO BE FOCUSED TOWARDS NASON STREET.
- TRASH ENCLOSURE COMPLY WITH THE DESIGN STANDARD IN MUNICIPAL CODE SECTION 9.08.150.C.
- PARKING CALCULATION COMPLY WITH THE DESIGN STANDARD IN MUNICIPAL CODE.
- 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.
- EV CHARGING PARKING STALL SHALL COMPLY WITH CA GREEN CODE CHAPTER 5 SECTION 5.106.3.3 AND CA BUILDING CODE CHAPTER - 11B SECTIONS 228.3, 812. PLANS SHOULD REFLECT THE MIN. # OF REQUIRED VAN ACCESSIBLE, STANDARD, AND AMBULATORY EV CHARGING STATIONS.
- FIXED WIRING ABOVE CLASS I LOCATIONS SHALL COMPLY WITH ARTICLE 511 AND 514 OF THE CALIFORNIA ELECTRICAL CODE. ALL ELECTRICAL EQUIPMENT AND FIXED WIRING ABOVE CLASS I LOCATIONS INCLUDING SOLAR PANEL WIRING MUST COMPLY WITH SECTION 511.7(A) (B).
- THE CITY REQUIRES THE DEVELOPER TO ADHERE TO ALL APPLICABLE CITY STANDARDS, ELECTRIC SERVICE RULES, AND THE CONDITIONS OF APPROVAL SPECIFIED REGARDING THE NECESSARY EASEMENTS, ELECTRICAL EQUIPMENT, COMMUNICATION EQUIPMENT, AND UNDERGROUND INFRASTRUCTURE ASSOCIATED WITH THIS PROJECT. SUFFICIENT SPACE SHALL BE PROVIDED IN THE INITIAL DESIGNS FOR ELECTRIC AND COMMUNICATION SUBSTRUCTURE, INCLUDING BUT NOT LIMITED TO CONDUIT, VAULTS, PULL BOXES, AND HAND HOLES, AS WELL AS FOR ELECTRICAL EQUIPMENT SUCH AS PAD MOUNTED TRANSFORMERS AND SWITCHES.
- ALL AUTOMOBILE PARKING SPACES SHALL BE CLEARLY OUTLINED WITH WHITE DOUBLE LINES ON THE SURFACE OF THE PARKING FACILITY AS SHOWN IN MUNICIPAL CODE FIGURE 9.11.080-6 (THREE-INCH LINE - SIX INCH SPACE - THREE-INCH LINE FOR A TOTAL OF TWELVE (12) INCHES) OR AS OTHERWISE SPECIFIED BY THE BUILDING OFFICIAL.
- NUMBER OF REQUIRED EV CHARGING PARKING STALLS SHALL COMPLY WITH CA GREEN CODE CHAPTER 5 SECTION 5.106.3.3 AND CA BUILDING CODE CHAPTER - 11B SECTIONS 228.3, 812.
- LANDSCAPE CONSTRUCTION COORDINATION. IF PUBLIC LANDSCAPING IS REQUIRED THE DEVELOPER WILL COORDINATE THE CONSTRUCTION OF THE LANDSCAPE IMPROVEMENTS WITH LANDSCAPE SERVICES.

## Legal Description

**PARCEL A:**  
PARCEL 1 OF PARCEL MAO NO. 33361, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 239, PAGES 30 THROUGH 32, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

**PARCEL B:**  
A NONEXCLUSIVE, PERMANENT SEWER AND ACCESS EASEMENT ON OVER AND ACROSS THAT CERTAIN PARCEL OF LAND SITUATED IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, BEING A PORTION OF LOT 7 AND LOT 8 IN BLOCK 151, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO. AS SHOWN BY MAP ON FILE IN BOOK 11 OF MAPS, PAGE 10, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA, LYING WITHIN SECTION 22, TOWNSHIP 3 SOUTH, RANGE 3 WEST, S.B.M. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 7, SAID POINT ALSO BEING THE INTERSECTION OF THE CENTERLINE OF FILAREE AVENUE AND THE WEST LINE OF LOT 7 AS SHOWN ON MAP REFERENCED ABOVE AND THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89° 33' 36" EAST, 694.50 FEET ALONG THE SOUTH LINE OF SAID LOT 7; SAID SOUTH LINE ALSO BEING THE CENTERLINE OF SAID FILAREE AVENUE, TO A POINT THAT LIES ON THE SOUTH LINE OF SAID LOT 8, SAID POINT BEING DISTANT 34.00 FEET FROM THE SOUTHWEST CORNER OF SAID LOT 8;

THENCE NORTH 00° 26' 02" EAST, 10.00 FEET TO A POINT THAT LIES ON A LINE THAT IS PARALLEL WITH AN 10.00 FEET NORTH OF SAID SOUTH LINE OF SAID LOT 8;

THENCE NORTH 89° 33' 36" WEST, 694.50 FEET ALONG SAID PARALLEL LINE TO A POINT ON THE WEST LINE OF SAID LOT 7, SAID PARALLEL LINE IS ALSO PARALLEL WITH THE SOUTH LINE OF SAID LOT 7;

THENCE SOUTH 00° 19' 23" WEST, 10.00 FEET ALONG SAID WEST LINE OF LOT 7 TO TRUE POINT OF BEGINNING, RECORDED SEPTEMBER 30, 2014 AS INSTRUMENT NO. 2014-0371036, OF OFFICIAL RECORDS, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

## Sheet Index:

### ARCHITECTURAL

SHT T	PROJECT DIRECTORY & DATA LEGAL DESCRIPTION, SHEET INDEX, VICINITY MAP, NOTES & SCOPE OF WORK
A0.10	FIRE FLOW LETTER
A0.11	WILL SERVE LETTER
A0.12	ADA NOTES
A1.01	SITE PLAN & REFERENCE NOTES
A1.02	SITE PLAN W/ ACCESSIBLE PATH OF TRAVEL
A1.03	SITE PLAN W/ ACCESSIBLE FIRE LANE / TRUCK PATH
A1.10	TRASH ENCLOSURE FLOOR PLAN & ELEVATIONS
A1.11	CANOPY PLAN & ELEVATIONS
A2.01	C-STORE FLOOR PLAN
A2.02	CARWASH FLOOR PLAN
A3.01	C-STORE ELEVATIONS
A3.02	CARWASH ELEVATIONS

### CIVIL

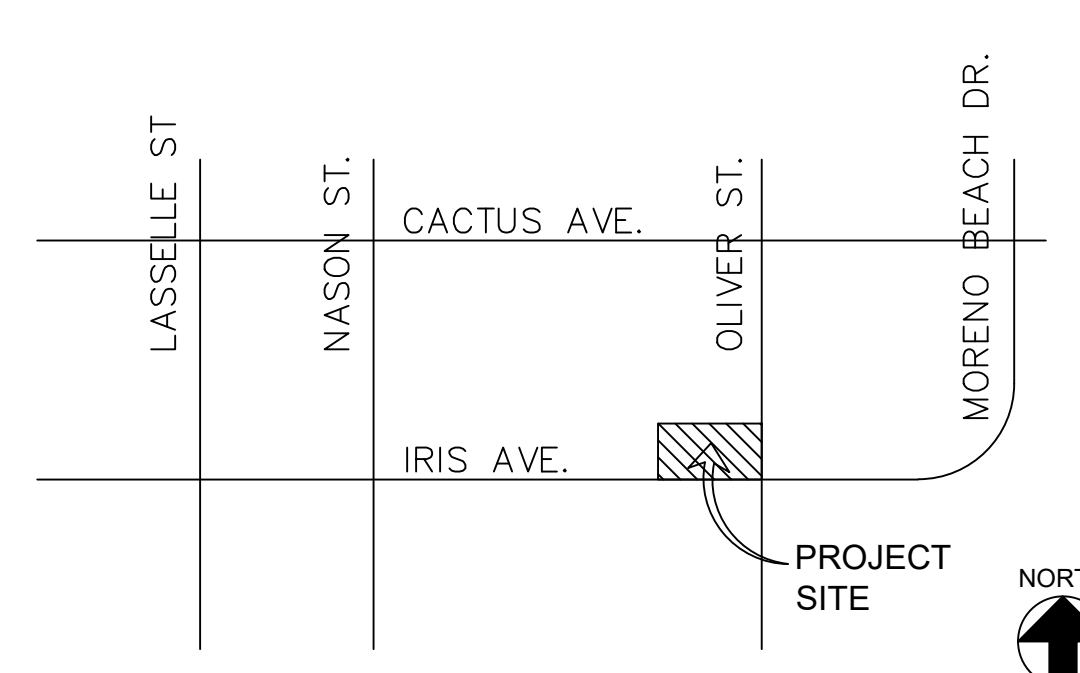
C-1	TITLE SHEET
C-2	DETAILS & SECTIONS
C-3	PRELIMINARY GRADING PLAN
C-4	PRE HYDROLOGY EXHIBIT
C-5	POST HYDROLOGY EXHIBIT

### LANDSCAPE

L-1	COVER SHEET
L-2	PLANTING PLAN
L-3	PLANTING DETAILS
L-4	IRRIGATION PLAN
L-5	IRRIGATION DETAILS

## Vicinity Map

N. T. S.



## Scope Of Work

NEW CONSTRUCTION OF A COMMERCIAL DEVELOPMENT INCLUDING SERVICE STATION WITH C-STORE W/ DRIVE-THRU, CARWASH FACILITY, TRASH ENCLOSURE, AND 8 PUMPS CANOPY.

SIGNAGE, FUEL PUMP CANOPY, UNDERGROUND STORAGE TANKS ARE UNDER SEPARATED PERMIT BY OTHERS.

## Project Data

PROJECT ADDRESS:	27990 IRIS AVE., MORENO VALLEY, CA 92555
APN#:	486-310-038
ZONING:	DC-SP, 218 LM
GENERAL LAND USE:	DOWNTOWN CENTER
CONSTRUCTION TYPE:	VB (C-STORE & CARWASH) IIB (CANOPY) B (C-STORE) M (CANOPY)
OCCUPANCY TYPE:	B & M (CARWASH)
APPLICABLE CODES:	2019 CBC, CEC, CFC, CMC, CPC, CALGREEN, CAL ENERGY CODE

FIRE SPRINKLER:	YES (NFPA 72)
FIRE ALARM:	YES
LOT SIZE (GROSS):	±57,064 S.F. (±1.31 ACRES)
LOT SIZE (NET):	-

DEVELOPMENT REQUIREMENTS: SETBACK REQUIREMENTS:	REQUIRED	PROVIDED
FRONT YARD	10'-0"	10'-0"
REAR & SIDE YARD	0-10'-0"	5'-0"
LOT COVERAGE	MAX. 50%	(16,376 S.F.) 57,064/15,229=3.74%
F.A.R.		
BUILDING HEIGHT	MAX. 50'	23'-0" (MARKET) 19'-6" (CANOPY)

### BUILDING AREA:

A) BUILDINGS	
BEYOND C-STORE MARKET	= 7,460 S.F.
CARWASH BUILDING	= 1,790 S.F. (INCL. ELEC/EQUIP RM.)
TOTAL AREA:	= 9,250 S.F.
B) CANOPY:	
(47'-3" x 128'-0")	= 5,979 S.F.

PARKING	REQUIRED:	PARKING PROVIDED:
A) BEYOND MARKET (1/225)		
7,460/225 = 33	33	33 (INCL. 2 HCP)
B) CARWASH		
1) NO EMPLOYEE PARKING	-	-
2) 2/1 BAY	10	10 (STACKING)
C) CANOPY		
TOTAL	43	43
ADA PARKING:	2	2
EV PARKING: (EXCLUDED FROM PARKING COUNT)	2	3 (STANDARD) 1 (VAN ADA)
LOW EMITTIN FUEL EFFICIENT CARPOOL/VANPOOL PARKING: (8% REQUIRED PARKING): (INCLUDED PARKING COUNT)	4	4
LOADING/UNLOADING (12' x 30'): CAR WASH STACKING	1	1
	- STACK	6 STACK

### NOTES:

- ALL DIMENSIONS ARE TO THE FACE OF STUD, U.O.N.
- ALL RACKS HEIGHT TO BE LESS THAN 5'-9".

STANDARD PARKING: 9' x 18'  
LANDSCAPE: 14,944 S.F. /57,064 S.F. (26%)

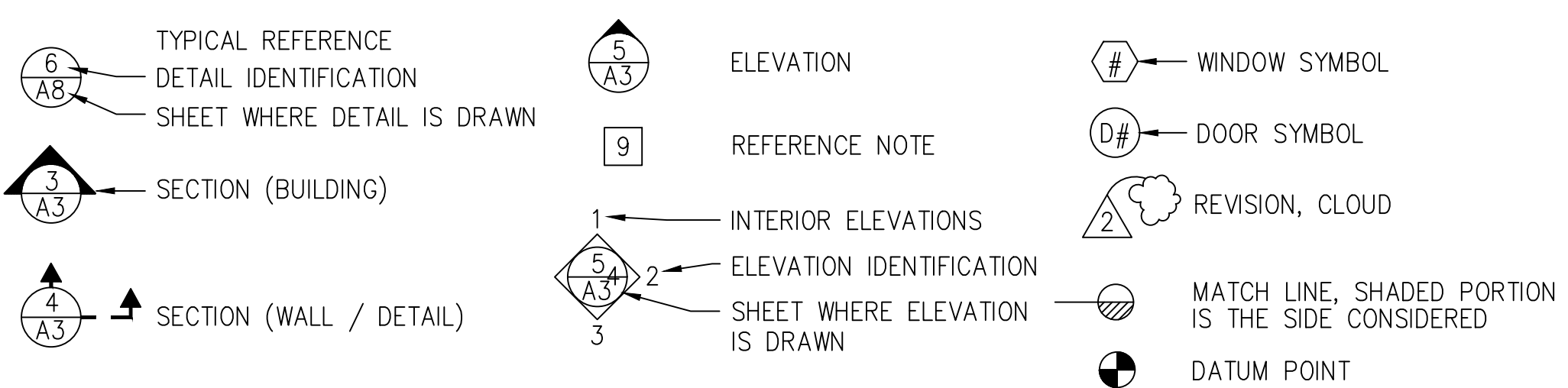
ALL BEYOND FOOD MART DESIGN, DRAWINGS AND PATTERNS ARE COPYRIGHT AND TRADE DRESS OF BEYOND FOOD MART INC. AND BEYOND FRANCHISING INC.

**PEN22-0176 / PEN22-0238**

## Abbreviations

&	AND	D.O.	DOOR OPENING	I.D.	INSIDE DIAMETER	SQ.	SQUARE
L	ANGLE	DR.	DOOR	INSUL.	INSULATION	S.ST.	STAINLESS STEEL
@	AT	DWR.	DRAWER	INT.	INTERIOR	STD.	STANDARD
CL	CENTERLINE	D.S.	DOWNSPOUT	JT.	JOINT	STL.	STEEL
ø	DIAMETER OF ROUND	DWG.	DRAWING	KIT.	KITCHEN	STOR.	STORAGE
#	POUND OR NUMBER	E.	EXISTING	LAMINATE	LAM.	STRL.	STRUCTURAL
(E)	EXISTING	E.A.	EACH	LAV.	LAVATORY	SYM.	SYMMETRICAL
(R)	RELOCATED	E.J.	EXPANSION JOINT	LT.	LIGHT	T.B.S.	TO BE SPECIFIED
(N)	NEW	E.L.	ELEVATION	MANU.	MANUFACTURER	TRD.	TREND
A.F.F.	ABOVE FINISH FLOOR	ELEC.	ELECTRICAL	MAX.	MAXIMUM	T.B.	TOWEL BAR
A.D.	AREA DRAIN	E.P.	ELECTRICAL	M.C.	MEDICINE CABINET	T.C.	TOP OF CURB
ADJ.	ADJUSTABLE	EQ.	EQUAL	MECH.	MECHANICAL	TEL.	TELEPHONE
AGGR.	AGGREGATE	EQPT.	EQUIPMENT	MEMB.	MEMBRANE	TER.	TERRAZZO
AL.	ALUMINUM	EXST.	EXISTING	MET.	METAL	T. & G.	TONGUE & GROOVE
APPROX.	APPROXIMATE	EXP.	EXPANSION	MFR.	MANUFACTURER	THK.	THICK
ARCH.	ARCHITECTURAL	EXT.	EXTERIOR	MIN.	MINIMUM	T.P.	TOP OF PAVEMENT
ASB.	ASBESTOS	FL.	FLOOR FINISH	PL.	PLATE	MIR.	MIRROR
ASPH.	ASPHALT	FDN.	FOUNDATION	P.LAM.	PLASTIC LAMINATE	MISC.	MISCELLANEOUS
BD.	BOARD	FLUOR.	FLUORESCENT	PLAS.	PLASTER	M.O.	MASONRY OPENING
BITUM.	BITUMINOUS	FLASH'G	FLASHING	PLYWD.	PLYWOOD	MTD.	MOUNTED
BLDG.	BUILDING	F.F.	FLOOR FINISH	PR.	PAIR	MUL.	MULLION
BLKG.	BLOCKING	FLASH'G	FLASHING	PROV'D	PROVIDED	N.	NEW
BM.	BEAM	F.L.	FLOOR	PT.	POINT	N.I.C.	NOT IN CONTRACT
B.O.H.	BACK OF HOUSE	FLUOR.	FLUORESCENT	PTN.	PARTITION	NO./#	NUMBER
BOT.	BOTTOM	F.O.C.	FACE OF CONCRETE	NOM.	NOMINAL	N.T.S.	NOT TO SCALE
CAB.	CABINET	F.O.F.	FACE OF FINISH	Q.T.	QUARRY TILE	O.A.	OVERALL
CEM.	CEMENT	F.O.S.	FACE OF STUDS	QSR	QUICK SERVE	OBS.	OBSCURE
CER.	CERAMIC	F.PRF.	FIREPROOF	R/RAD.	RADIUS	O.C.	ON CENTER
C.I.	CAST IRON	F.S.	FLOOR SINK	R.D.	ROUGH OPENING	O.D.	OUTSIDE DIAMETER
CLG.	CEILING	FT.	FOOT OR FEET	REF.	REFERENCE	OFF.	OFFICE
CLKG.	CAULKING	FTG.	FOOTING	REFR.	REFRIGERATOR	OPNG.	OPENING
CLO.	CLOSET	FURR.	FURRING	RGTR.	REGISTER	OPP.	OPPOSITE
CLR.	CLEAR	REINF.	REINFORCED	REQ'D	REQUIRED	PLBG.	PLUMBING
C.O.	CASED OPENING	REQ'D	REQUIRED	RESIL.	RESILIENT	T.P.D.	TOILET PAPER
COL.	COLUMN	R.M.	ROOM	R.O.	ROUGH OPENING	DISP.	DISPENSER
CONC.	CONCRETE	R.O.	ROUGH OPENING	R.W.	ROUGH OPENING	T.V.	TELEVISION
CONN.	CONNECTION	R.W.L.	RAIN WATER LEADER	RWD.	REDWOOD	T.W.	TOP OF WALL
CONSTR.	CONSTRUCTION	R.W.L.	RAIN WATER LEADER	RWD.	REDWOOD	TYP.	TYPICAL
CONT.	CONTINUOUS	S.C.	SOLID CORE	S.C	SOLID CORE	UNF.	UNFINISHED
CTSK.	COUNTERSUNK	SCHED.	SCHEDULE	S.C	SOLID CORE	U.O.N.	UNLESS
CNTR.	COUNTER	SCHED.	SCHEDULE	SCHED.	SCHEDULE		OTHERWISE NOTED
CTR.	CENTER	S.D.	SOAP DISPENSER	S.D.	SOAP DISPENSER	VERT	VERTICAL
DBL.	DOUBLE	SECT.	SECTION	SECT.	SECTION	W.	WEST
DEPT.	DEPARTMENT	SH.	SHelf	SH.	SHelf	W/	WITH
DET.	DETAIL	SHR.	SHOWER	SHR.	SHOWER	W.C.	WATER CLOSET
DIA.	DIAMETER	SHT.	SHEET	SHT.	SHEET	WD.	WOOD
DIM.	DIMENSION	SHT.	SHEET	SHT.	SHEET	W/O	WITHOUT
DISP.	DISPENSER	SIM.	SIMILAR	SIM.	SIMILAR	WP.	WATERPROOF
DN.	DOWN	SL.	SLOPE	SL.	SLOPE	WSCT.	WAINSCOT
		SPEC.	SPECIFICATION	SPEC.	SPECIFICATION	WT.	WEIGHT

## Symbols

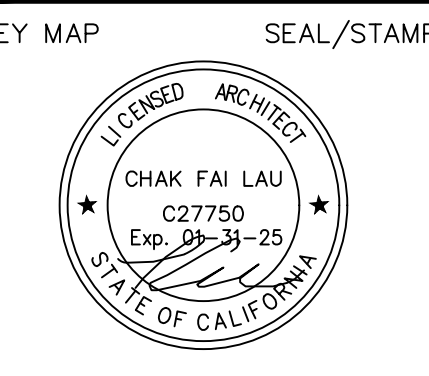


4300 EDISON AVE.,  
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FAX: 909.606.6839

PROJECT: **NEW BEYOND FOODMART DEVELOPMENT**  
ADDRESS: 27990 IRIS AVE., MORENO VALLEY, CA 92555  
CLIENT: TABEL CENTER LLC 2501 EAST CHAPMAN AVE., SUITE 130 FULLERTON CA 92831

## PROJECT DIRECTORY & DATA LEGAL DESCRIPTION, SHEET INDEX, VICINITY MAP, NOTES & SCOPE OF WORK

KEY MAP SEAL/STAMP



JOB NO.	SITE #
DRAWN BY:	TL/ZL
SUPERVISED BY:	TL
CHECKED BY:	TL
PLAN CHECK	TL
PERMIT SET	TL
BID SET	TL

## REVISIONS

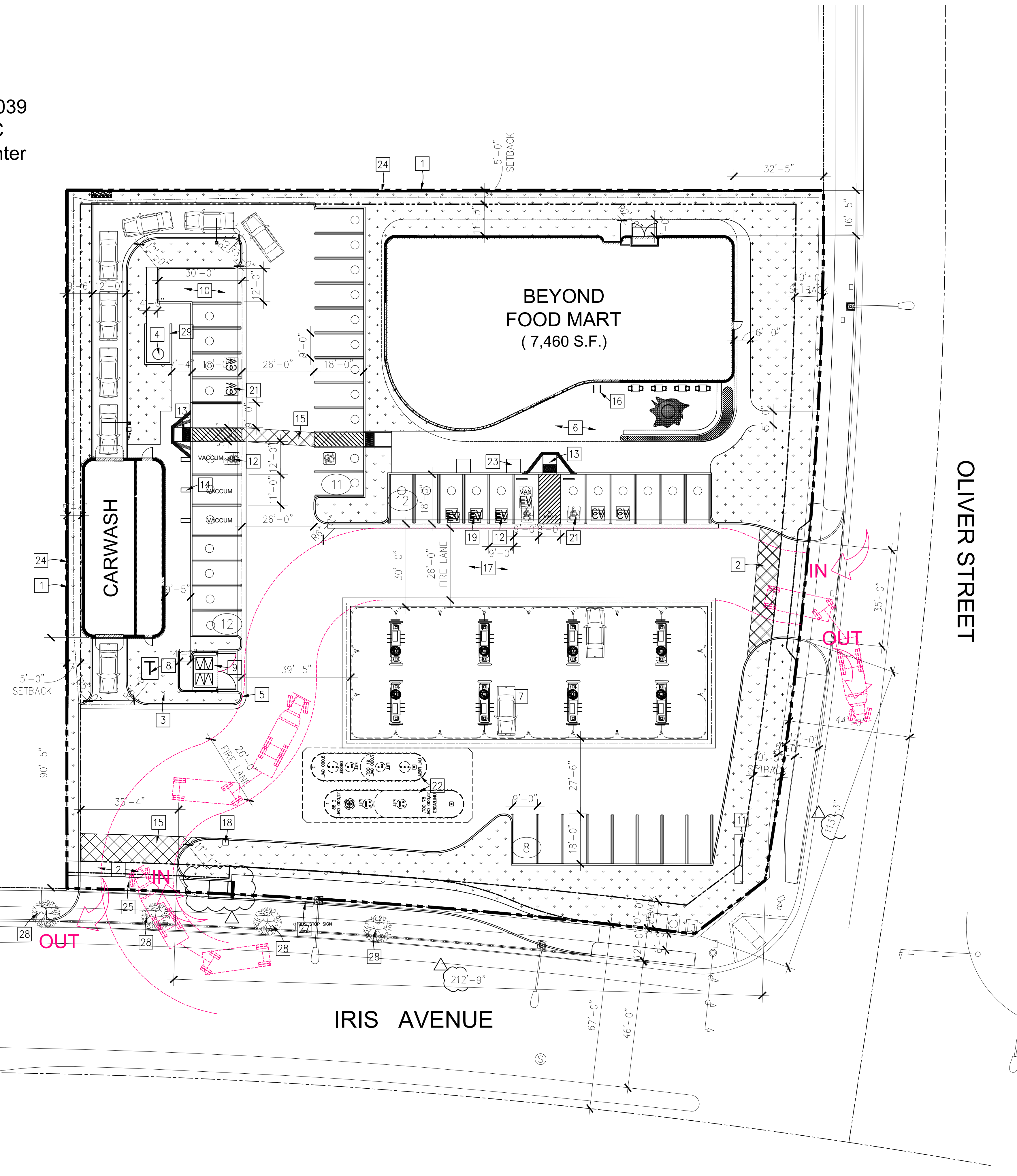
1st CIP Resubmittal	10/21/2022
2nd PP Resubmittal	03/05/2023
3rd CIP Resubmittal	03/05/2023
4th PP Resubmittal	04/27/2023

SHEET NO:

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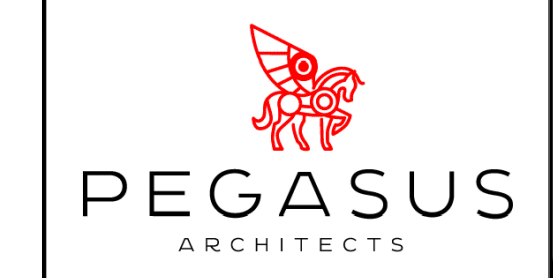
OF SHEETS  
S H E E T

APN: 486-310-039  
ZONING: DC  
(Downtown Center)



Reference Notes

- 1 (E) PROPERTY LINES
- 2 (N) CURB AND GUTTER/DRIVEWAY (RIGHT IN & OUT)
- 3 (N) LANDSCAPE
- 4 (N) HEALY TANK
- 5 (N) CONCRETE CURB
- 6 (N) CONCRETE SIDEWALK
- 7 (N) CANOPY 47'-0"x128'-0" (UNDER SEPARATED PERMIT)
- 8 (N) TRANSFORMER PAD
- 9 (N) TRASH/RECYCLE ENCLOSURE
- 10 (N) LOADING/UNLOADING (10'-0"x20'-0")
- 11 (N) CORNER MONUMENT, SIGN BY OTHERS, UNDER SEPARATE PERMIT.
- 12 (N) HCP PARKING
- 13 (N) HCP RAMP
- 14 (N) VACUUM @ 6 LOCS
- 15 (N) 5'-0" WIDE HCP PATH OF TRAVEL W/ DECORATIVE CONCRETE PATHWAY, PER CODE STD
- 16 (N) 'U' RACK BICYCLE PARKING PER CITY'S STANDARD.
- 17 (N) 26' WIDE FIRE LANE
- 18 (N) AIR/WATER TOWER
- 19 (N) EVCS PARKING PER CITY'S STD. PROVIDE MIN. 1" CONDUIT TERMINATING IN LISTED ENCLOSURE FOR FUTURE CHARGER.
- 20 (N) 8' HT. SPLITFACE CMU FENCE WALL
- 21 (N) FUEL-EFFICIENT CARPOOL AND VANPOOL VEHICLE, PER CODE STD.
- 22 (N) UNDERGROUND TANK, UNDER SEPARATE PERMIT.
- 23 (N) EV CHARGING STATION
- 24 (N) 6' HT SPLIT FACE CMU WALL W/ 2" CONCRETE CAP
- 25 ACCESS DRIVEWAYS ON IRIS AVENUE WILL BE RESTRICTED TO RIGHT IN / RIGHT OUT ONLY.
- 26 (E) TREE TO REMOVE
- 27 (N) BUS STOP
- 28 (E) TREE TO REMOVE, SEE LANDSCAPE PLAN.
- 29 (N) CMU WALL WITH STUCCO FINISH AT 6'-0" HEIGHT.



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 CLIENT: TABEL CENTER LLC, 2501 EAST CHAPMAN AVE., SUITE 130, FULLERTON CA 92831

SHEET TITLE: **SITE PLAN**

KEY MAP SEAL/STAMP

JOB NO.	SITE #
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SUPERVISED BY: TL	
CHECKED BY: TL	
PLAN CHECK	
PERMIT SET	
BID SET	

REVISIONS	
▲ 1st CUP Resubmittal	10/27/2022
▲ 2nd PP Resubmittal	03/05/2023
▲ 3rd CUP Resubmittal	
▲ 3rd PP Resubmittal	04/27/2023
▲ 4th CUP Resubmittal	
▲	
▲	
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SHEET NO: **A1.01**

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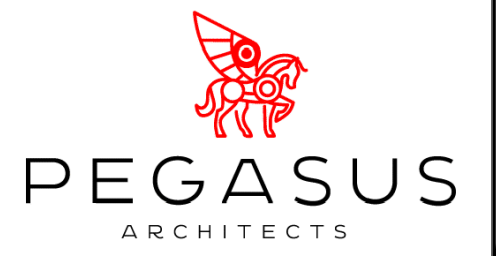
PEN22-0176 / PEN22-0238

SCALE: 1"=20'-0"

Site Plan

Reference Notes

1 -



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FAX: 909.606.6839

PROJECT: NEW BEYOND FOODMART  
DEVELOPMENT

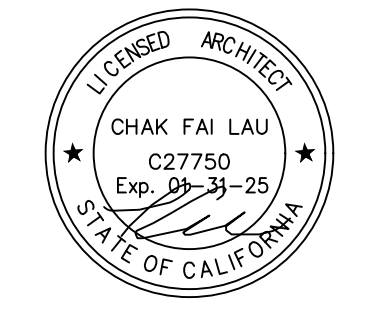
ADDRESS: 27990 IRIS AVE.,  
MORENO VALLEY, CA 92555

CLIENT: TABEL CENTER LLC  
2501 EAST CHAPMAN AVE., SUITE 130  
FULLERTON CA 92831

SHEET TITLE:

SITE PLAN W/  
ACCESSIBLE FIRE LANE  
/ TRUCK PATH

KEY MAP SEAL/STAMP



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PLAN CHECK	
PERMIT SET	
BID SET	

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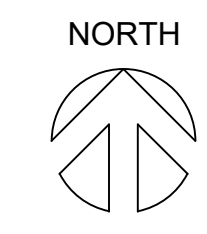
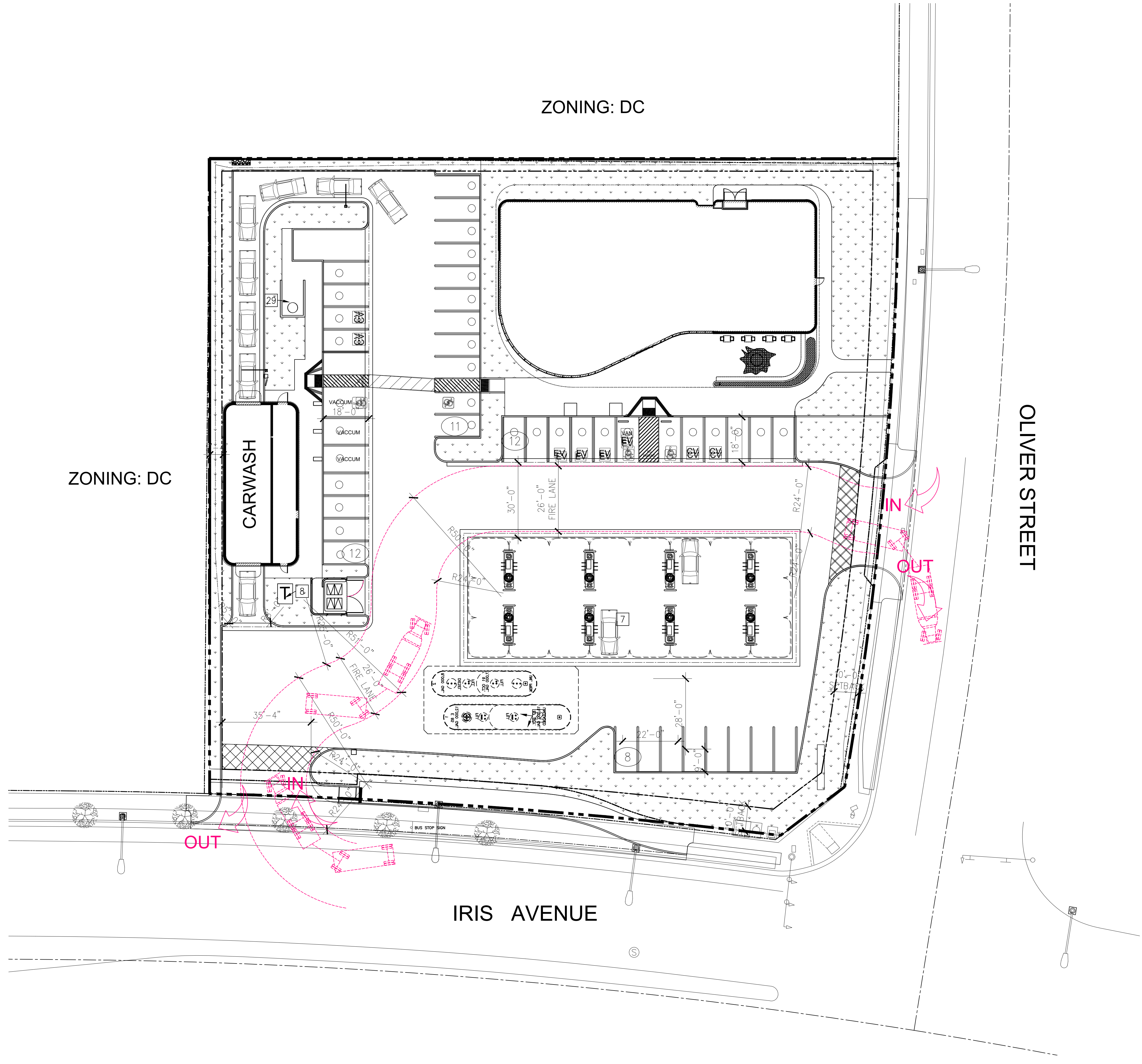
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Symbol

--- ACCESSIBLE FIRE LANE / TRUCK PATH

ZONING: DC

ZONING: DC



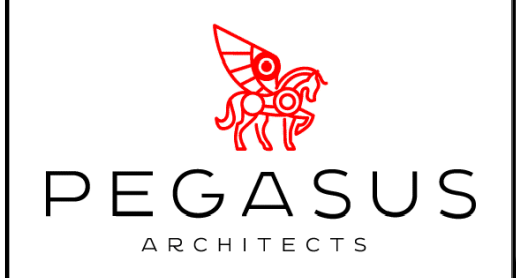
Site Plan w/ Accessible Fire Lane / Truck Path

SCALE: 1"=20'-0"

PEN22-0176 / PEN22-0238

A1.03

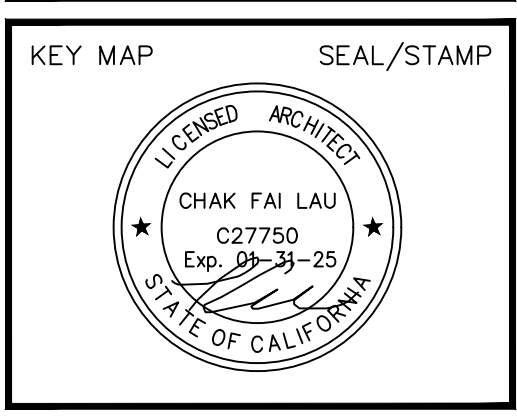
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# TRASH ENCLOSURE FLOOR PLAN & ELEVATIONS



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CHECKED BY: TL	
PLAN CHECK	
PERMIT SET	
BID SET	

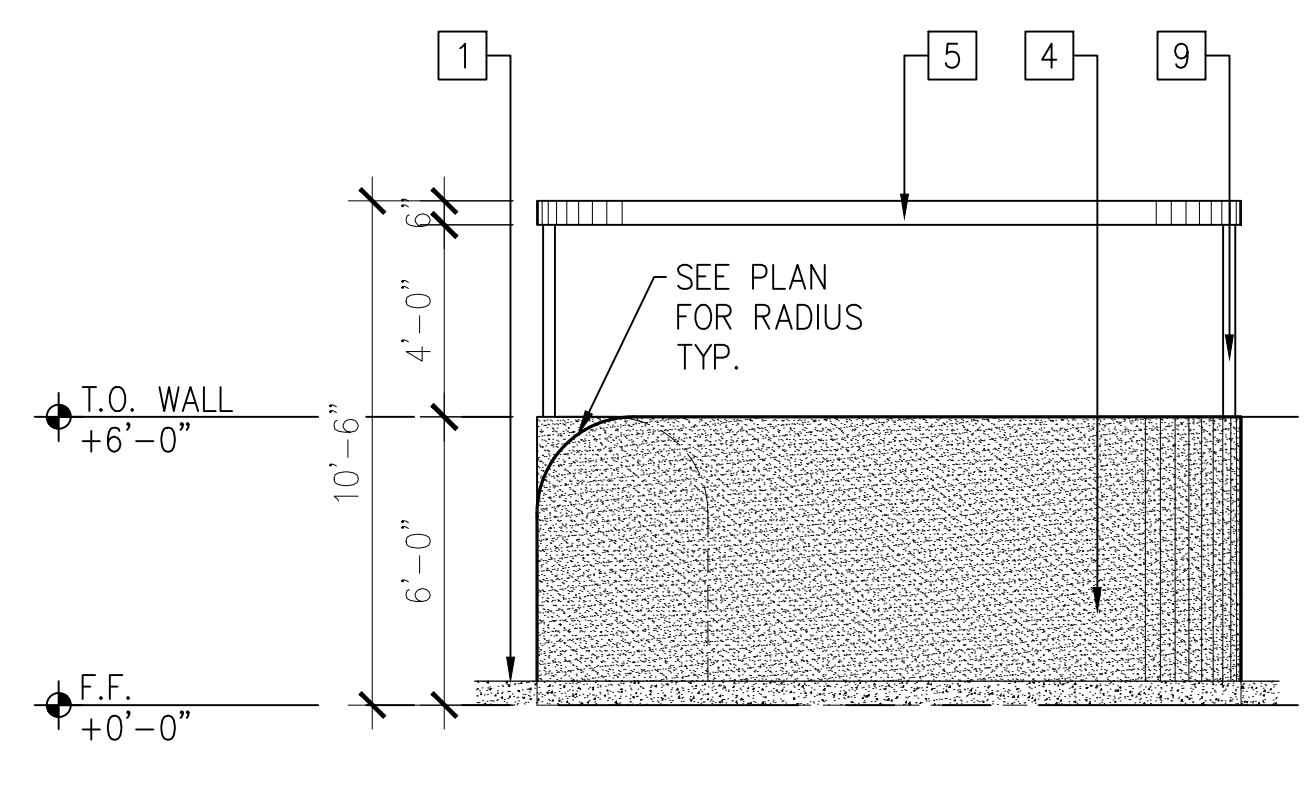
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▲ 1st CUP Resubmittal	10/27/2022
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▲ 3rd CUP Resubmittal	
▲ 3rd PP Resubmittal	04/27/2023
▲ 4th CUP Resubmittal	
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SHEET NO: **A1.10**  
OF SHEETS  
S H E E T

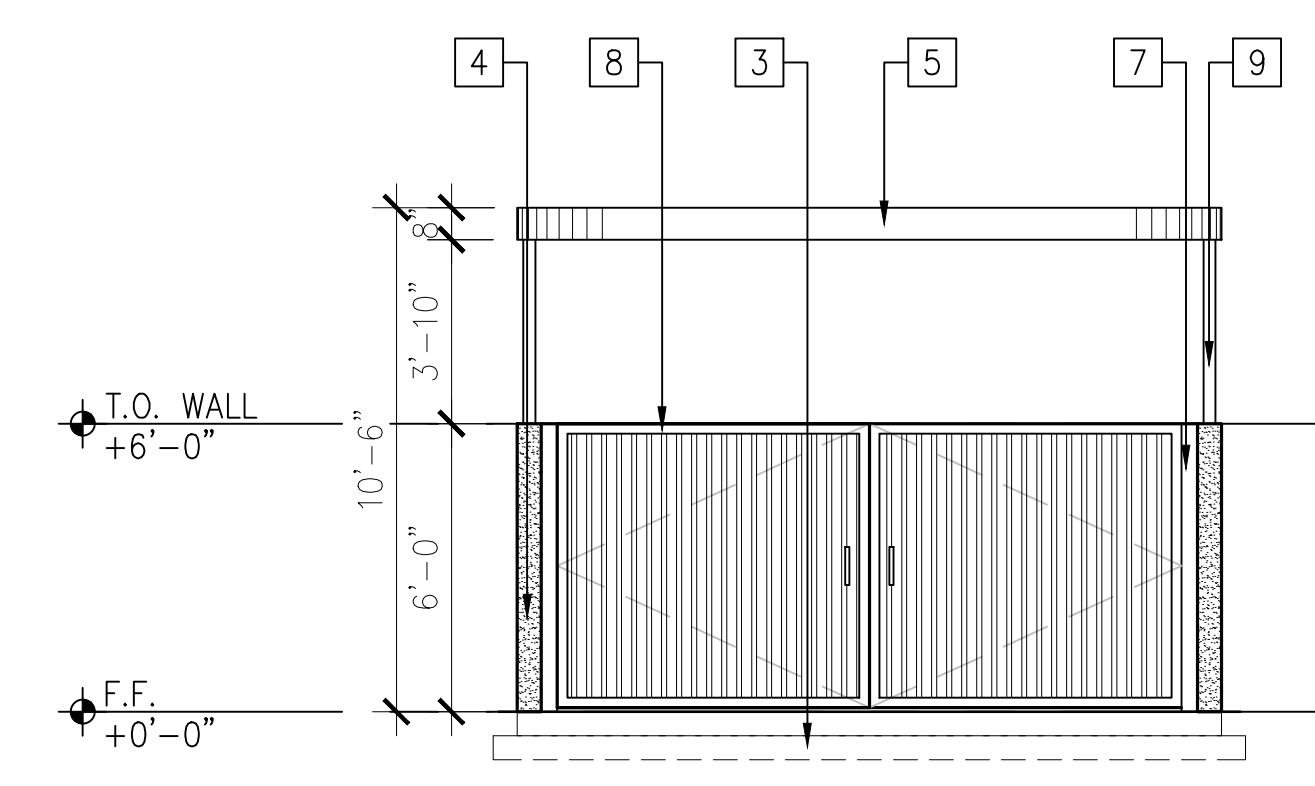
### Reference Notes

- 1 CONCRETE CURB AND/OR SIDEWALK
- 2 TRASH RECEPTACLE
- 3 TRASH ENCLOSURE FOUNDATION
- 4 CMU WALL. FULLY GROUTED WITH REBAR, PAINTED STUCCO FINISH. PROVIDE PAINT AT ALL STUCCO WALLS. PROVIDE 3 COATS PREMIUM EXTERIOR LATEX PAINT WITH A 24 MIL. "WET" DEPTH.
- 5 PAINTED ALUMINUM TRIM
- 6 STEEL ROOF DECKING
- 7 2.5" X 2.5" X 3/16" HSS DOOR FRAME PAINTED TO MATCH DOOR.
- 8 MORIN MATRIX 1.0 METAL ALL PANEL SYSTEM. GAUGE TBD. PRIMED AND PAINTED RED FASTENERS TO MATCH. ALL DOOR OPENING SIZES ARE TO BE MEASURED AND VERIFIED BY CONTRACTOR PRIOR TO ORDERING FROM SUPPLIER. DOOR MANUFACTURER PER SCHEDULE OR EQ. ALL SUBSTITUTIONS OR EQ. TO BE APPROVED BY ARCHITECT. DOOR HARDWARE AND FINISH PER SCHEDULE. DOOR SHALL BE FULLY WEATHER STRIPPED AND ACCESSIBLE.
- 9 3" DIAMETER X 1/8" HSS STEEL TUBE PER STRUCTURAL.
- 10 LANDSCAPE, IRRIGATION AND PLANT MATERIAL

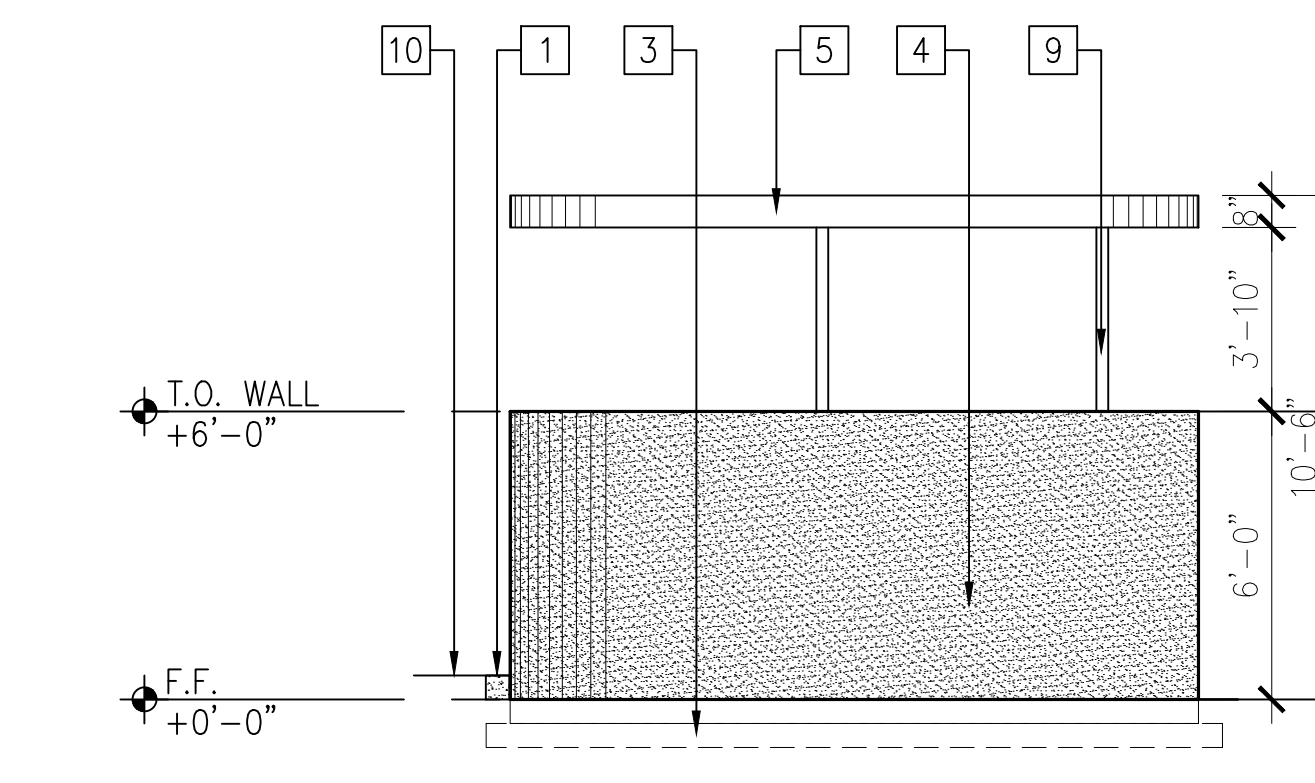
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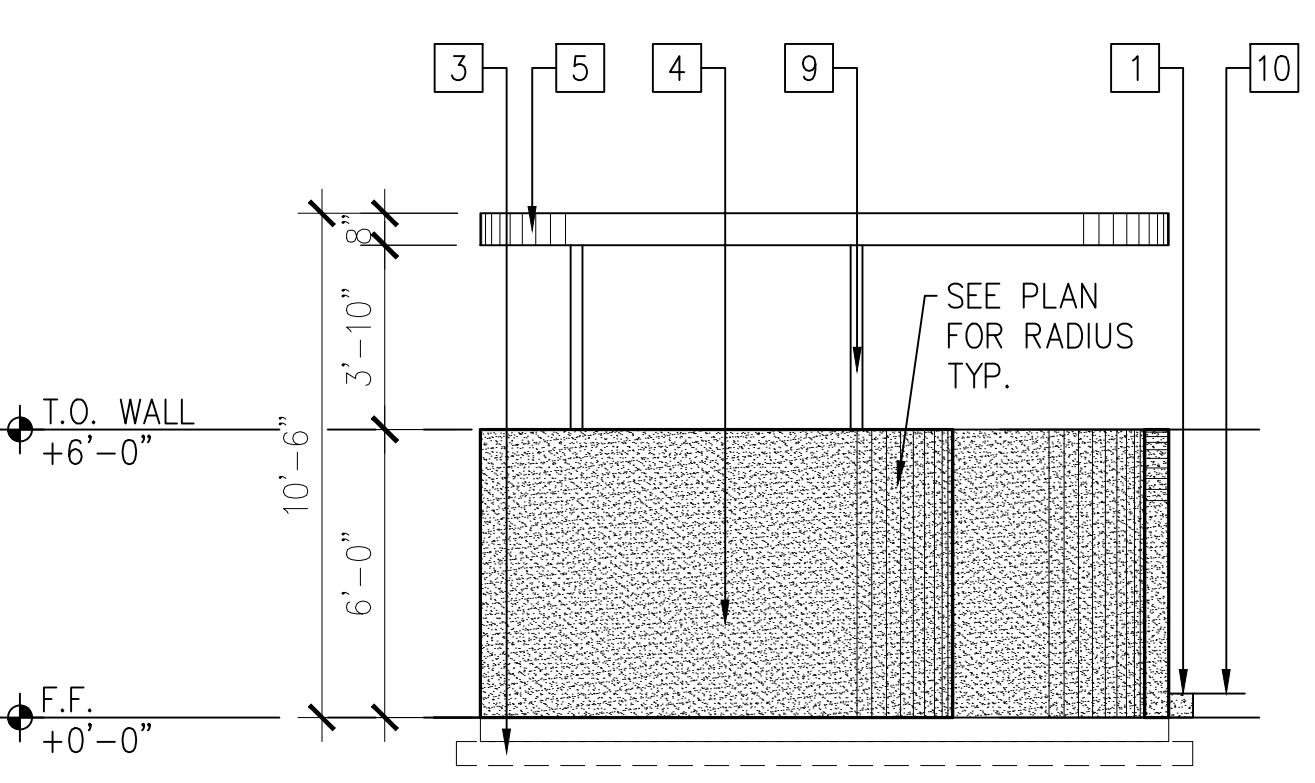
5 Trash Enclosure West Elevation SCALE: 1/4" = 1'-0"



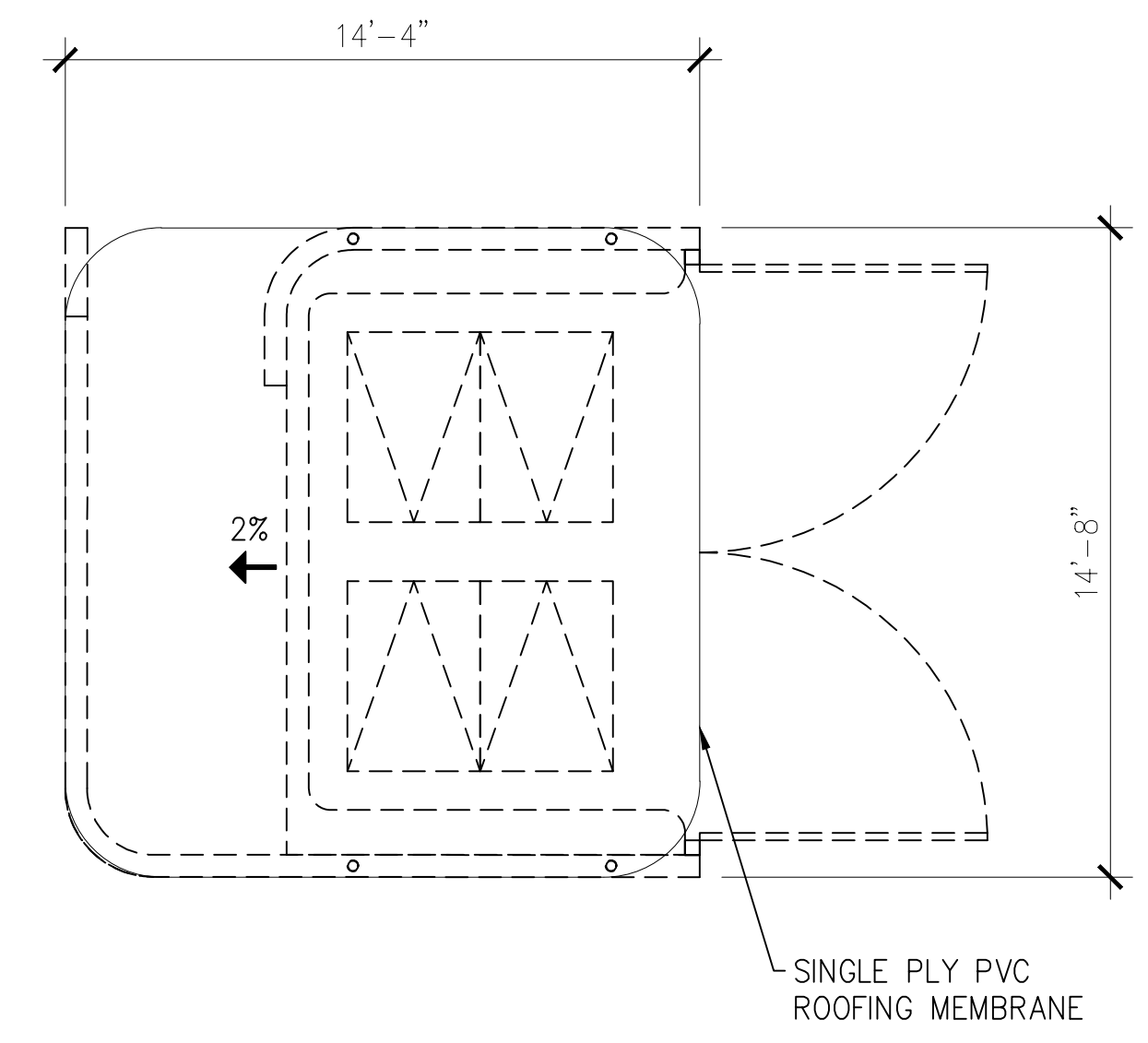
4 Trash Enclosure East Elevation SCALE: 1/4" = 1'-0"



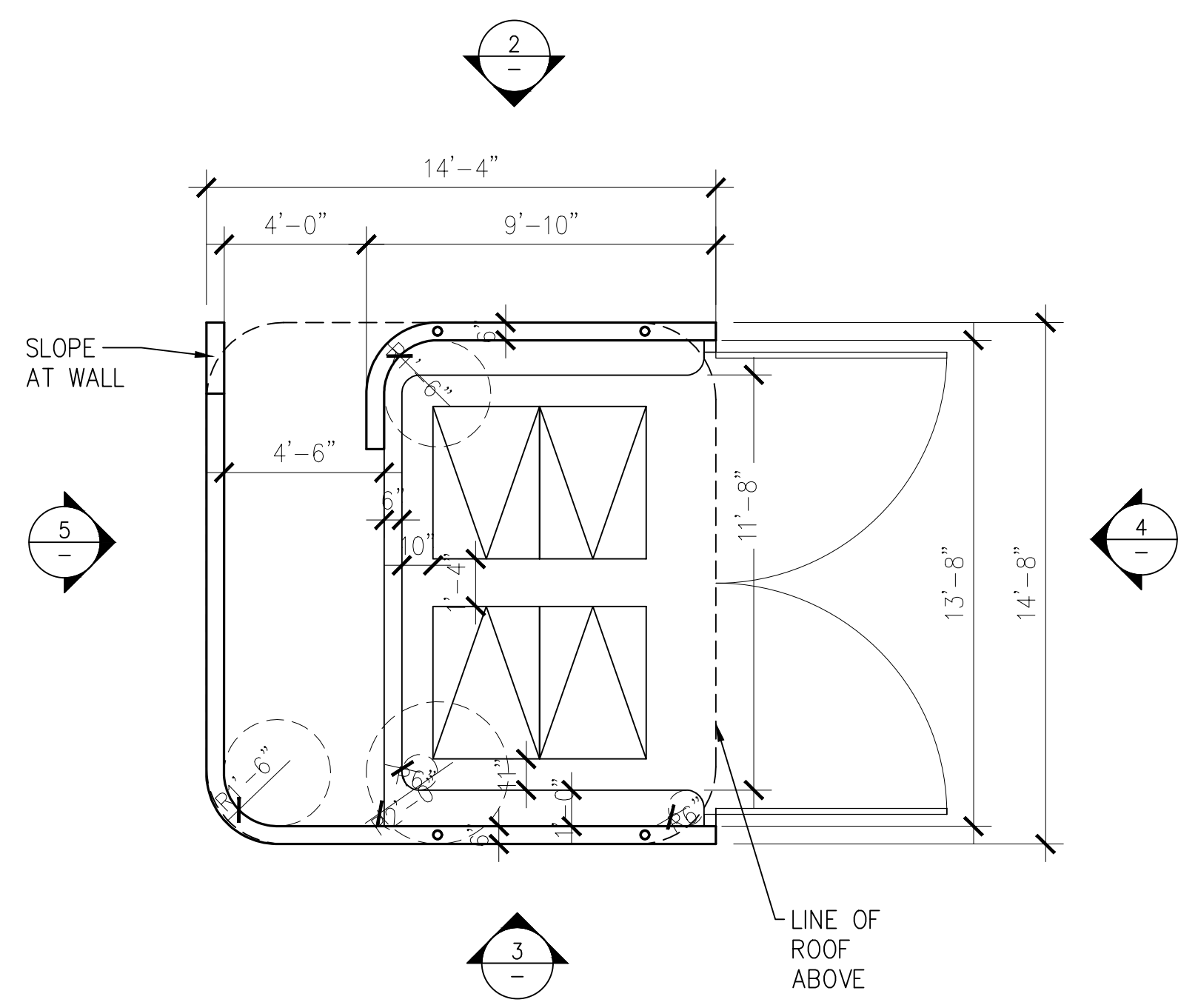
3 Trash Enclosure South Elevation SCALE: 1/4" = 1'-0"



2 Trash Enclosure North Elevation SCALE: 1/4" = 1'-0"



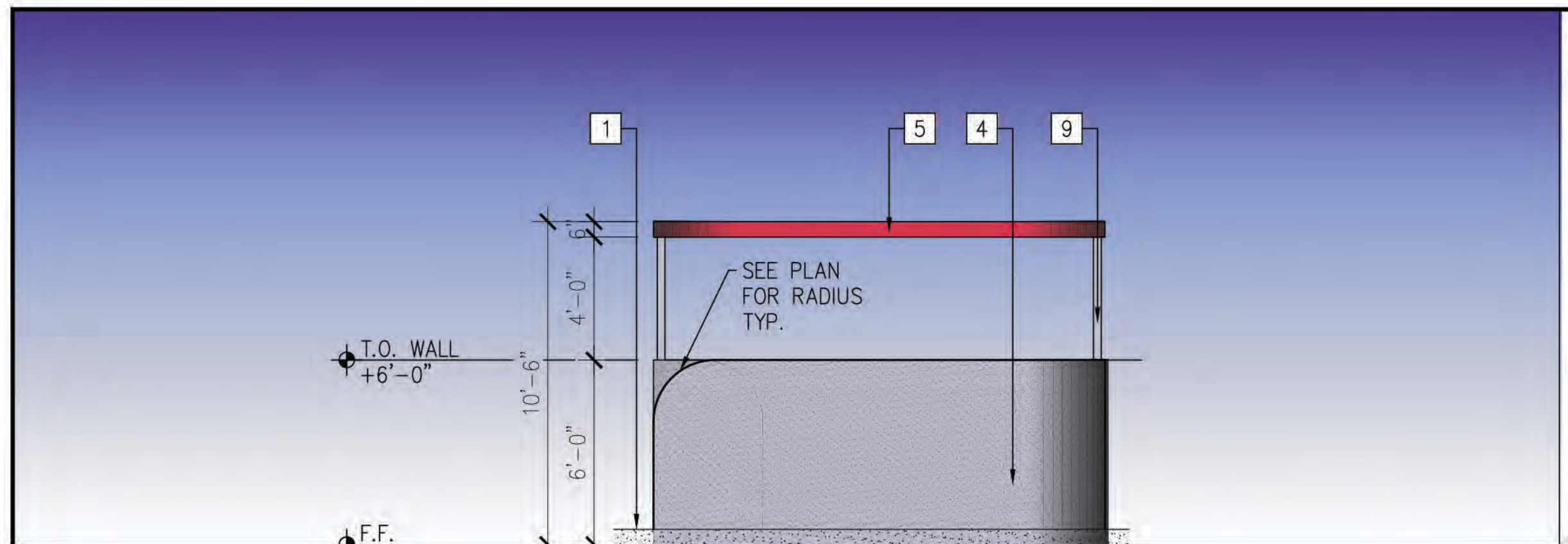
1A Trash Enclosure Roof Plan SCALE: 1/4" = 1'-0"



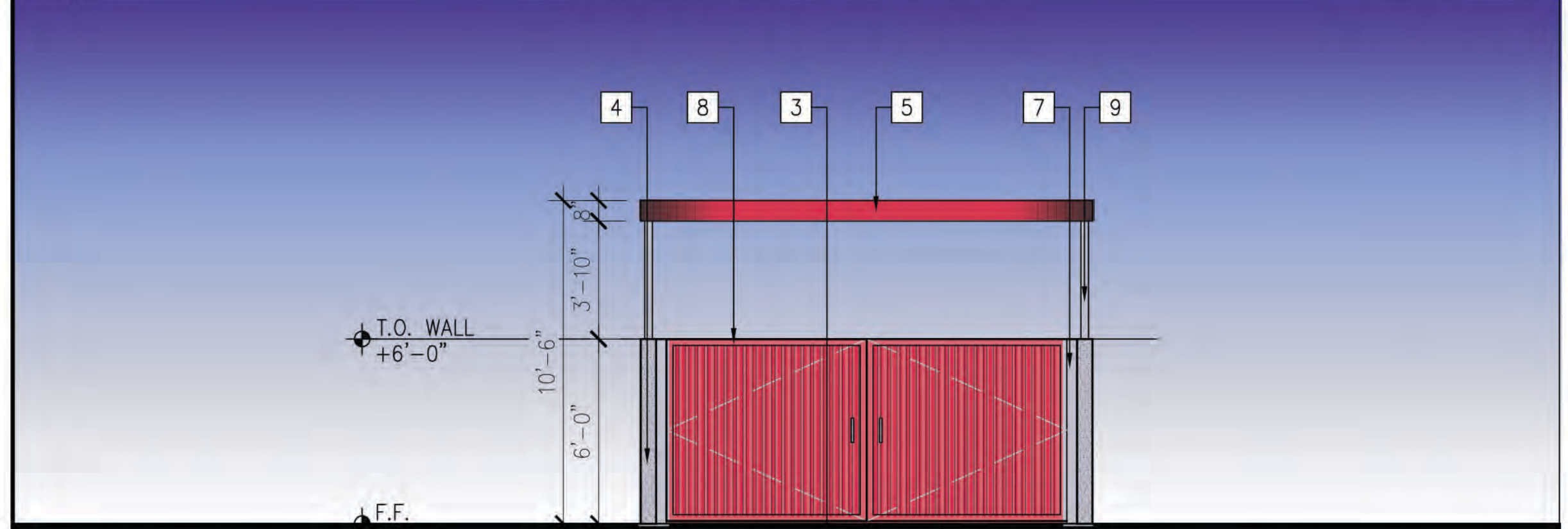
1 Trash Enclosure Floor Plan SCALE: 1/4" = 1'-0"

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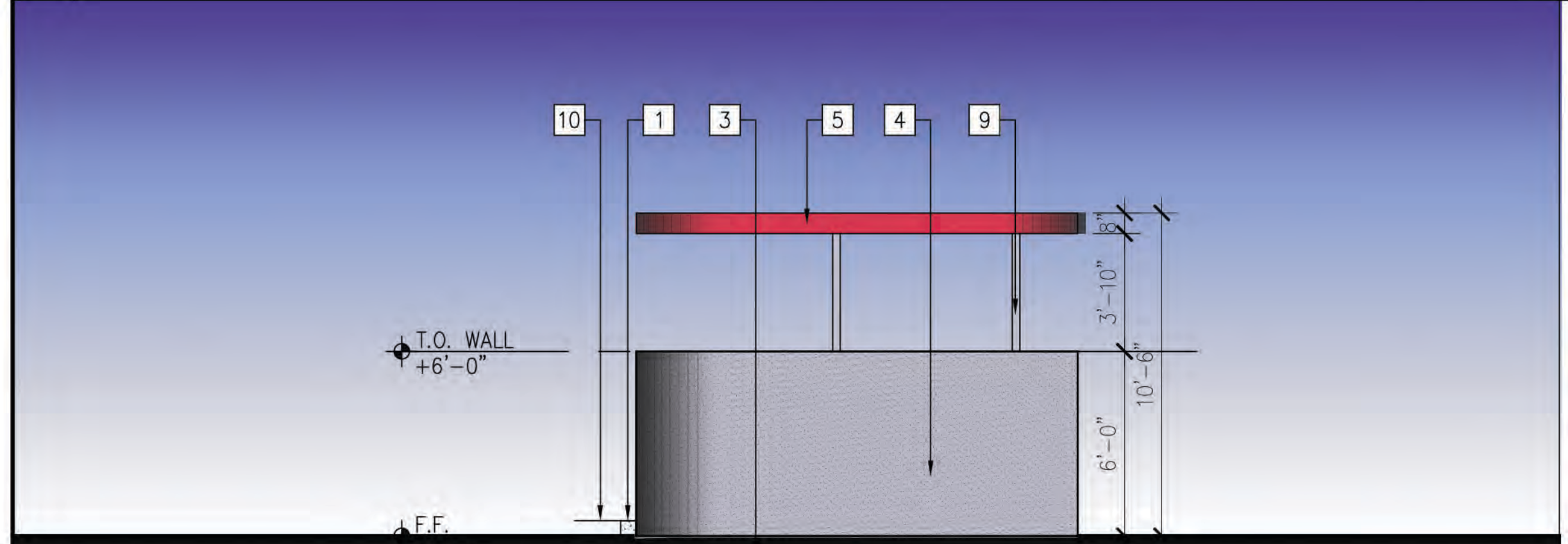
PEN22-0176 / PEN22-0238



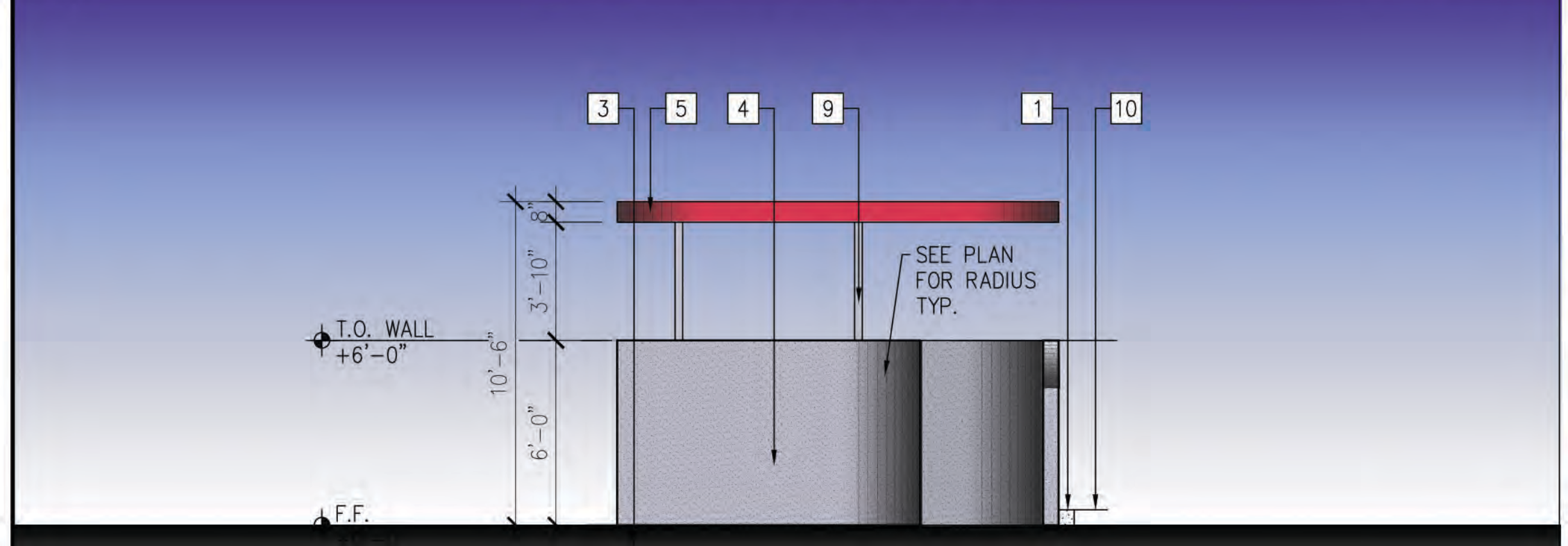
5 Trash Enclosure West Elevation SCALE: 1/4" = 1'-0"



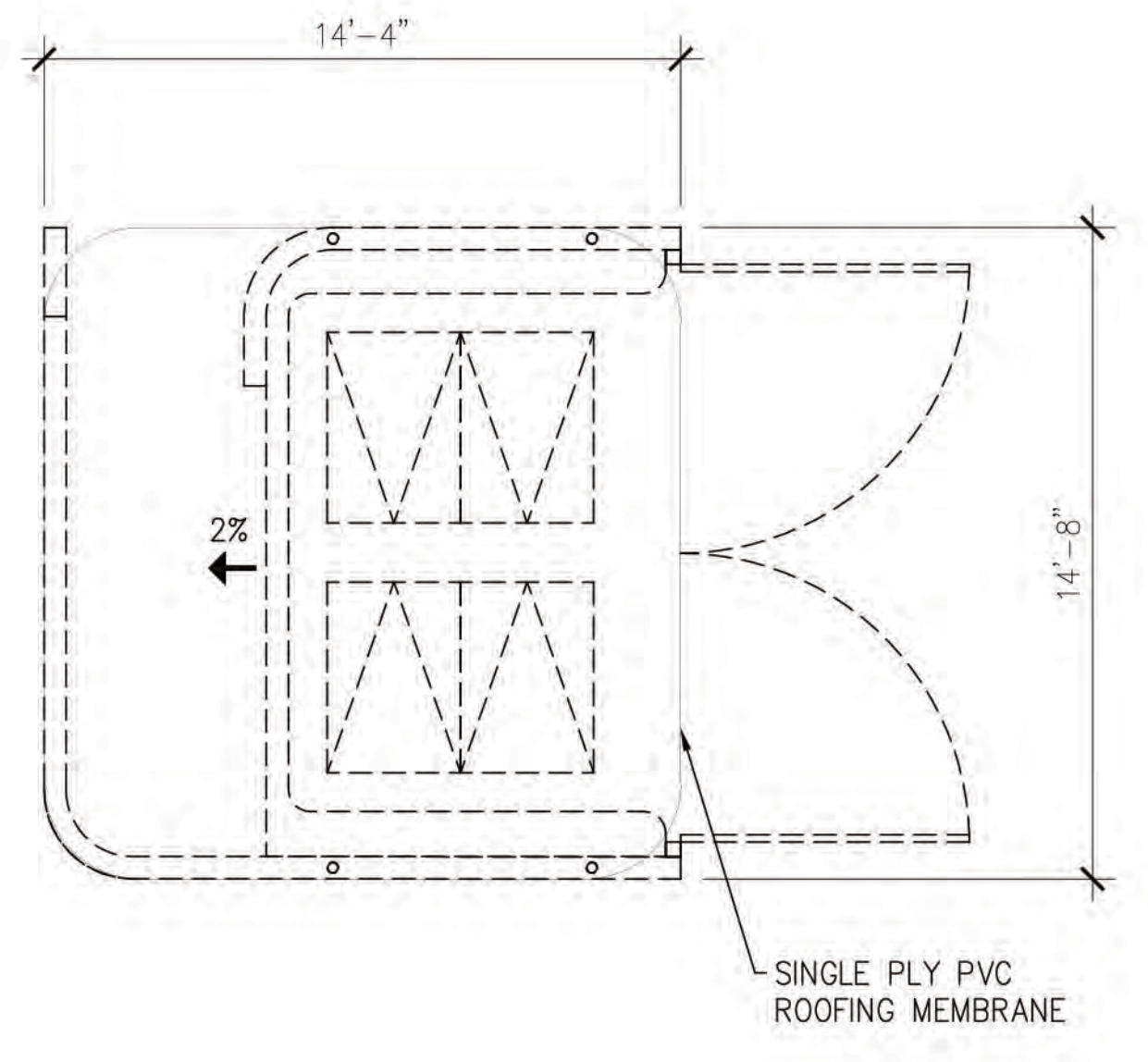
4 Trash Enclosure East Elevation SCALE: 1/4" = 1'-0"



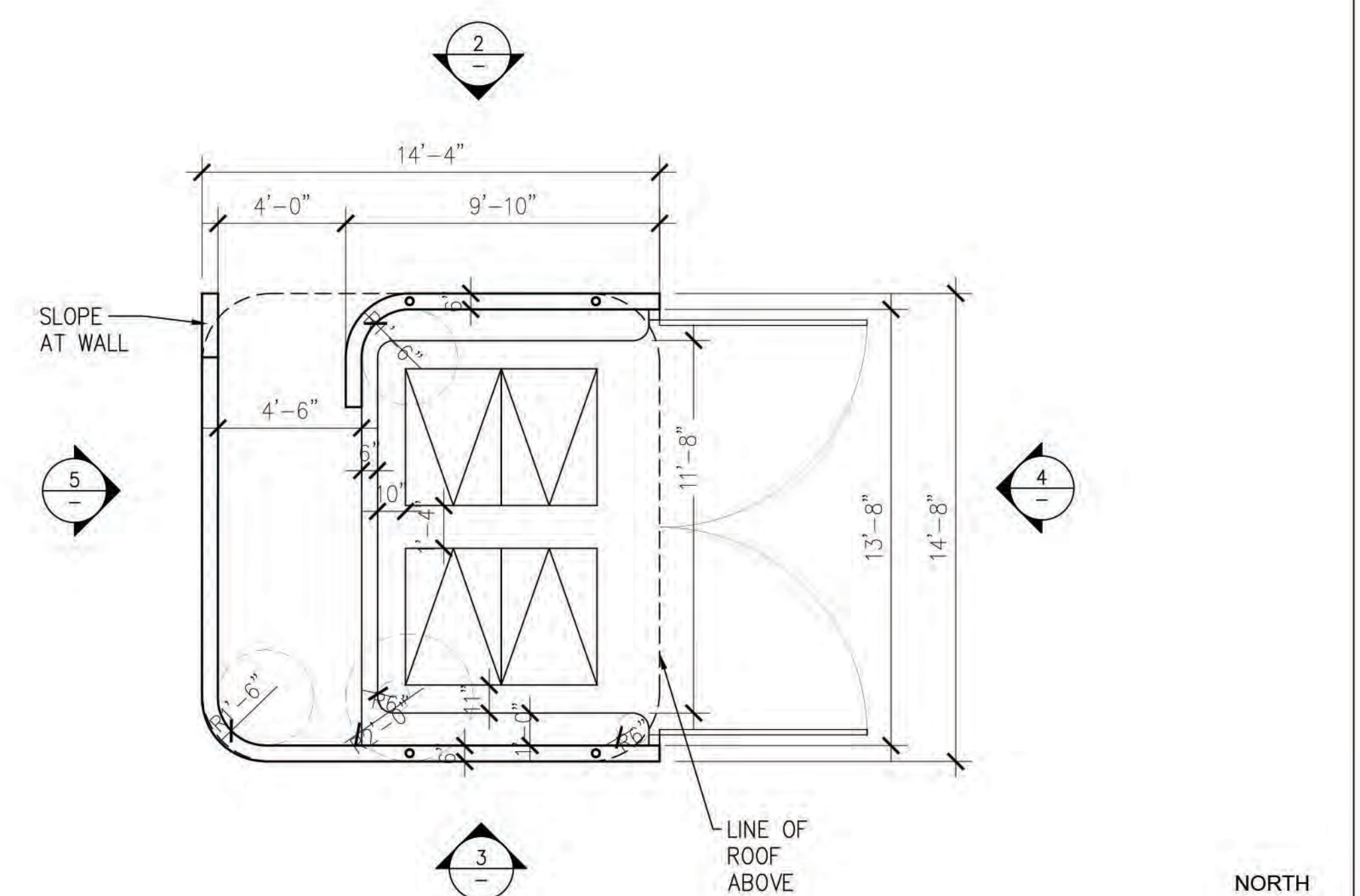
3 Trash Enclosure South Elevation SCALE: 1/4" = 1'-0"



2 Trash Enclosure North Elevation SCALE: 1/4" = 1'-0"



1A Trash Enclosure Roof Plan SCALE: 1/4" = 1'-0"



1 Trash Enclosure Floor Plan SCALE: 1/4" = 1'-0"

Reference Notes

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TRASH ENCLOSURE FLOOR PLAN & ELEVATIONS

KEY MAP SEAL/STAMP

JOB NO.	SITE #
DRAWN BY: TL/ZL	
SUPERVISED BY: TL	
CHECKED BY: TL	
PLAN CHECK	
PERMIT SET	
BID SET	

REVISIONS

1st CIP Resubmittal	10/27/2022
2nd PD Resubmittal	
3rd CIP Resubmittal	03/09/2023

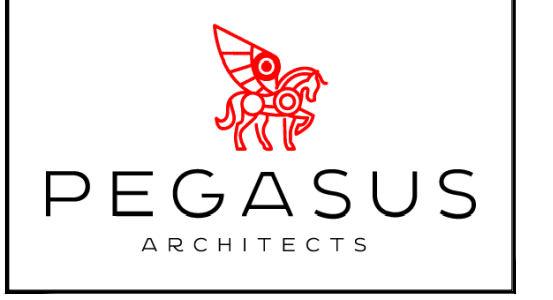
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PEN22-0176 / PEN22-0238

SHEET NO: A1.10 OF SHEETS SHEET

### General Notes

- SOLAR PANELS  
PV SYSTEM ON TOP OF THE ROOF SHALL HAVE THEIR FEEDERS ON EMT ON TOP OF THE CANOPY, THREADED RMC WHEN DESCENDING TO THE UNDERGROUND AREA. ALL AREAS 20 FEET AROUND THE DISPENSERS IS CONSIDERED CLASS 1, DIV 2 UP TO 18" FROM THE FLOOR AND DISPENSER EDGES. THE UNDERGROUND AREA JUST BELOW THIS CLASS 1, DIVISION 2 AREA SHALL HAVE CONDUITS THAT ARE THREADED RIGID METALLIC CONDUIT. CONDUITS THEN CAN BE PVC 40 AFTER LEAVING THIS CLASS 1, DIVISION 2 AREA UNDERNEATH.
- THE INSTALLATION OF THE PHOTOVOLTAIC PANELS ON FUELING CANOPY SHALL COMPLY WITH THE 2022 CALIFORNIA ELECTRICAL CODE.



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CLIENT: TABEL CENTER LLC 2501 EAST CHAPMAN AVE., SUITE 130 FULLERTON CA 92831

## CANOPY FLOOR PLAN & ELEVATIONS

KEY MAP SEAL/STAMP

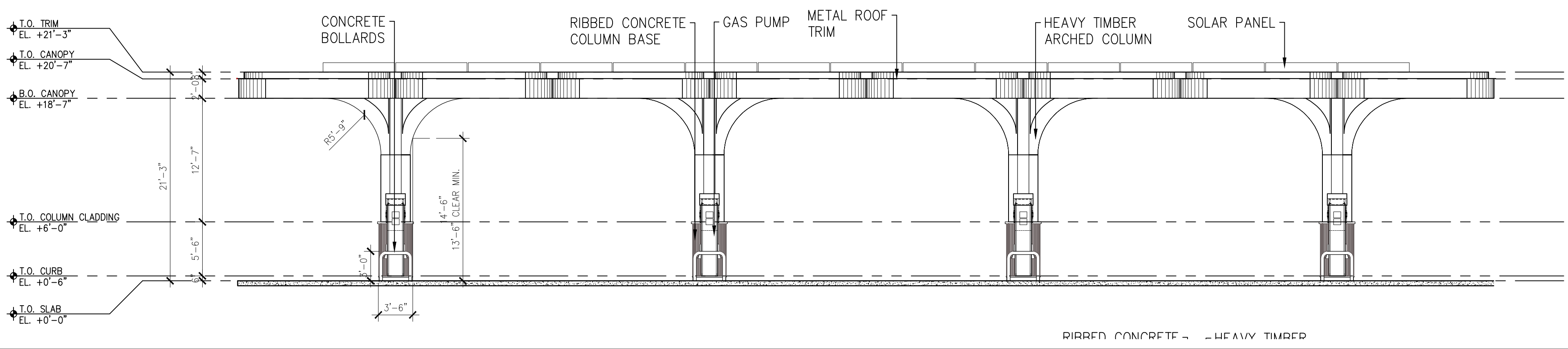
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PLAN CHECK	
PERMIT SET	
BID SET	

REVISIONS	
1st CUP Resubmittal	10/27/2022
2nd PP Resubmittal	03/05/2023
3rd CUP Resubmittal	
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4th CUP Resubmittal	

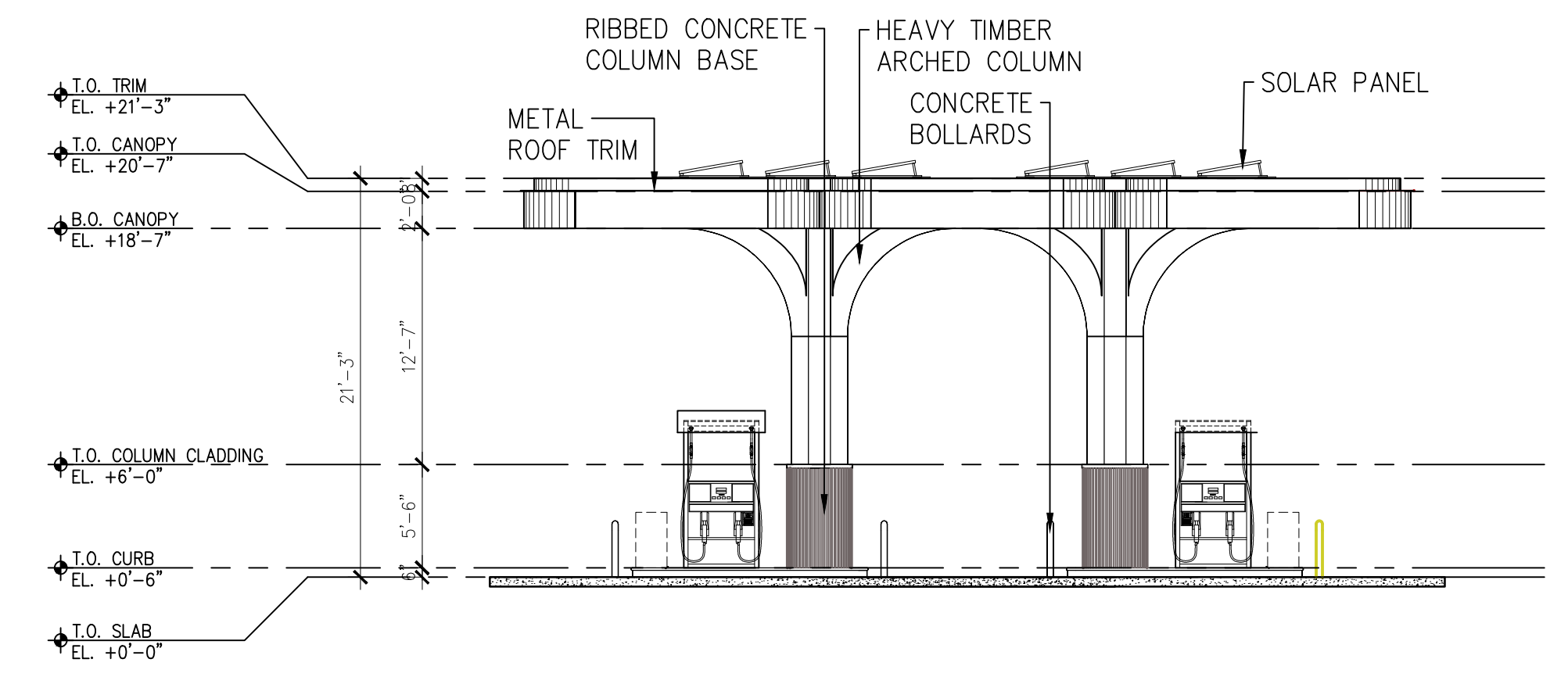
SHEET NO: **A1.11**

OF SHEETS  
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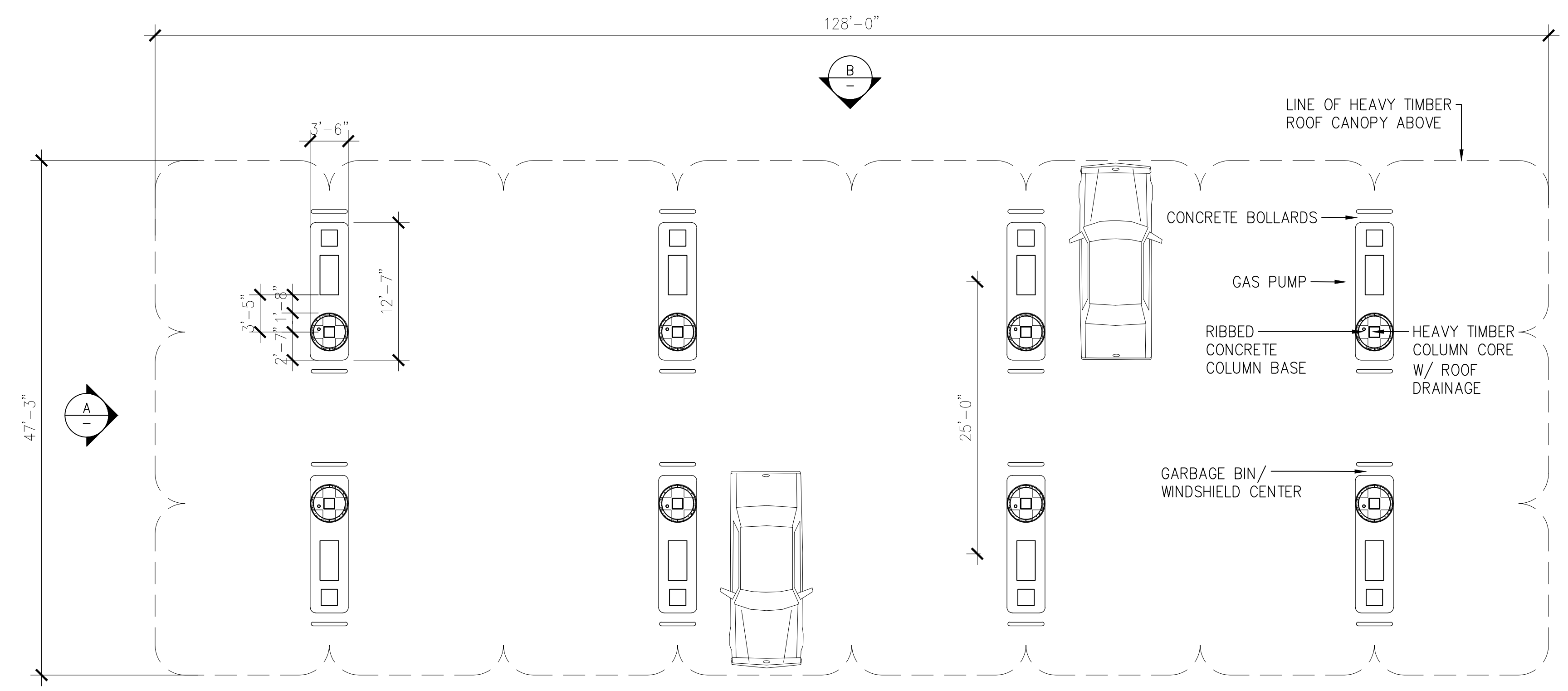
North / South Elevations

SCALE: 1/8" = 1'-0"



East / West Elevations

SCALE: 1/8" = 1'-0"



Canopy Floor Plan

SCALE: 1/8" = 1'-0"

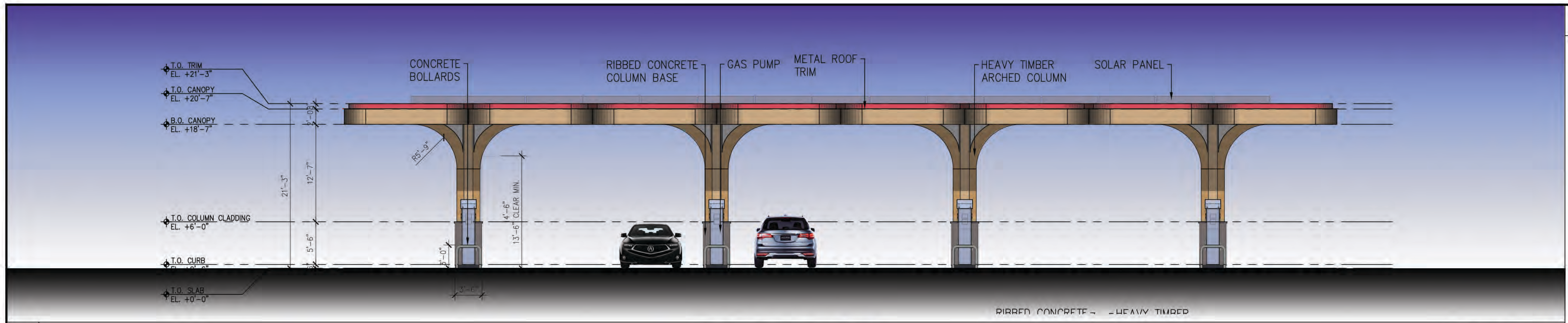
PEN22-0176 / PEN22-0238

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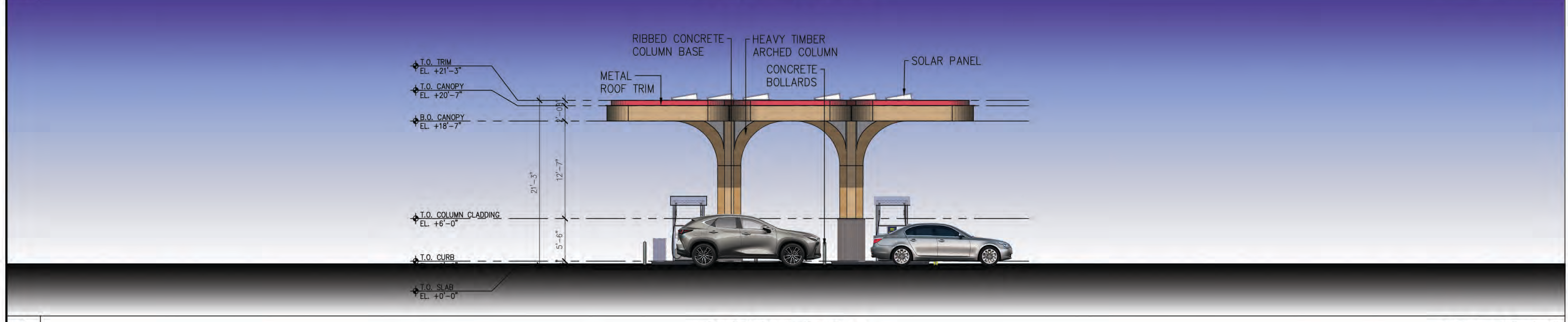
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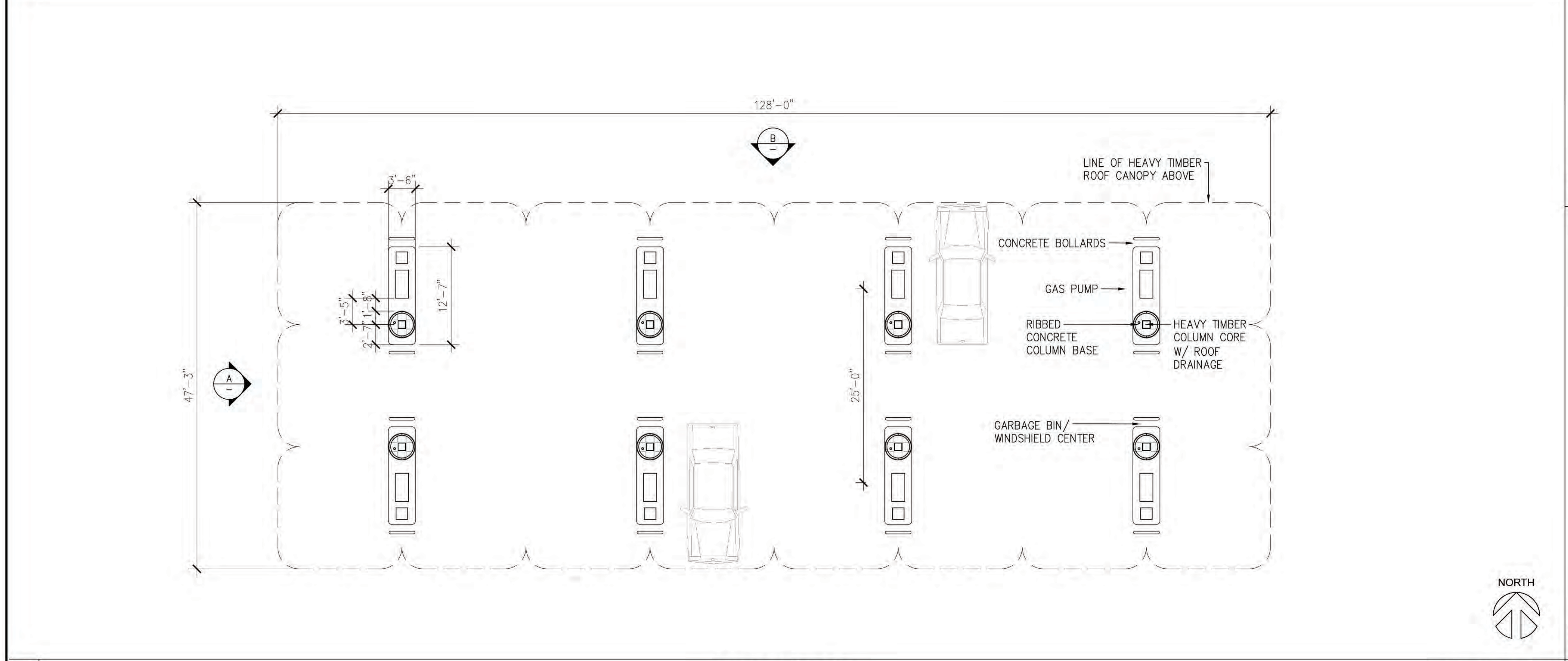
North / South Elevations

SCALE: 1/8"=1'-0"



East / West Elevations

SCALE: 1/8"=1'-0"

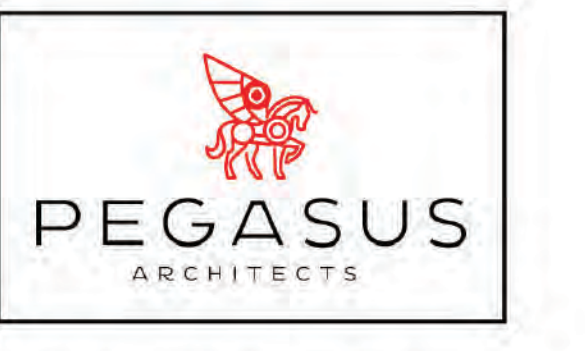


Canopy Floor Plan

SCALE: 1/8" = 1'-0"

General Notes

- SOLAR PANELS  
PV SYSTEM ON TOP OF THE ROOF SHALL HAVE THEIR FEEDERS ON EMT ON TOP OF THE CANOPY, THREADED RMC WHEN DESCENDING TO THE UNDERGROUND AREA. ALL AREAS 20 FEET AROUND THE DISPENSERS IS CONSIDERED CLASS 1, DIV 2 UP TO 18" FROM THE FLOOR AND DISPENSER EDGES. THE UNDERGROUND AREA JUST BELOW THIS CLASS 1, DIVISION 2 AREA SHALL HAVE CONDUITS THAT ARE THREADED RIGID METALLIC CONDUIT. CONDUITS THEN CAN BE PVC 40 AFTER LEAVING THIS CLASS 1, DIVISION 2 AREA UNDERNEATH.



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CANOPY FLOOR PLAN & ELEVATIONS

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REVISIONS

1st CIP Resubmittal	10/27/2022
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3rd CIP Resubmittal	03/09/2023

SHEET NO: **A1.11** OF SHEETS

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# C-STORE FLOOR PLAN

SHEET TITLE:

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CHECKED BY: TL	
PLAN CHECK	
PERMIT SET	
BID SET	

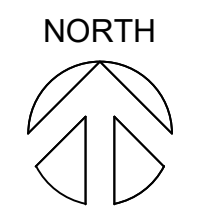
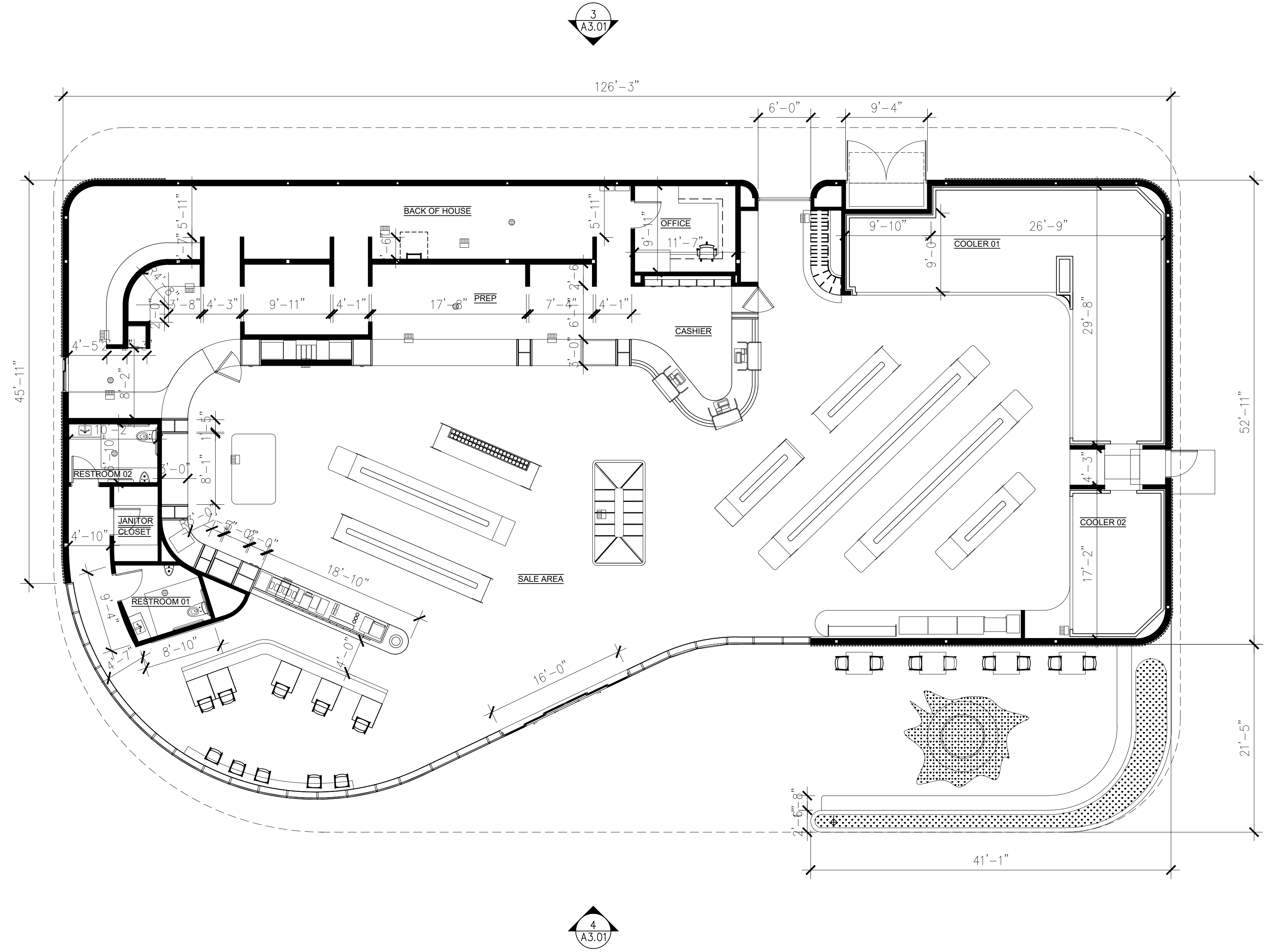
  

REVISIONS	
▲ 1st CUP Resubmittal	10/27/2022
▲ 2nd PP Resubmittal	03/05/2023
▲ 3rd CUP Resubmittal	
▲ 3rd PP Resubmittal	04/27/2023
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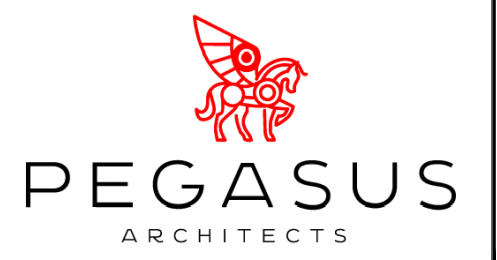
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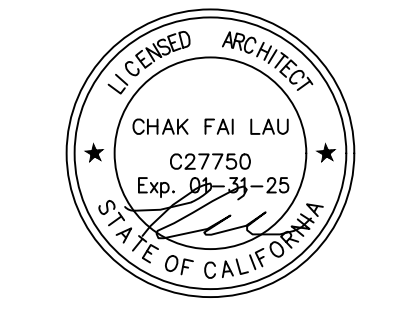
ADDRESS: 27990 IRIS AVE., MORENO VALLEY, CA 92555

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CARWASH FLOOR PLAN

SHEET TITLE:

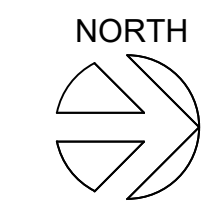
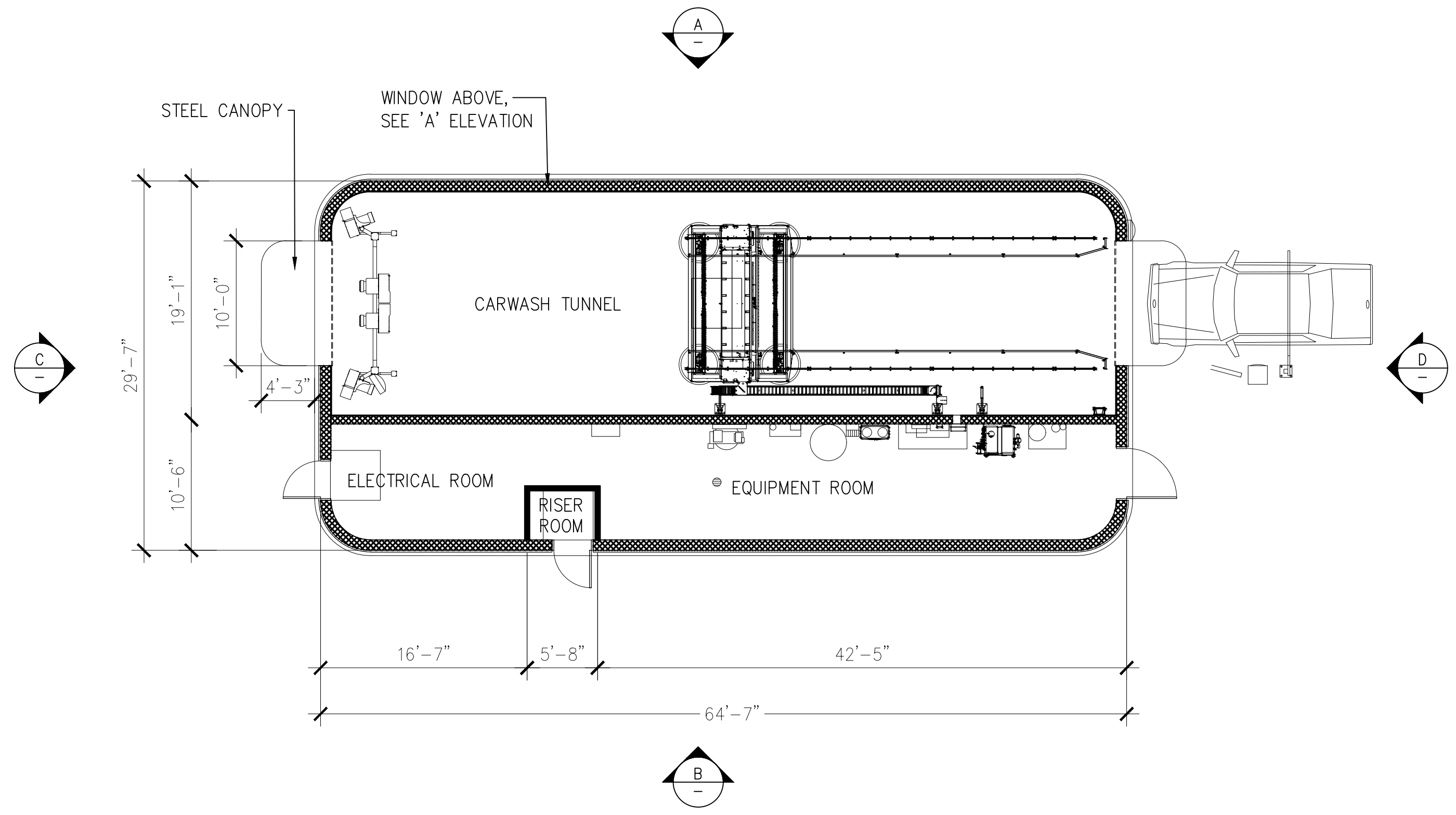
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PLAN CHECK	
PERMIT SET	
BID SET	

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▲ 3rd CUP Resubmittal	
▲ 3rd PP Resubmittal	04/27/2023
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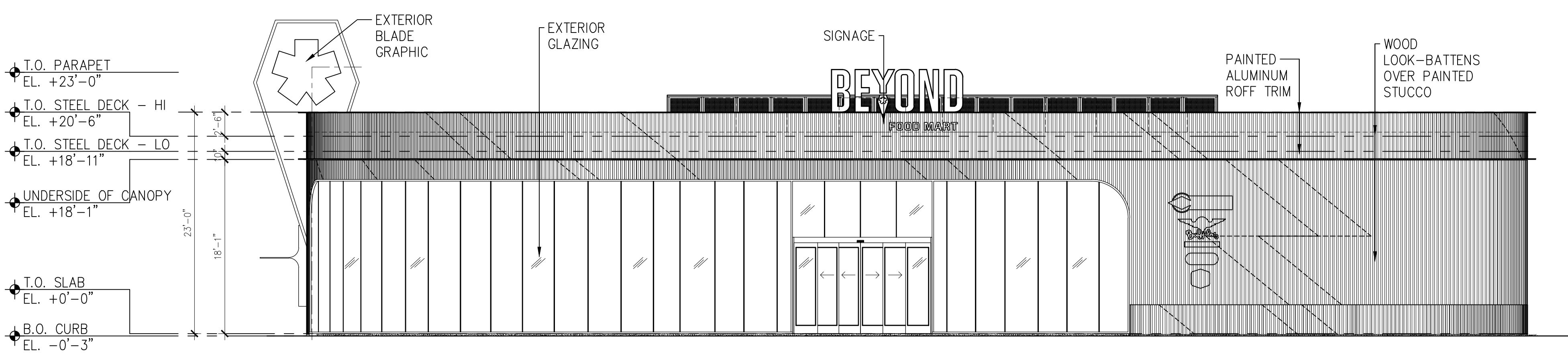
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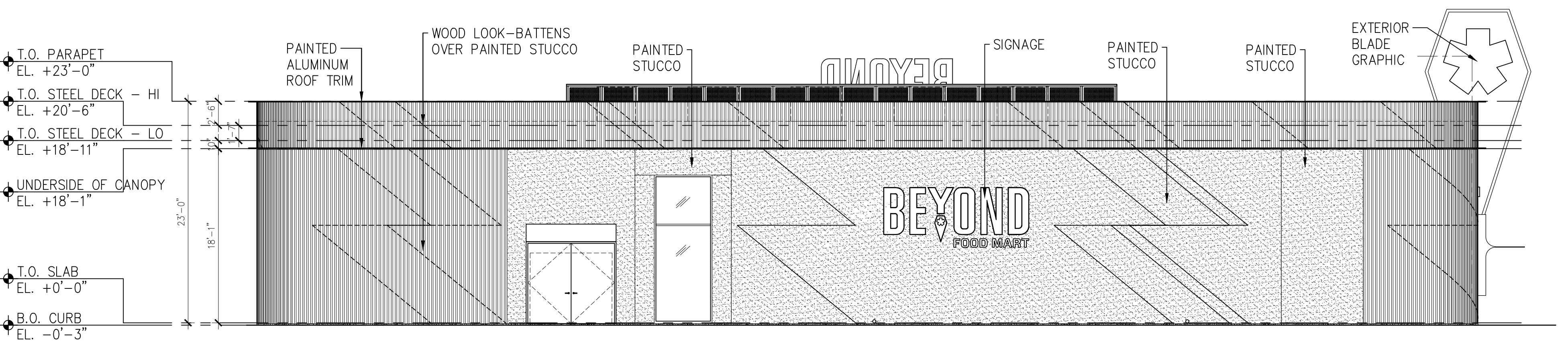
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OF SHEETS  
S H E E T



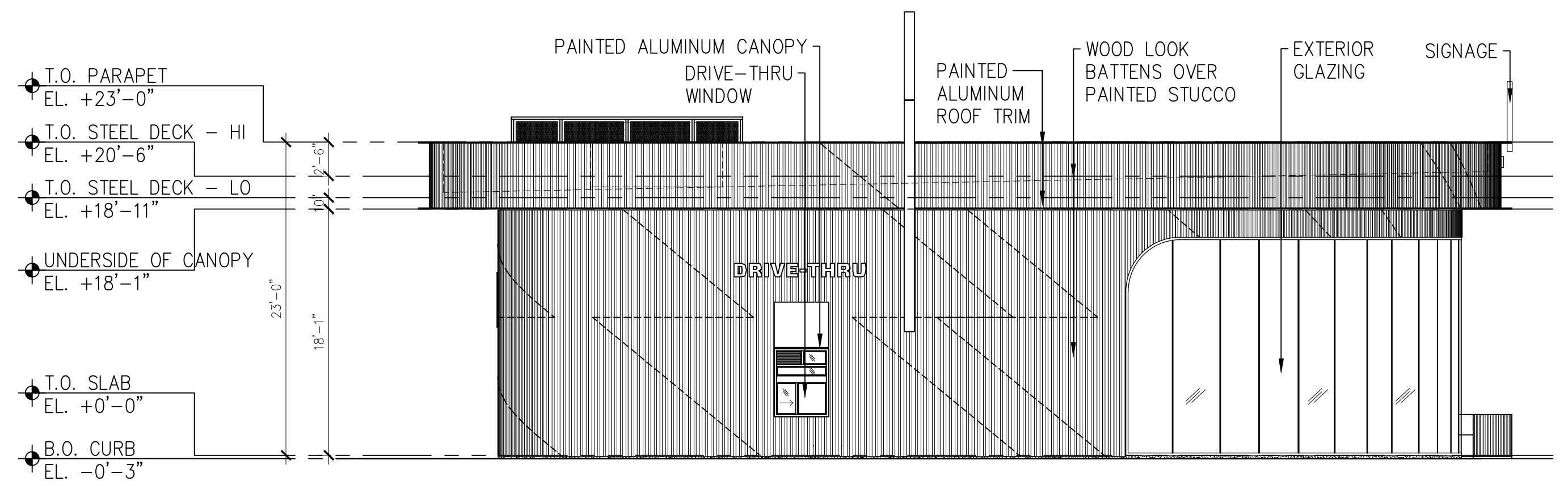
South Elevation

SCALE: 1/8"=1'-0"



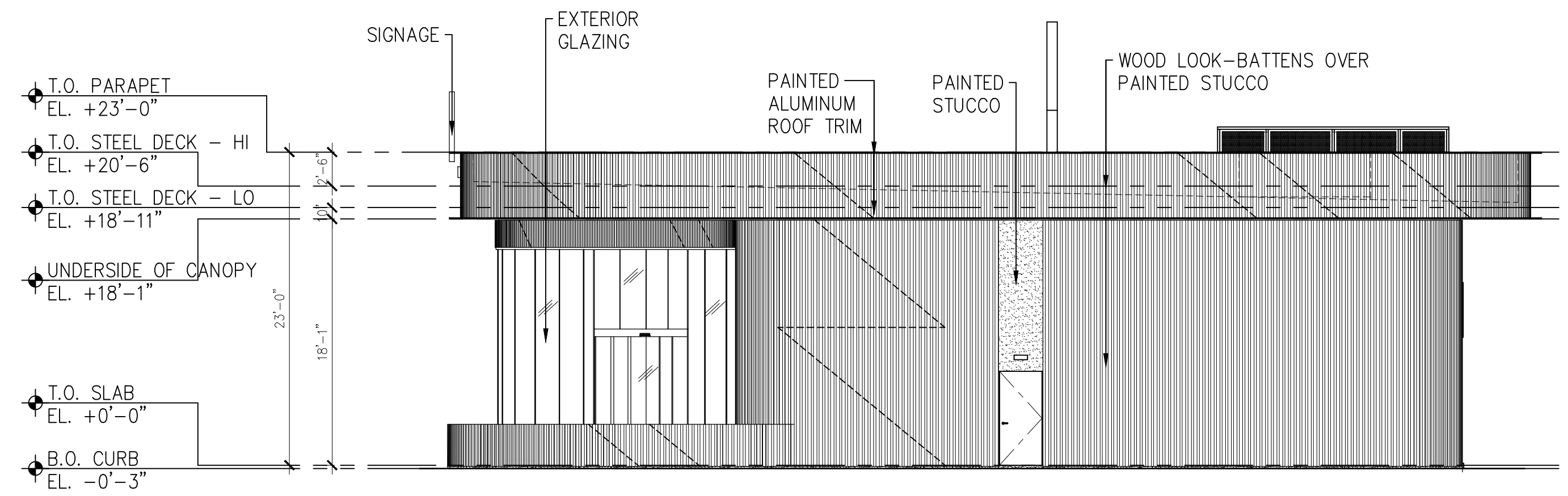
North Elevation

SCALE: 1/8"=1'-0"



West Elevation

SCALE: 1/8"=1'-0"

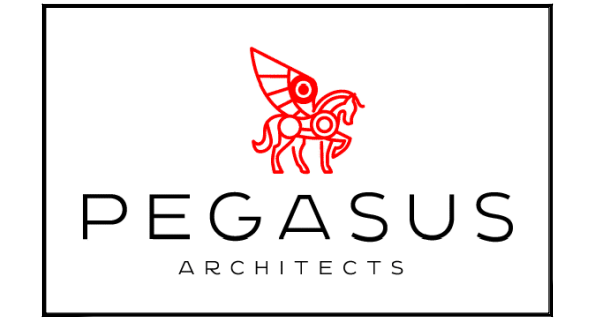


East Elevation

SCALE: 1/8"=1'-0"

Reference Notes

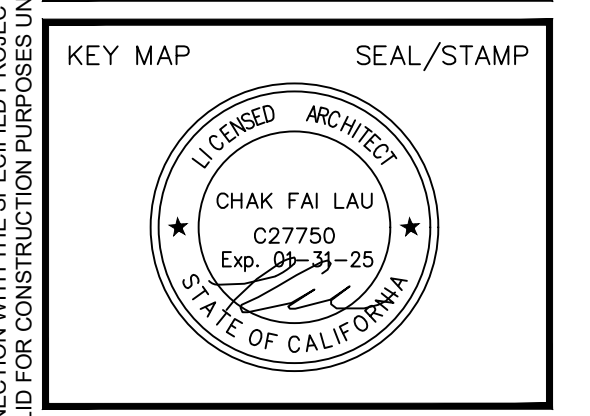
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- 2 -



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C-STORE ELEVATIONS



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CHECKED BY: TL	
PLAN CHECK	
PERMIT SET	
BID SET	

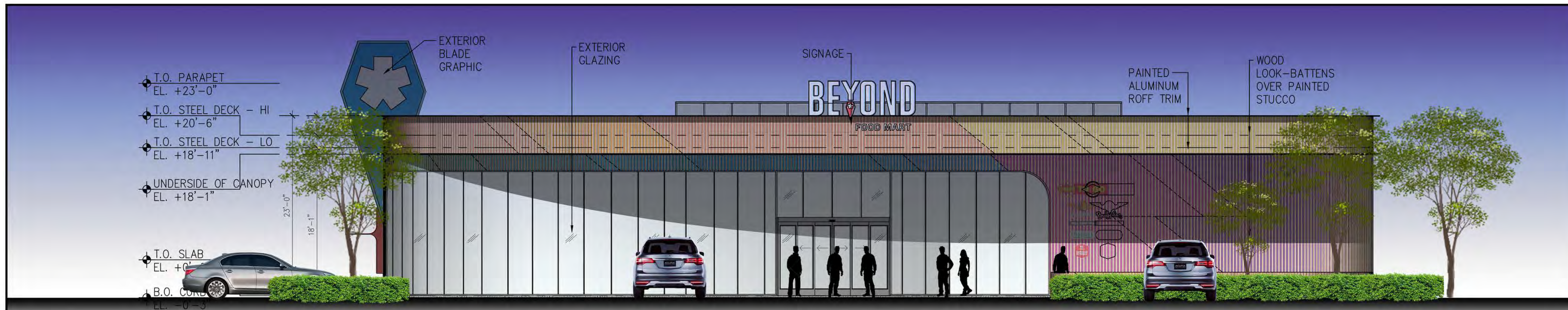
REVISIONS	
1st CUP Resubmittal	10/27/2022
2nd PP Resubmittal	03/05/2023
3rd CUP Resubmittal	
4th PP Resubmittal	04/27/2023

SHEET NO:

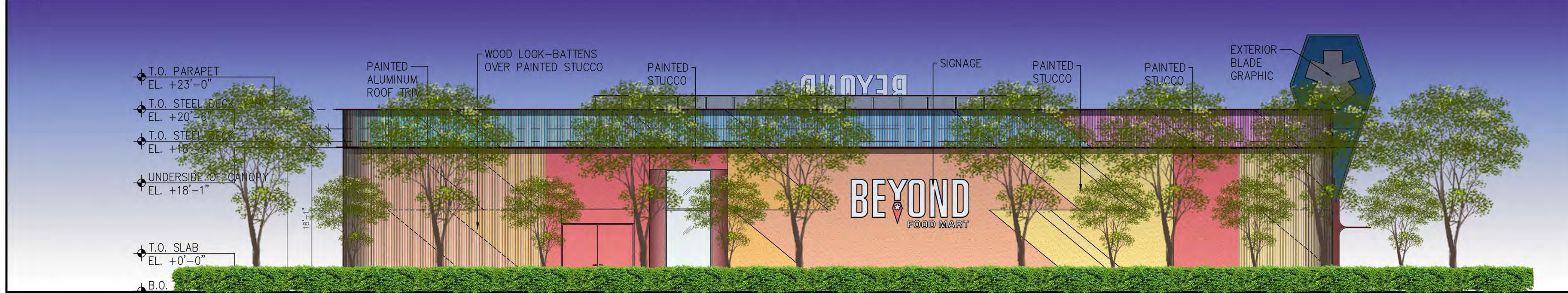
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4 South Elevation SCALE: 1/8"=1'-0"



3 North Elevation SCALE: 1/8"=1'-0"



2 West Elevation SCALE: 1/8"=1'-0"



1 East Elevation SCALE: 1/8"=1'-0"

Reference Notes

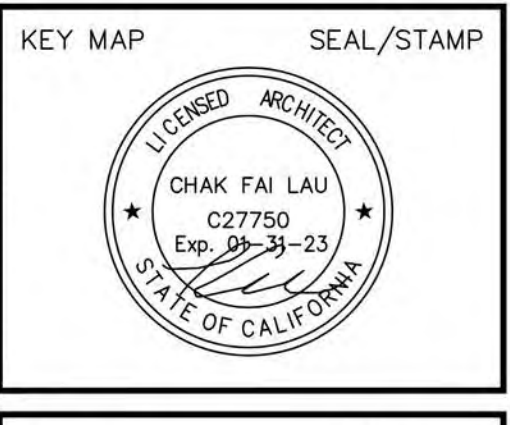
- 1 -
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C-STORE ELEVATIONS



JOB NO.	SITE #
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SUPERVISED BY: TL	
CHECKED BY: TL	
PLAN CHECK	
PERMIT SET	
BID SET	

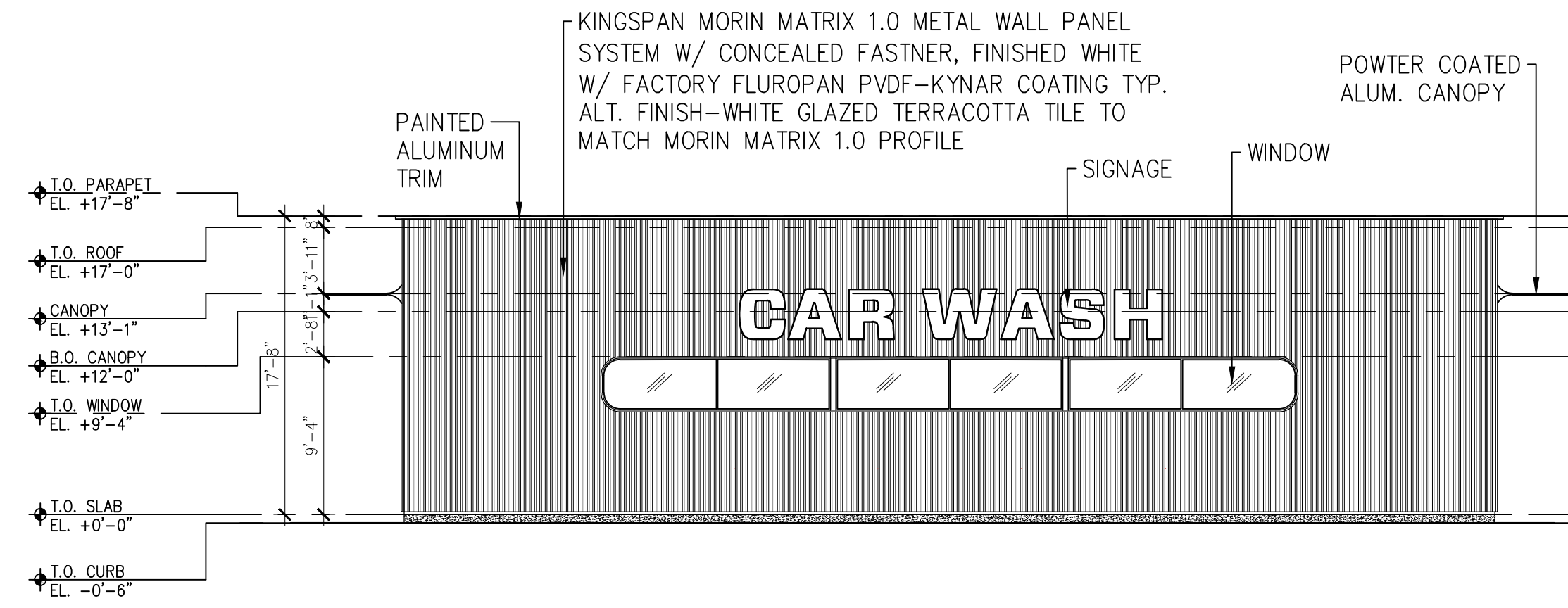
REVISIONS

1st CIP Resubmittal	10/27/2022
2nd CIP Resubmittal	
3rd CIP Resubmittal	03/09/2023

SHEET NO: A3.01  
OF SHEETS  
SHEET

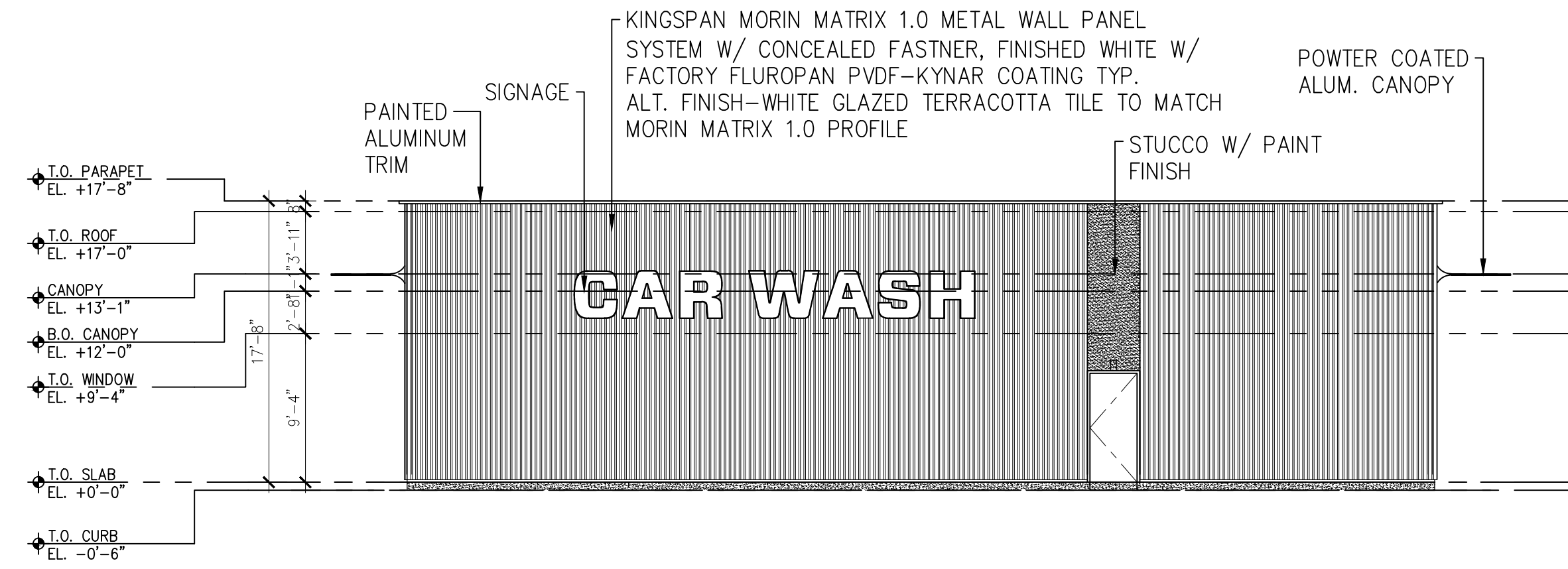
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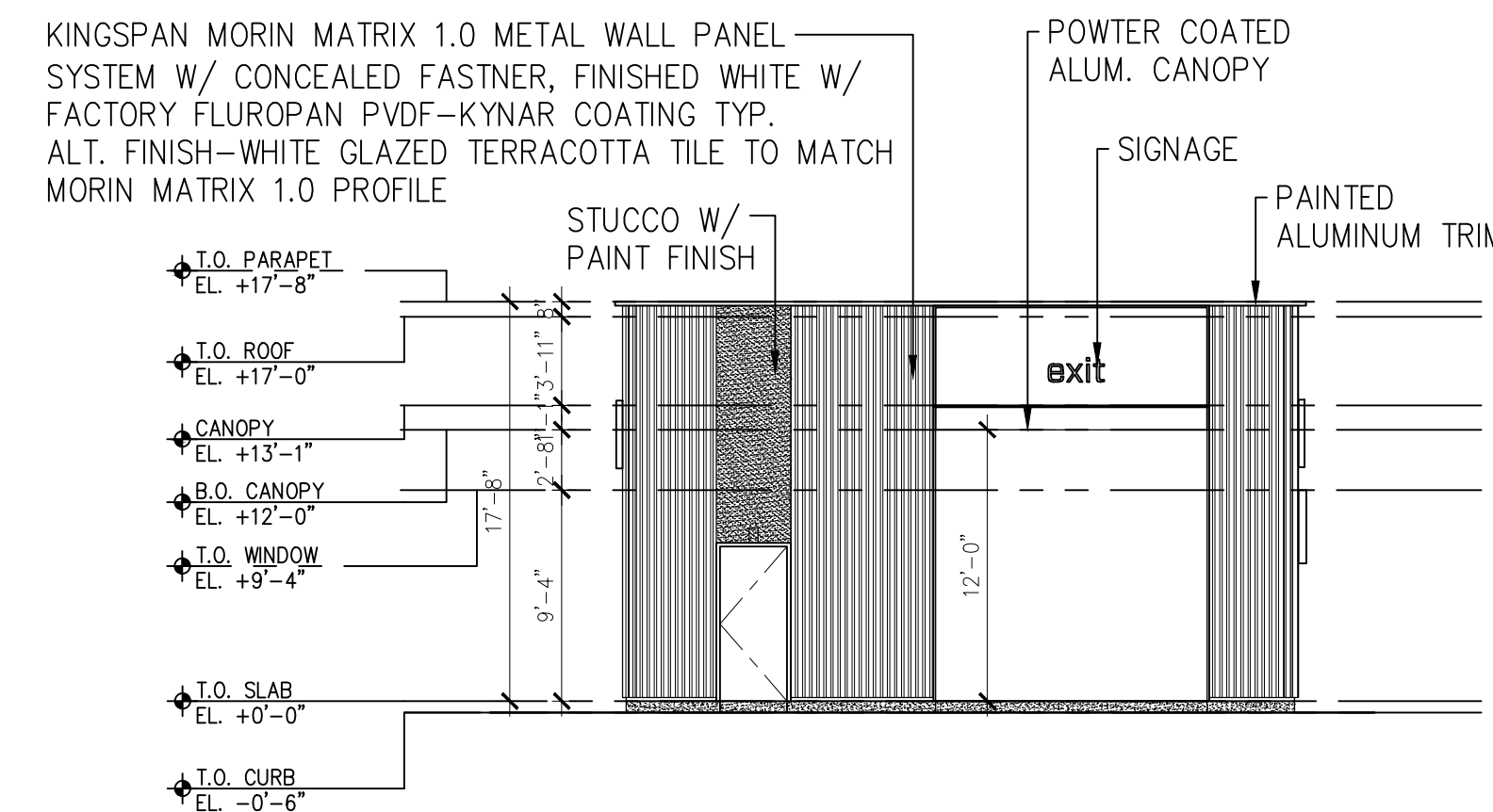
West Elevation

SCALE: 1/8"=1'-0"



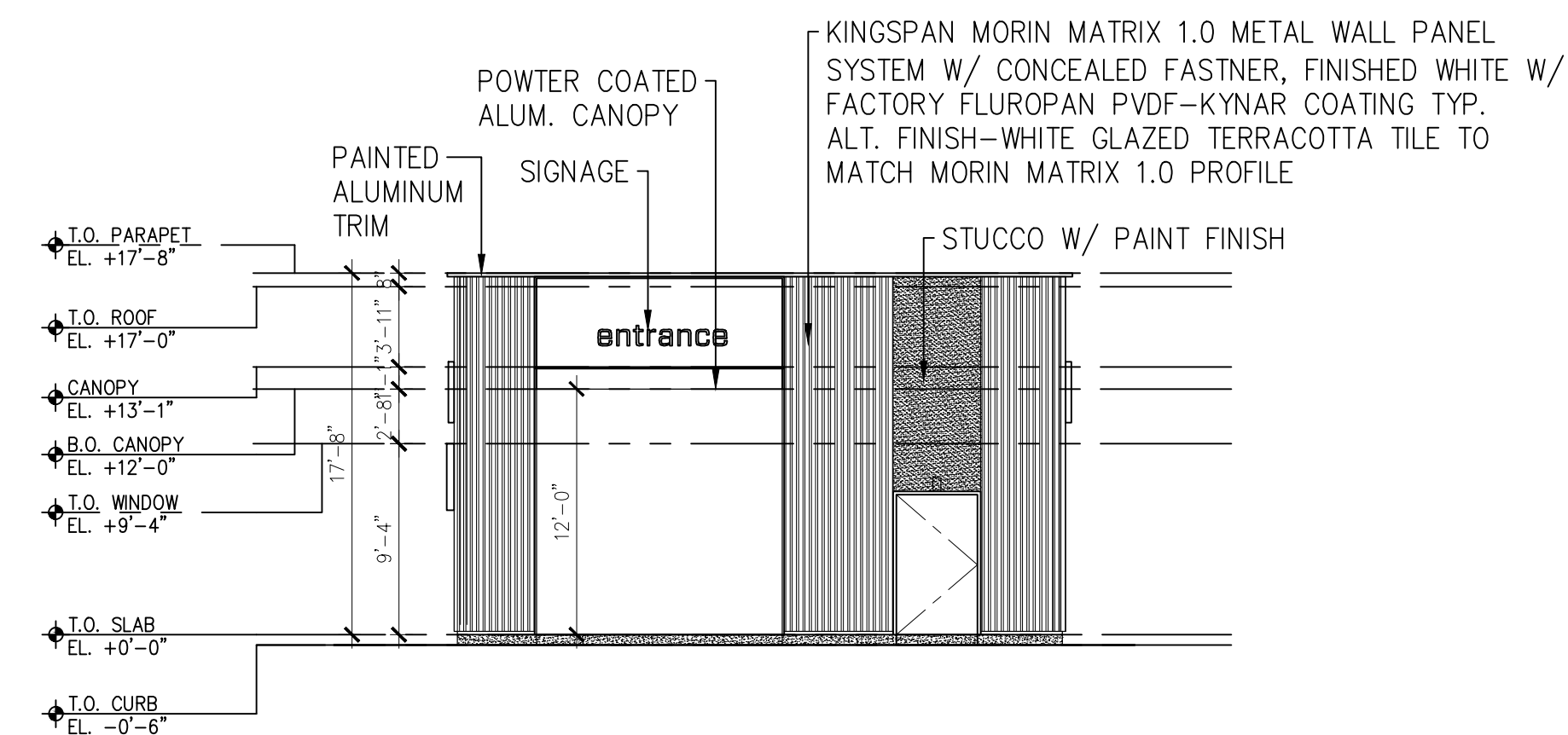
East Elevation

SCALE: 1/8"=1'-0"



South Elevation

SCALE: 1/8"=1'-0"

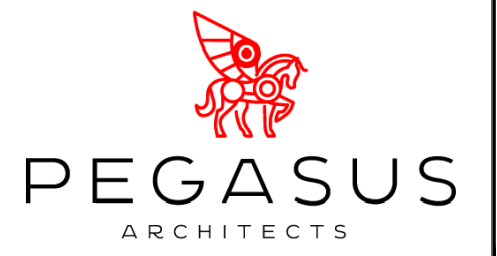


North Elevation

SCALE: 1/8"=1'-0"

Reference Notes

- 1 -
- 2 -



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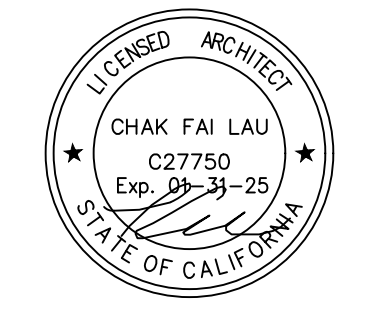
ADDRESS: 27990 IRIS AVE., MORENO VALLEY, CA 92555

CLIENT: TABEL CENTER LLC  
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FULLERTON CA 92831

CARWASH  
ELEVATIONS

SHEET TITLE:

KEY MAP SEAL/STAMP



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PLAN CHECK	
PERMIT SET	
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2nd PP Resubmittal	03/05/2023
3rd CUP Resubmittal	
3rd PP Resubmittal	04/27/2023
4th CUP Resubmittal	

SHEET NO:

A3.02

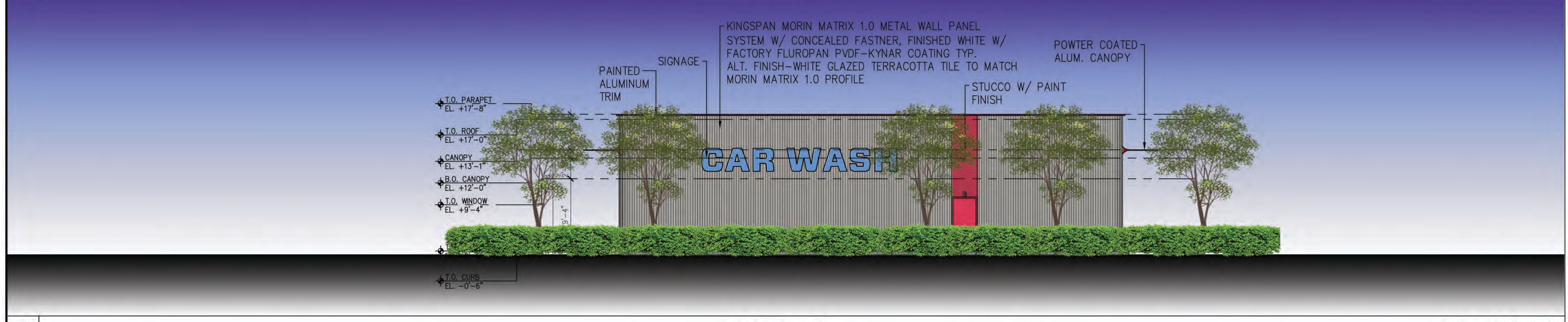
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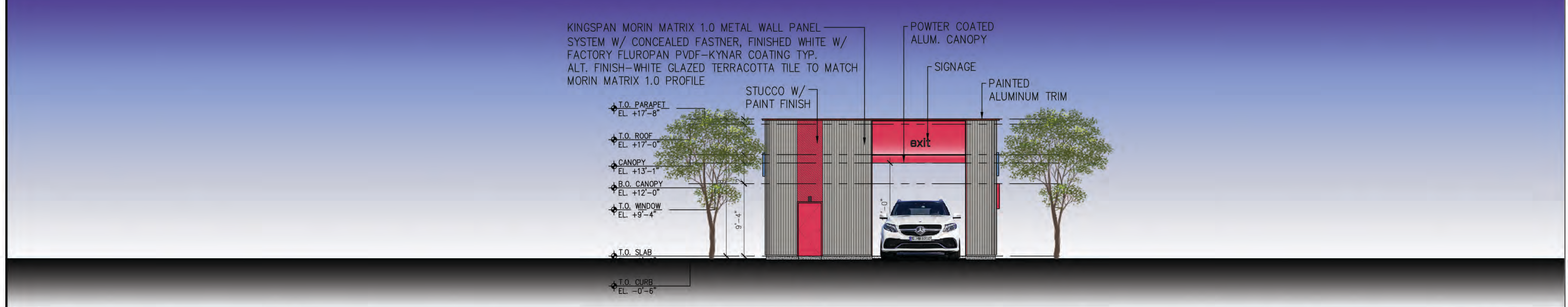
PEN22-0176 / PEN22-0238



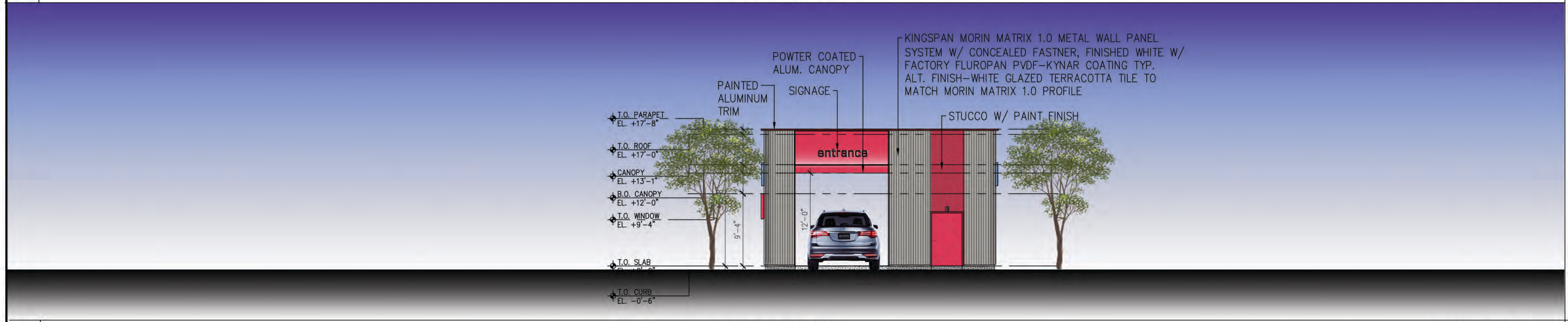
4 West Elevation SCALE: 1/8"=1'-0"



3 East Elevation SCALE: 1/8"=1'-0"



2 South Elevation SCALE: 1/8"=1'-0"



1 North Elevation SCALE: 1/8"=1'-0"

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2 -

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**CARWASH ELEVATIONS**

SHEET TITLE:

KEY MAP SEAL/STAMP

CHAK FAI LAU  
C27750  
Exp. 09-31-23  
STATE OF CALIFORNIA

JOB NO. SITE #-  
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SUPERVISED BY: TL  
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PLAN CHECK: /  
PERMIT SET: /  
BID SET: /

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3rd CIP Resubmittal	03/09/2023

SHEET NO:

**A3.02**

OF SHEETS  
SHEET



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DEVELOPMENT

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RENDERING

SHEET TITLE:

KEY MAP SEAL/STAMP



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CHECKED BY: TL	
PLAN CHECK	
PERMIT SET	
BID SET	

REVISIONS

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3rd CIP Resubmittal	03/05/2023

SHEET NO:

A3.03

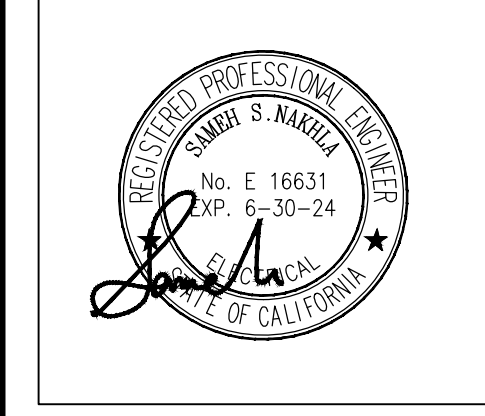
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SHEET

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Rendering





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 TEL: 909.465.4101  
 FAX: 909.606.6839

PROJECT:  
**NEW BEYOND FOODMART DEVELOPMENT**  
 ADDRESS: -  
 CLIENT:  
 NWC OF IRIS AVE & OLIVER ST., MORENO VALLEY, CA 92555

NO.	DATE	DESCRIPTION
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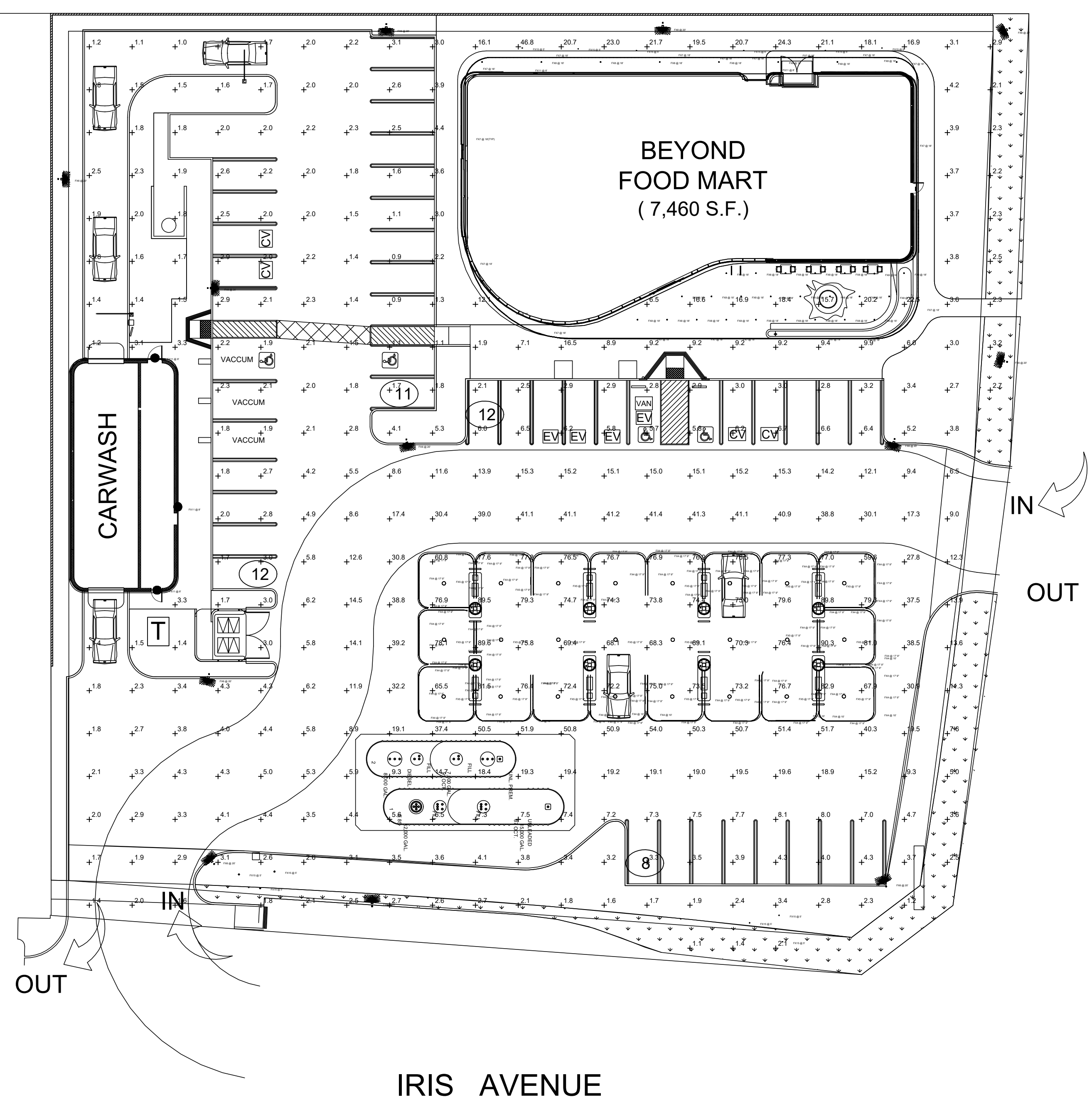
DATE:	DESIGNED BY:
NAI'S PROJECT #:	APPROVED BY:
FILE NAME:	DRAWN BY:

SHEET TITLE:  
**SITE PHOTOMETRY PLAN**  
 SHEET NUMBER:  
**E.10**

Label	Quantity	Manufacturer	Catalog Number	Description	Number Lamps	Lumens Per Lamp	Light Loss Factor	Wattage
FX5	24	LSI INDUSTRIES, INC.	OPS-14L-3W-39K8	Acrobat 2" RM, NC and IC housings with Reflector trim	1	13727	0.9	103
FX6	12	COOPER LIGHTING SOLUTIONS - McGRAW-EDISON (FORMERLY EATON)	GLEON-S42C-830-U-14W-HSS	GALLEON AREA AND ROADWAY LUMINAIRE (2) 80 CRI, 3000K, 1050mA LIGHT SQUARES WITH 16 LEDS EACH AND TYPE IV WIDE OPTICS WITH HOUSE SIDE SHIELD	32	260	0.9	113
FX7	387	LUMENPULSE LIGHTING LONGUEUIL, QUEBEC	LOGN-2W-48V-12-39K-90-WW-HF-RXK-SI-RUN AT 48 VDC		1	180	0.9	2
FX8	32	TROY-CSL LIGHTING INC	A2-RM, NC, ICXXX-10S-XXXL A2-3590-XXXX-STXXX-10	Acrobat 2" RM, NC and IC housings with Reflector trim	1	943	0.9	10.9
FX11	6	LIGMAN	UGN-30021-W30	Gini 300mm, one side wall luminaires	1	1195	0.9	16
FX15	12	B-K LIGHTING, INC.	NS-LED-#66-NSP-12, AR-LED-TR-#66-NSP-12, AR-LED-RM-#66-NSP-12, OS-LED-#66-NSP-12, RM-AR-LED-#66-NSP-12, SN-LED-#66-NSP-12, ST-LED-#66-NSP-12, SF-LED-#66-NSP-12, TF-LED-#66-NSP-12, WS-LED-#66-NSP-12, AW-LED-#66-NSP-12, JW-LED-#66-NSP-12, GO-LED-#66-NSP-12, EC-LED-#66-NSP-12, E3-LED-#66-NSP-12, SM-AR-LED-#66-NSP-12, PM-LED-#66-NSP-12, WM-LED-#66-NSP-12, UL-AR-LED-#66-NSP-12, HP2-LED-#66-NSP-12, CO2-LED-#66-NSP-12, VQ-LED-#66-NSP-12, VS-LED-#66-NSP-12	MACHINED CYLINDRICAL METAL HOUSING, 1 BLACK CIRCUIT BOARD WITH 3 LEDS, ONE CLEAR CONICAL PLASTIC OPTIC PER LED WITH SEMI-HEMISPHERICAL RECESSED CENTER TOWARD LED, MOLDED BLACK PLASTIC OPTIC MOUNTING FRAME, CLEAR MICRO-PRISMATIC FLAT GLASS LENS IN MACHINED CYLINDRICAL BLACK PAINTED METAL LENS FRAME, LENS PRISM: OUT.	3	0	0.9	7
FX4	791		KBL-F-V-30K-24V		1	722	0.9	3.6

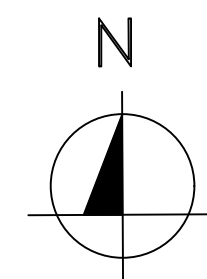
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Outdoor Zone	+	17.0 fc	90.3 fc	0.9 fc	100.3:1	18.9:1

APN: 486-310-039  
 ZONING: DC  
 (Downtown Center)



IRIS AVENUE

OLIVER STREET



SCALE  
 1" = 20'-0"

SITE PHOTOMETRY PLAN

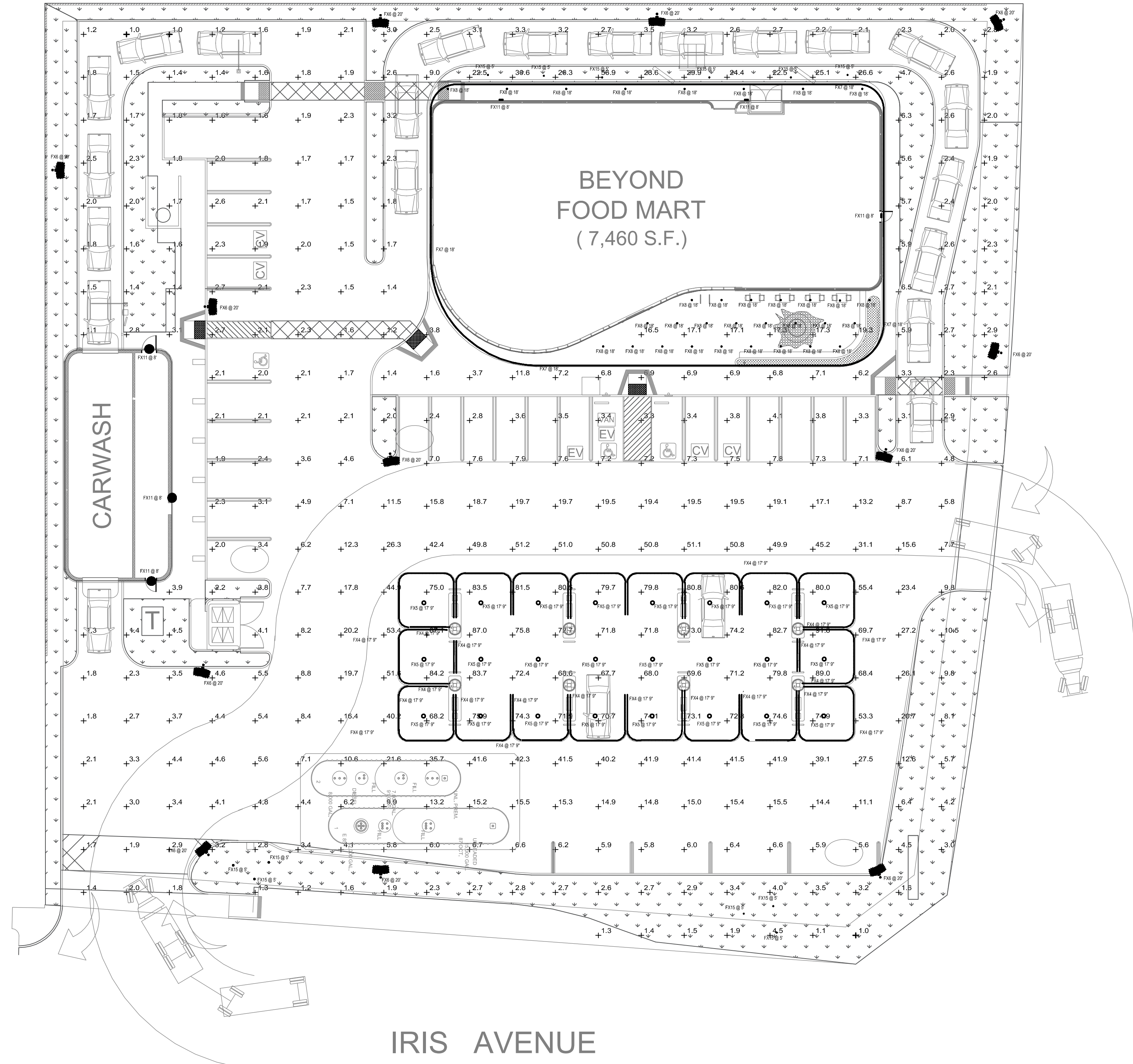
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Attachment: Project Plans - Architectural (6422 : Beyond Food Mart)

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Label	Quantity	Manufacturer	Catalog Number	Description	Number Lamps	Lumens Per Lamp	Light Loss Factor	Wattage
FX5	24	LSI INDUSTRIES, INC.	OPS-14L-3W-35K8	Acrobat 2" RM, NC and IC housings with Reflector trim	1	13727	0.9	103
FX6	12	COOPER LIGHTING SOLUTIONS - MCGRAW-EDISON (FORMERLY EATON)	GLEON-SAC3-430-U-T4V-HSS	GALLEON AREA AND ROADWAY LUMINAIRE (2) 80 CRI, 3000K, 1050mA LIGHT SQUARES WITH 16 LEDS EACH AND TYPE 'N' WIDE OPTICS WITH HOUSE SIDE SHIELD	32	260	0.9	113
FX7	387	LUMENPULSE LIGHTING LONGUEUIL, QUEBEC	LOGN-2W-48V-12-35K-80-WW-HFR-XX-SI-RUN AT 48 VDC		1	180	0.9	2
FX8	32	TROY-CSL LIGHTING INC	A2-RM, NC, ICXXXX-10S-XXXX, A2-3590-XXXXX-STXXXX-10	Acrobat 2" RM, NC and IC housings with Reflector trim	1	943	0.9	10.9
FX11	6	LIGMAN	UCN-3021-4730	Qm 300mm, one side wall luminaires	1	1195	0.9	18
FX15	12	B-K LIGHTING, INC.	NS-LED-66-NSP-12, AR-LED-7R-66-NSP-12, AR-LED-RM-66-NSP-12, DS-LED-66-NSP-12, RM-48-LED-66-NSP-12, SN-LED-66-NSP-12, ST-LED-66-NSP-12, SF-LED-66-NSP-12, TF-LED-66-NSP-12, WS-LED-66-NSP-12, AW-LED-66-NSP-12, SW-LED-66-NSP-12, GO-LED-66-NSP-12, CO-LED-66-NSP-12, EC-LED-66-NSP-12, ED-LED-66-NSP-12, SM-AR-LED-66-NSP-12, PM-LED-66-NSP-12, NM-LED-66-NSP-12, UL-AR-LED-66-NSP-12, HP2-LED-66-NSP-12, CO2-LED-66-NSP-12, VO-LED-66-NSP-12, VS-LED-66-NSP-12	MACHINED CYLINDRICAL METAL HOUSING, 1 BLACK CIRCUIT BOARD WITH 1 LEDS, ONE CLEAR CONICAL PLASTIC OPTIC PER LED WITH SEMI-HEMISPHERICAL RECESSED CENTER TOWARD LED, MOLDED BLACK PLASTIC OPTIC MOUNTING FRAME, CLEAR MICRO-PRISMATIC FLAT GLASS LENS IN MACHINED CYLINDRICAL BLACK PAINTED METAL LENS FRAME, LENS PRISMS OUT.	3	0	0.9	7
FX4	791		KBL-F-V-30K-24V		1	722	0.9	3.6

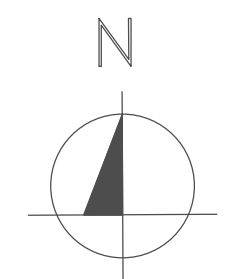
Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Outdoor Zone	+	17.0 fc	91.8 fc	1.0 fc	91.8:1	17.0:1



OLIVER STREET

IRIS AVENUE

SITE PHOTOMETRY PLAN



SCALE 1"=20'-0"

**NAI Consulting Engineers**  
 Mechanical, Electrical, Plumbing  
 2843 Smyth Drive, Suite # 201, 931 E Walnut Street, Pasadena, CA 91106  
 (661) 244-2772, (626) 448-1313, Fax: (661) 344-2773, www.nai-engineers.com



**CLIENT:**  
**PEGASUS ARCHITECTS**

4300 EDISON AVE., CHINO, CA 91710  
 TEL: 909.465.4101  
 FAX: 909.606.6839

**PROJECT:**  
 NEW BEYOND FOODMART DEVELOPMENT  
 ADDRESS: -

**CLIENT:**  
 NWC OF IRIS AVE & OLIVER ST., MORENO VALLEY, CA 92555

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		

DATE:	DESIGNED BY: LM
NAI'S PROJECT #: 22-073	APPROVED BY: SN
FILE NAME:	DRAWN BY: AP/MT

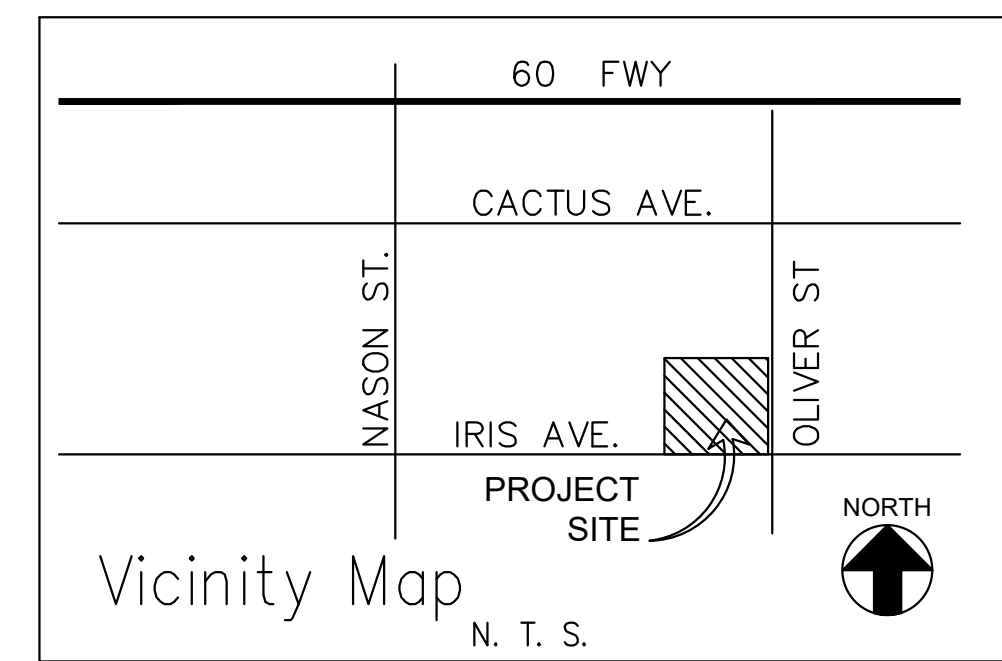
SHEET TITLE:  
**SITE PHOTOMETRY PLAN**

SHEET NUMBER:  
**E.10**

# ARCHITECTURAL LANDSCAPE PLANS

## NEW BEYOND MARKET & CARWASH DEVELOPMENT

NWC IRIS AVE. & OLIVER ST., MORENO VALLEY, CA



SHEET INDEX	
L-1	COVER SHEET
L-2	PLANTING PLAN
L-3	PLANTING DETAILS PLAN
L-4	IRRIGATION PLAN
L-5	IRRIGATION DETAILS PLAN

TOTAL LANDSCAPE AREA = 14,944 s.f.

### Scope Of Work

NEW CONSTRUCTION OF A SERVICE STATION WITH C-STORE W/ DRIVE-THRU, CARWASH FACILITY, TRASH ENCLOSURE, 8 FUEL PUMP CANOPY, UNDERGROUND STORAGE TANKS ARE UNDER SEPARATED PERMIT BY OTHERS.

### Project Directory

**OWNER:**  
PARADISE LAKE LLC.  
4300 EDISON AVE.,  
CHINO, CA 91710  
TEL: (909) 465-4101  
FAX: (909) 606-6839

**ARCHITECT:**  
CHAK LAU, A.I.A.  
PEGASUS ARCHITECTS  
4300 EDISON AVE.,  
CHINO, CA 91710  
TEL: (909) 465.4101

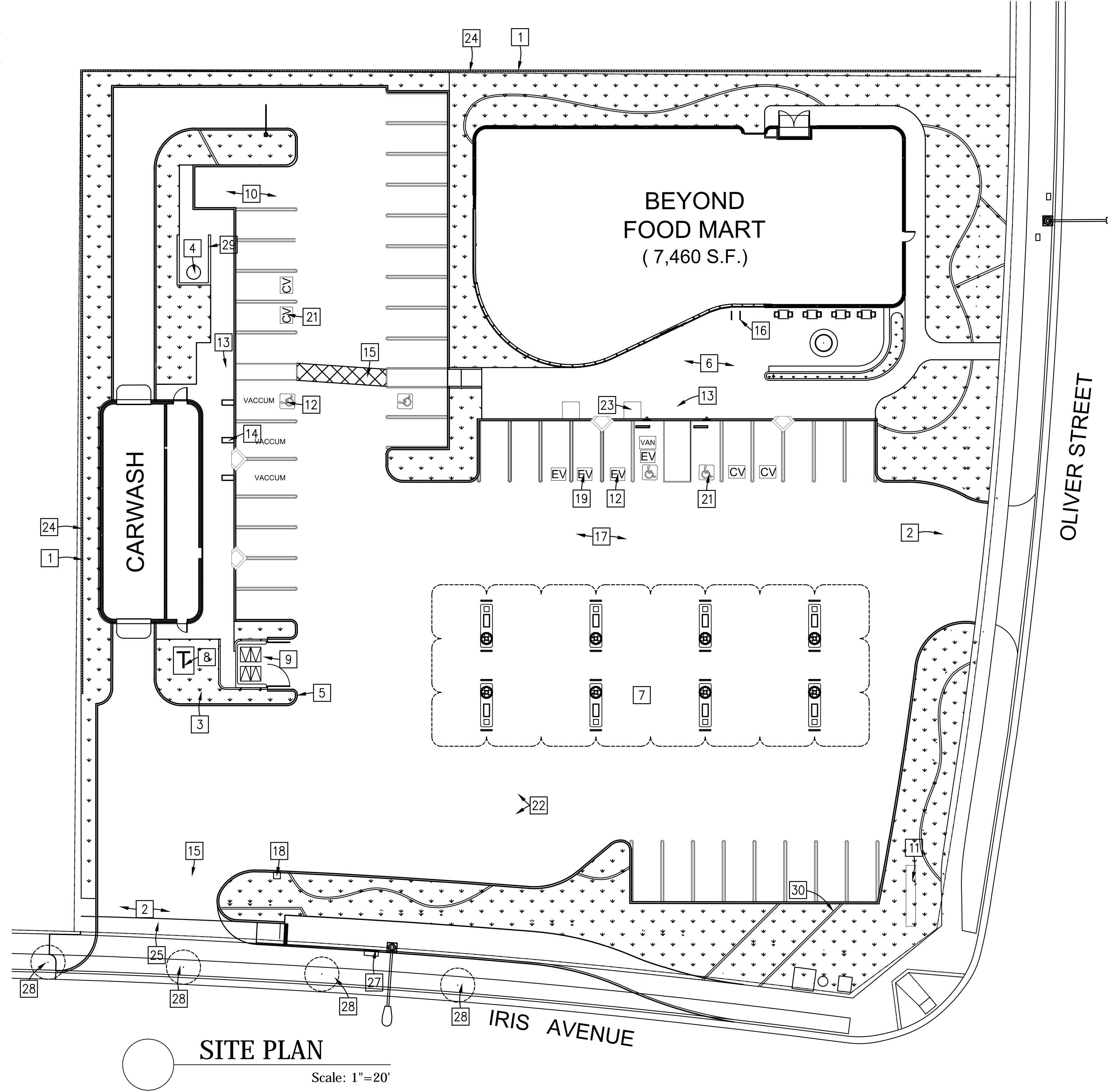
**MEP ENGINEERS:**  
CHENCO ENGINEERING  
1721 W. GARVEY AVE.,  
ALHAMBRA, CA 91803  
TEL: (626) 576-2646  
FAX: (626) 576-0453

**SILOAM STRUCTURAL ENGINEER:**  
MILES S. CHANG, P.E.  
20160 PASEO DEL PRADO, SUITE H,  
WALNUT, CA 91789  
TEL: (909) 598-8218

**LANDSCAPE ARCHITECT:**  
PHILMAY LANDSCAPE ARCHITECT  
215 N. 2ND AVE., SUITE C  
UPLAND, CA 91786  
TEL: (909) 373-1959  
FAX: (909) 373-1958

### Reference Notes

- 1 (E) PROPERTY LINES
- 2 (N) CURB AND GUTTER/DRIVEWAY (RIGHT IN & OUT)
- 3 (N) LANDSCAPE
- 4 (N) HEALY TANK
- 5 (N) CONCRETE CURB
- 6 (N) CONCRETE SIDEWALK
- 7 (N) CANOPY 47'-0"x128'-0" (UNDER SEPARATED PERMIT)
- 8 (N) TRANSFORMER PAD
- 9 (N) TRASH/RECYCLE ENCLOSURE
- 10 (N) LOADING/UNLOADING (10'-0"x20'-0")
- 11 (N) CORNER MONUMENT, SIGN BY OTHERS, UNDER SEPARATE PERMIT.
- 12 (N) HCP PARKING
- 13 (N) HCP RAMP
- 14 (N) VACUUM @ 6 LOCS
- 15 (N) 5'-0" WIDE HCP PATH OF TRAVEL W/ DECORATIVE CONCRETE PATHWAY, PER CODE STD
- 16 (N) 'U' RACK BICYCLE PARKING PER CITY'S STANDARD.
- 17 (N) 26' WIDE FIRE LANE
- 18 (N) AIR/WATER TOWER
- 19 (N) EVCS PARKING PER CITY'S STD. PROVIDE MIN. 1" CONDUIT TERMINATING IN LISTED ENCLOSURE FOR FUTURE CHARGER.
- 20 (N) 8' HT. SPLITFACE CMU FENCE WALL
- 21 (N) FUEL-EFFICIENT CARPOOL AND VANPOOL VEHICLE, PER CODE STD.
- 22 (N) UNDERGROUND TANK, UNDER SEPARATE PERMIT.
- 23 (N) EV CHARGING STATION
- 24 (N) 6' HT SPLIT FACE CMU WALL W/ 2" CONCRETE CAP
- 25 ACCESS DRIVEWAYS ON IRIS AVENUE WILL BE RESTRICTED TO RIGHT IN / RIGHT OUT ONLY.
- 26 (E) TREE TO REMOVE
- 27 (N) BUS STOP
- 28 (E) TREE TO REMOVE, SEE LANDSCAPE PLAN.
- 29 (N) CMU WALL WITH STUCCO FINISH AT 6'-0" HEIGHT.



**SITE PLAN**  
Scale: 1"=20'

**PARKING STALL SHADING CALCULATIONS:**  
TOTAL PARKING STALL(43) AREA= 6,966 S.F.  
TREE SHADING TO BE PROVIDED AREA= 2,716 S.F. OR 39%

All improvements are to be maintained by the property owner.



**CERTIFICATION OF LANDSCAPE DESIGN**

I hereby certify that:

- (1) I am a professional appropriately licensed in the State of California to provide professional landscape design services.
- (2) The landscape design and water use calculations for the property located at NWC IRIS AVE. & OLIVER ST., MORENO VALLEY, CA
- (3) (provide street address or parcel number(s)) were prepared by me or under my supervision.
- (4) The landscape design and water use calculations for the identified property comply with the requirements of the City of Palmdale Water Efficient Landscape Ordinance (Municipal Code Chapter 13.18) and the City of Palmdale Water Efficient Landscape Guidelines.
- (5) The information I have provided in this Certificate of Landscape Design is true and correct and is hereby submitted in compliance with the City of Palmdale Water Efficient Landscape Guidelines.

PHIL MAY 04-26-2023  
Print Name Date

*Phil May* 3104  
Signature License Number

215 N. 2ND AVE, SUITE C, UPLAND, CA 91786  
Address

(909) 373-1959 pmay@philmaydesign.com  
Telephone E-mail Address

Landscaping Design Professional's Stamp

NOTES:  
Maintenance of existing landscaping shall be the responsibility of the property owner. Coordinate with Landscape Services at 951-413-3480 or sdlandscape@moval.org for irrigation repairs, relocation or abandonment of City maintained irrigation system.

REVISIONS	BY
CITY COMMENTS 12-06-2022	▲

**PHIL MAY LANDSCAPE ARCHITECTURE**

2532 Wallace Ave.  
Fullerton, CA 92831

Phone: 909 373 1959  
pmay@philmaydesign.com  
www.philmaydesign.com



COVER SHEET

NEW BEYOND FOODMART DEVELOPMENT NWC OF IRIS AVE & OLIVER ST., MORENO VALLEY, CA

DRAWN  
R.S.

CHECKED  
R.S.

DATE  
04-26-2023

**L-1**

OF 5 SHEETS

JOB NO.  
22093

CONTRACTORS SHALL VERIFY DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS. WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS. CONTRACTORS SHALL VERIFY DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS. WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS.

Attachment: Project Plans - Conceptual Landscaping and Preliminary Grading (6422: Beyond Food Mart)

# PLANT LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY	SIZE	WUCOLS PLANT FACTOR	REMARKS
<b>TREES</b>						
	Acer p. Adrian's Compact	Compact J. Maple	1	24" box	L	Multi-trunk
	Parkinsonia 'Desert Museum'	Palo Verde	4	24" box	L	Multi-trunk
	Cercis o. 'Forest Pansy'	Forest Pansy	12	24" box	M	Standard trunk
	Lagstroemia i. 'Tuscarora'	Cape Myrtle	4	24" box	M	Standard trunk
	Lophostemon confertus	Brisbane box	13	24" box	M	Standard trunk
	Platanus x a. 'Bloodgood'	London Plane Tree	5	24" box	M	Standard trunk
	Geijera parvifolia	Australian Willow	9	24" box	L	Standard trunk
Existing street trees to remain in place.						
<b>SHRUBS</b>						
	Agave attenuata	Foxtail Agave	48	5 gal	L	
	Agave Blue Glow	Blue Glow Agave	36	5 gal	L	
	Ligustrum j. 'Texanum'	Texas Privet	114	5 gal	L	
	Bougainvillea 'Raspberry Ice'	Raspberry Ice Bougainvillea	37	5 gal	L	
	Callistemon 'Little John'	Dwarf Bottlebrush	113	5 gal	M	
	Westringia fruticosa 'Smoky'	Dwarf Coastal Rosemary	91	5 gal	L	
	Westringia fruticosa 'Mundi'	Mundi Coastal Rosemary	75	5 gal	L	
<b>PERENNIALS</b>						
	Carex o. 'Evergold'	Var. Japanese Sedge	10	1 gal	L	
	Dianella 'Cassa Blue'	Cassa Blue Lily	55	1 gal	L	
	Dianella t. 'Variegata'	Variegated Flax Lily	16	1 gal	M	
	Kniphofia uvaria	Red Hot Poker	37	1 gal	L	
	Penstemon h. 'Margarita BOP'	Margarita Bop Beardtongue	125	1 gal	L	
	Sesleria autumnalis	Moor Grass	95	1 gal	L	
<b>GROUND COVER</b>						
	Baccharis p. 'Coyote Bush'	Dwarf Coyote Bush	29	1 gal	L	plant @ 36" o.c.
	Carissa m. 'Emerald Blanket'	Emerald Blanket	77	1 gal	L	plant @ 36" o.c.
	Rosmarinus officinalis 'Irene'	Irene Trailing Rosemary	260	1 gal	L	plant @ 36" o.c.
	3-4" Cobblestone rock set on finish grade, detail K, L-1					
	3" layer of 3/4" gravel, Palm Springs Gold, detail L, L-1					

## Water Efficient Landscape Worksheet

Reference Evapotranspiration (Eto)	56.4		Moreno Valley		ETAF (PF/IE)	Landscape Area (LA) (sq. ft.)	ETAF x Area	Estimated Total Water Use (ETWU)	
	ETWU requirement	ETWU requirement	ETWU requirement	MAWA requirement					
Hydrozone/Planting Description	Plant Factor (PF)	Irrigation Method	Irrigation Efficiency (IE)	ETAF (PF/IE)	Landscape Area (LA) (sq. ft.)	ETAF x Area	Estimated Total Water Use (ETWU)		
<b>Regular Landscape Areas</b>									
1) Low water use plants	0.2	Drip	0.81	0.247	12,568	3,103.21	108,513		
2) Med water use trees	0.5	Overhead Spray	0.75	0.667	2,376	1,536.10	53,714		
Totals							14,944	4,639.31	162,227
<b>Special Landscape Areas (SLA): Recycled Water</b>									
				1	0	0	0	0	
				1	0	0	0	0	
				1	0	0	0	0	
Totals							3	0	0
Estimated Total Water Use (ETWU)								162,227	
Maximum Allowed Water Allowance (MAWA)								235,153	

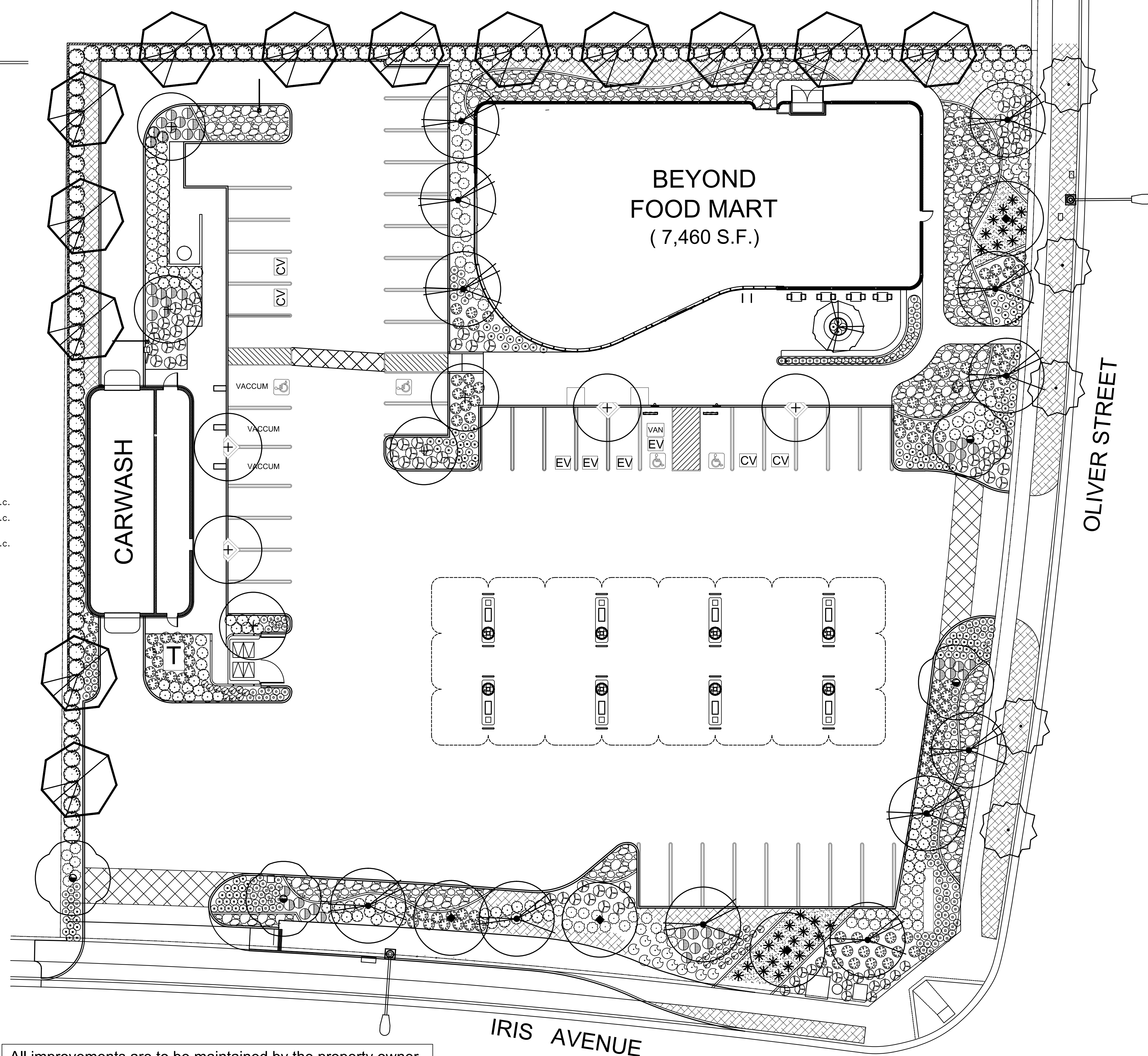
Plant Water Use Type	Plant Factor	method	Efficiency
very low	0-0.1	overhead spray	0.75
low	0.1-0.3	drip	0.81
medium	0.4-0.6		
high	0.7-1.0		

**MAWA (annual gallons allowed) = (Eto) (0.62) [(ETAF x LA) + ((L-ETAF) x SLA)]**

where 0.62 is a conversion factor that converts acre-inches per acre/year to gallons per sq. ft./year. LA is the total landscape area in sq. ft., SLA is the total special landscape area in sq. ft., and ETAF is .55 for residential areas and 0.45 for non-residential areas.

ETAF Calculations	
Regular Landscape Areas	
Total ETAF x Area	4,639
Total Area	14,944
Average ETAF	0.31
Average ETAF for regular landscape areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential areas.	

All Landscape Areas	
Total ETAF x Area	4,639
Total Area	14,944



All improvements are to be maintained by the property owner.

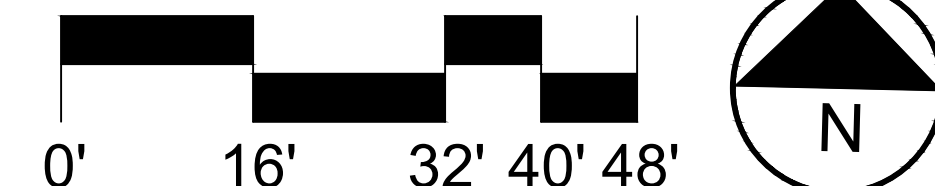
NOTE: SEE SHEET L-3 FOR PLANTING DETAILS

NOTE: "I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the planting design plan."

*Phil May*  
Phil May, Landscape Architect  
04-27-2023  
Date

NOTE: INSTALL ROOT BARRIERS TO ALL PROPOSED TREES PLANTED WITHIN FIVE(5) FEET ALONG ANY HARDSCAPE SURFACE; NOT AROUND THE TREE ROOT BALL.

**MULCH INSTALLATION**  
After all planting and irrigation operations are complete, cover all exposed landscape areas with 3" layer of SPEC Mulch as made by Recycled Wood Products (877-476-9797), or equal



REVISIONS	BY
CITY COMMENTS 12-08-2022	▲

**PHIL MAY LANDSCAPE ARCHITECTURE**

2532 Wallace Ave.  
Fullerton, CA 92831

Phone: 909 373 1959

pmay@philmaydesign.com  
www.philmaydesign.com



# PLANTING PLAN

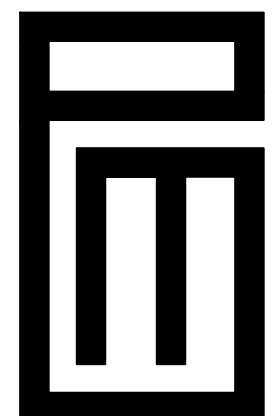
**NEW BEYOND FOODMART DEVELOPMENT**  
NWC OF IRIS AVE & OLIVER ST.,  
MORENO VALLEY, CA

DRAWN R.S.  
CHECKED R.S.  
DATE 04-26-2023

**L-2**  
OF 5 SHEETS  
JOB NO. 22093

DRAWINGS AND INSTRUMENTS OF SURVEY ARE THE PROPERTY OF PHIL MAY LANDSCAPE ARCHITECTURE. THESE DRAWINGS ARE FOR THE USE OF THE SPECIFIC PROJECT AND NOT BE USED OTHERWISE WITHOUT THE EXPRESS WRITTEN PERMISSION OF PHIL MAY LANDSCAPE ARCHITECTURE. WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND LOCATIONS ON THE JOB AND THE FACE THEREOF. NOTICES OF ANY VARIATIONS FROM THE DRAWINGS AND CONDITIONS FOR THE PROJECT SHALL BE NOTIFIED IMMEDIATELY TO THE ARCHITECT.

REVISIONS	BY
CITY COMMENTS 12-08-2022	△



**PHIL MAY  
LANDSCAPE  
ARCHITECTURE**

2532 Wallace Ave.  
Fullerton, CA 92831

Phone: 909 373 1959  
pimay@philmaydesign.com  
www.philmaydesign.com



**PLANTING DETAILS**

**NEW BEYOND FOODMART  
DEVELOPMENT  
NWC OF IRIS AVE &  
OLIVER ST.,  
MORENO VALLEY, CA**

DRAWN  
**R.S.**

CHECKED  
**R.S.**

DATE  
04-26-2023

**L-3**

OF 5 SHEETS

JOB NO.  
22093

**PLANTING NOTES**

- Contractor is to review plans, verify site conditions and plant quantities prior to installation. Contractor shall take sole responsibility for any cost incurred due to damage of existing utilities. Plant material quantities are listed for the convenience of the Contractor. Actual number of symbols shall have priority over quantity designated. Conflicts between the Owner and these plans or within these plans shall be brought to the attention of the Landscape Architect prior to landscape installation. Any deviation(s) from the plans or specifications will require written approval from the Owner and/or Landscape Architect. The Contractor shall assume full responsibility for all necessary revisions due to failure to give such notification.
- The Contractor shall maintain a qualified supervisor on the site at all times during construction through completion of pick-up work.
- The Contractor shall receive site graded within 0.10 foot of finish grade. Commencement of work indicates Contractor's acceptance of existing grades and conditions. Final grades shall be adjusted by Contractor as directed by Owner's representative. All grading shall be completed prior to commencement of planting operation.
- The Contractor shall furnish and pay for all container grown trees, shrubs, vines, seeded/sodded turf, hydromulches, and flatted groundcovers. The Contractor shall also be responsible for and pay for planting, staking, and guarantee of all plant materials. See planting details for planting and staking/guying requirements.
- The Landscape Architect and/or Owner shall approve plant material placement by Contractor prior to installation.
- Contractor shall follow the agronomical soils report recommendations, notes and shall uniformly broadcast amendments over planting areas only. Landscape contractor shall obtain agronomical soils report after all grading has been performed.
- The planting pits for trees shall be dug twice the diameter of the root ball and two inches shallower than the rootball. Planting pits for shrubs and perennials shall be dug twice the original root ball width, and one-and-a-half times as deep as the rootball. Planting pits for groundcovers shall be dug one-and-a-half times the original root ball size in all directions.
- Provide root barriers to all new trees planted within five(5) feet of paved areas. The root barrier shall be installed per manufacture specifications. For trees planted in square or circular tree wells; the root barrier shall be install around entire perimeter edge of the well planter.
- Provide jute netting on all slopes 4:1 or greater.
- The Landscape Contractor shall maintain all planted areas shown on the plans, including (but not limited to) watering, pruning, edging, and mowing, for a period of thirty (30) days after completion of project and acceptance by Owner.
- The Landscape Contractor shall warranty and replace any plant material that shows signs of lack of vigor or other unhealthy appearance within ninety (90) days of completion of contract. Trees that have been topped or otherwise improperly pruned by the Contractor shall be removed and replaced by the Contractor at no cost to the Owner.

**Linear Style Planting with DeepRoot Barriers**

Determine the correct number of panels to be used. Depending upon the actual planting plan and the number of trees involved the length of linear barrier will vary, but as a general rule of thumb take the anticipated mature canopy diameter of the tree and add 2 feet (61cm). This will be the number of feet necessary for a Linear style planting application. (See chart below.)

**A.** Dig the trench to the depth based upon the particular barrier chosen.

**B.** Install the barrier. When using DeepRoot Linear Barriers simply pull the appropriate number of panels out of the box (they come preassembled) and separate the joiner at the correct length. When installing DeepRoot Universal Barriers in a linear fashion you will need to join the appropriate number of panels together.

**C.** Next place the barrier in the trench with the vertical ribs facing toward the tree and align in a straight fashion. It is helpful to place the barrier against the hardscape. Use the hardscape as a guide and backfill against the barriers to promote a clean smooth fit to the hardscape. Be sure to keep the barrier's double top edge at least 1/2" (13mm) above grade to ensure roots do not grow over the top.

**D.** Plant the tree(s). The Linear style offers a more expansive rooting growth area, however adverse soil and drainage conditions may exist in the actual planting area. Take steps to ensure healthy growth of the tree at planting. Consult with a local Arborist for planting tips and recommendations.

**E.** If the tree(s) will be subject to maintenance work such as lawn mowing or weed trimming we strongly recommend the installation of ArborGard+ Tree Trunk Protectors which is placed around the base of young trees to protect them from damage by weed trimmers, lawn mowers and small rodents.

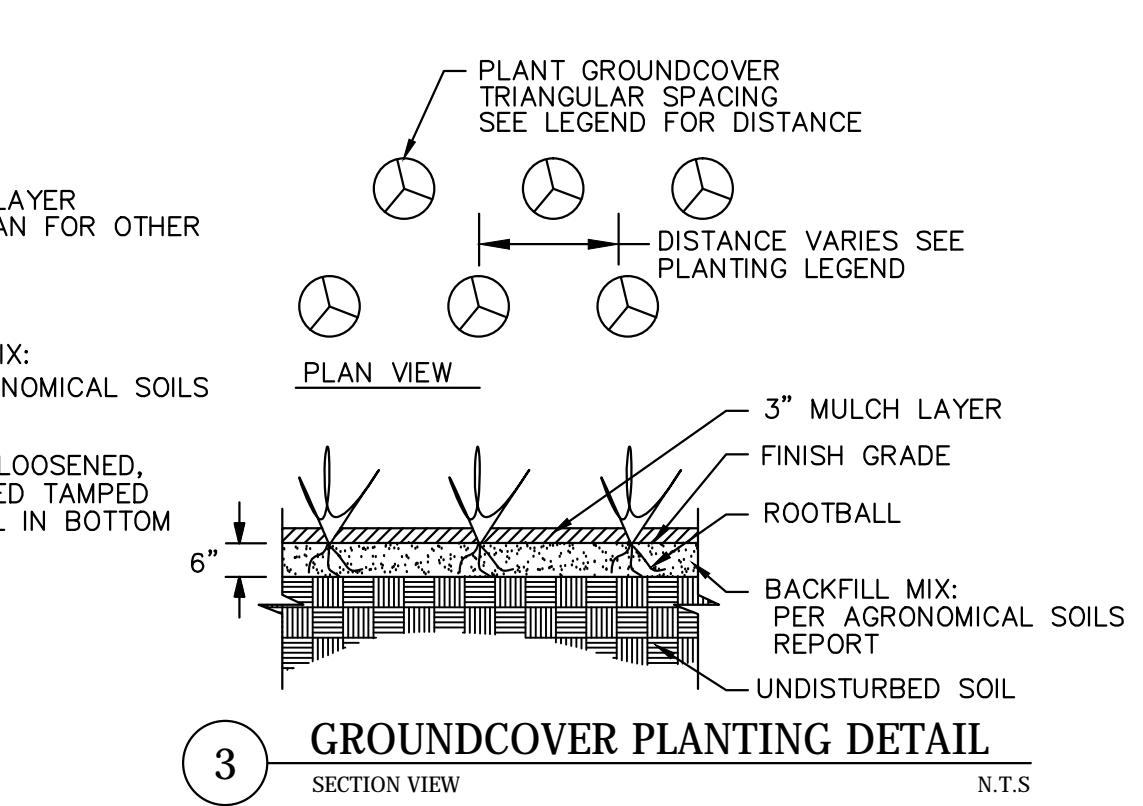
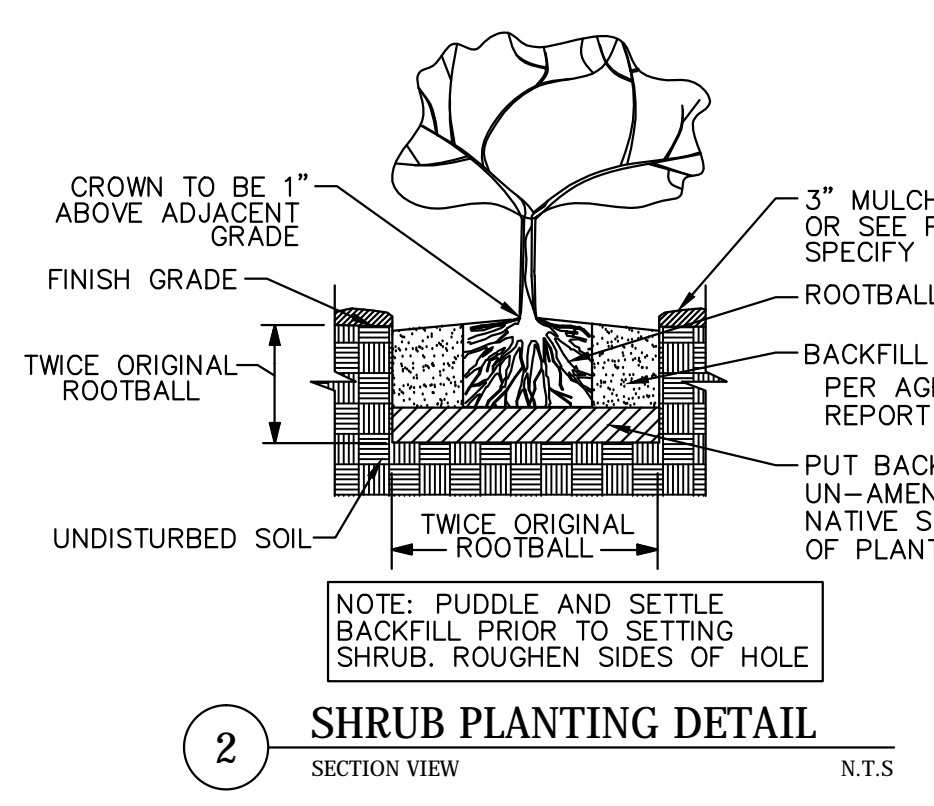
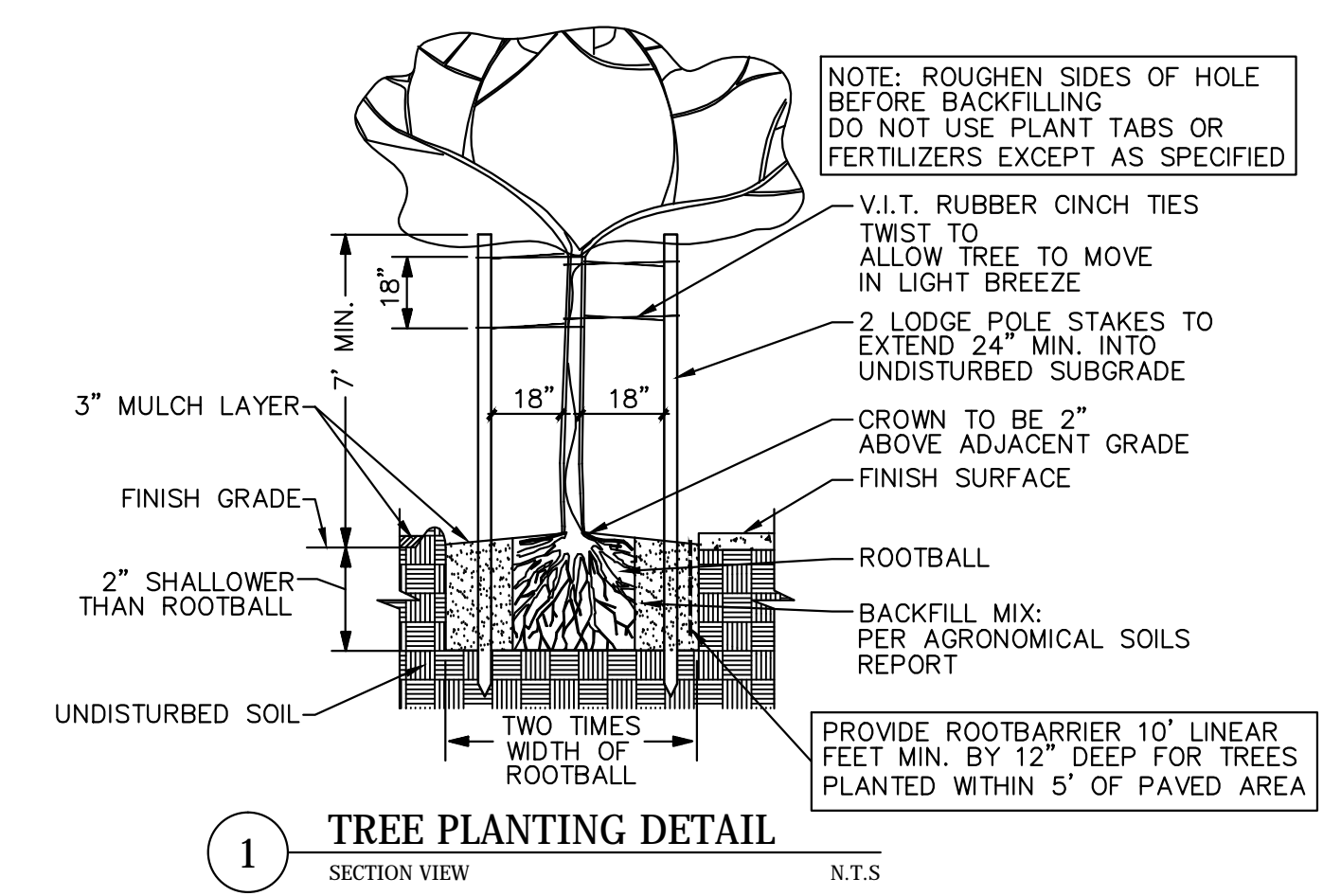
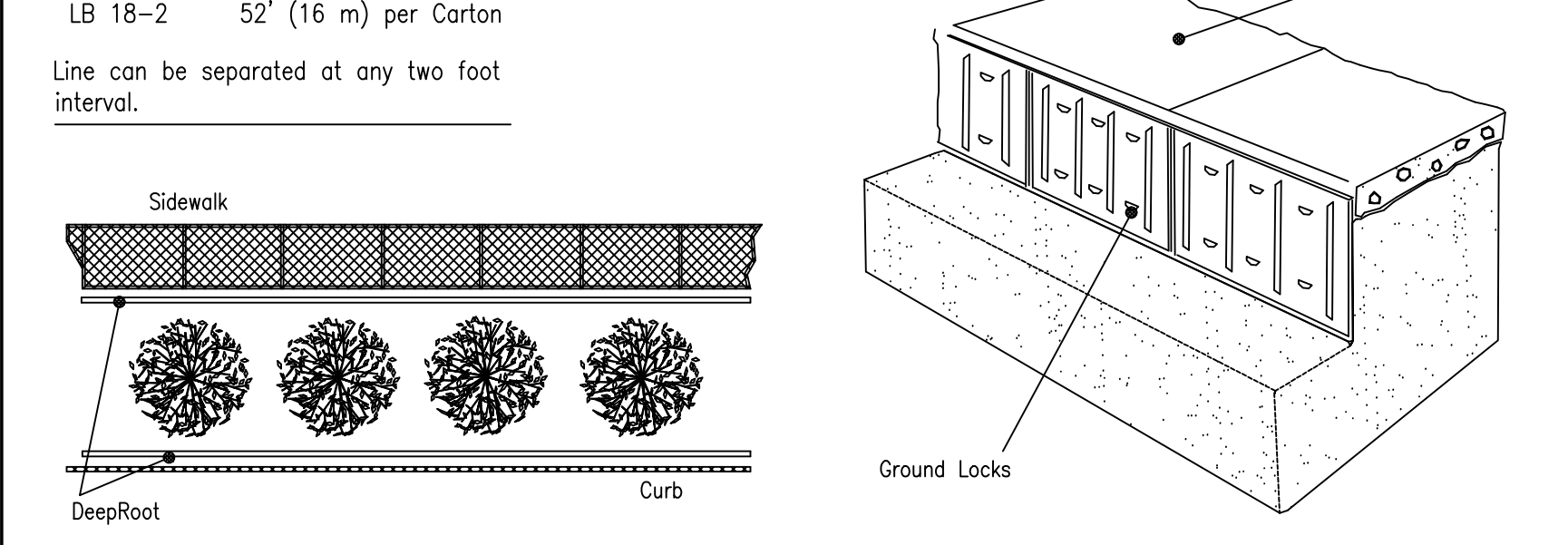
For additional information please consult the 16 page DeepRoot Product Selection and Installation Guidelines.

For information regarding distributors please call: 1 800 ILV ROOT (458.7668). For help with difficult drainage or other difficult installation questions please call DeepRoot Technical Support at: 1 800 ROOT TEK (766.8835).

For a simple formula to determine the quantity of panels required for a Linear application use:  
Estimated Diameter of the Tree Canopy at Maturity + 2' (61cm) = Length of Barrier per Side.

As little as one side of the tree may need barrier for root direction as there may be no hardscape elsewhere requiring protection.	For One Side of Tree	Number of Feet of Linear Barrier (LB 12 or LB 18)	Optional Universal Barrier (UB) in number of Panels
Note: Linear Barriers (LB 12-2 and LB 18-2) are packaged in 2' (61cm) long panels with pre-attached flexible joiners ready to pull out of the carton and install in one continuous line of up to:	12' (3.6m) Diameter	+2' (61cm) = 14' (4.2m)	7 Panels
	18' (5.5m) Diameter	+2' (61cm) = 20' (6.1m)	10 Panels
	24' (7.3m) Diameter	+2' (61cm) = 26' (7.9m)	13 Panels

**NOTE: ROOT BARRIERS SHALL BE 12" DEEP MAX. & LINEAR APPLICATION ONLY.**



DRAWINGS AND INSTRUMENTS OF SURVEY ARE THE PROPERTY OF PHIL MAY LANDSCAPE ARCHITECTURE. THESE DRAWINGS ARE FOR THE USE OF THE GRANTEE PROJECT AND NOT TO BE USED OTHERWISE WITHOUT THE EXPRESS WRITTEN PERMISSION OF PHIL MAY LANDSCAPE ARCHITECTURE. WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND LOCATIONS ON THE JOB AND ANY DISCREPANCY SHALL BE NOTICED IMMEDIATELY. UNLESS OTHERWISE SPECIFIED, ALL DIMENSIONS SHALL BE IN FEET AND INCHES. UNLESS OTHERWISE SPECIFIED, ALL DIMENSIONS SHALL BE IN FEET AND INCHES. UNLESS OTHERWISE SPECIFIED, ALL DIMENSIONS SHALL BE IN FEET AND INCHES. UNLESS OTHERWISE SPECIFIED, ALL DIMENSIONS SHALL BE IN FEET AND INCHES.

**IRRIGATION NOTES**

- It is the responsibility of the irrigation contractor to familiarize himself with all grade differences, location of wall, retaining walls, structures and utilities. The Contractor shall repair or replace, at no additional cost to the owner, all items damaged by his work. The Contractor shall coordinate his work with other contractors for the location and installation of pipe sleeves and laterals through walls, under roadways and paving, etc.
- The Contractor shall not willfully install the irrigation system as shown on the drawings when it is obvious in the field that unknown obstructions, grade differences, or differences in the area dimension exist that might not have been addressed in the design of the irrigation system. Such obstructions or differences shall be brought to the attention of the Owner's authorized representative. In the event this notification is not performed, the Contractor shall assume full responsibility for any necessary alterations to the work.
- The Contractor shall obtain, coordinate, and pay for any and all inspections as required.
- The Contractor shall be responsible and liable for any encroachment into adjacent property, R.O.W.'s easements setbacks or any other legal property restrictions either marked or unmarked.
- The irrigation system design is based on a minimum operation pressure of 40 PSI and a maximum flow demand of 15.0 GPM. The Contractor shall verify water pressure prior to construction. Report any difference between the water pressure indicated on the drawings and the actual pressure reading at the irrigation point of connection to the Landscape Architect.
- This design is diagrammatic. All piping, valves, etc., shown within paved areas is for design clarification only and shall be installed in planting areas wherever possible. The Contractor shall locate all valves in shrub or groundcover areas.
- Trenching within the dripline of large existing trees shall be performed by hand, and with extreme care not to sever roots 1-1/2" in diameter and larger. Where roots 1-1/2" in diameter and larger are encountered, the Contractor shall tunnel under said roots. Exposed roots that have been tunneled under shall be wrapped in wet burlap and kept moist while the trench is open.
- All purple Main line piping, lateral line piping, and control wires under paving shall be installed in Purple Schedule 40 PVC sleeves at a minimum depth of 18". Sleeves shall be installed before paving is in place. All sleeve sized shall be a minimum of twice the diameter of the pipe to be sleeved. Control wire sleeves shall be of sufficient size for the required number of wires under paving.
- Pipe sizes shall conform to those shown on the drawings. No substitutions of smaller pipe sizes shall be permitted, but substitutions of larger sizes may be approved. All damaged and rejected pipe shall be removed from the site at the time of said rejection.
- The Contractor shall flush and adjust all sprinkler heads, drip tubing, and valves for optimum coverage with minimal misting and/or over spray onto walks, streets, walls, etc. Substitution of nozzle pattern or radius as required to achieve optimum coverage is responsibility of contractor.
- All irrigation equipment not otherwise detailed or specified shall be installed as per manufacturer's recommendations and specifications.

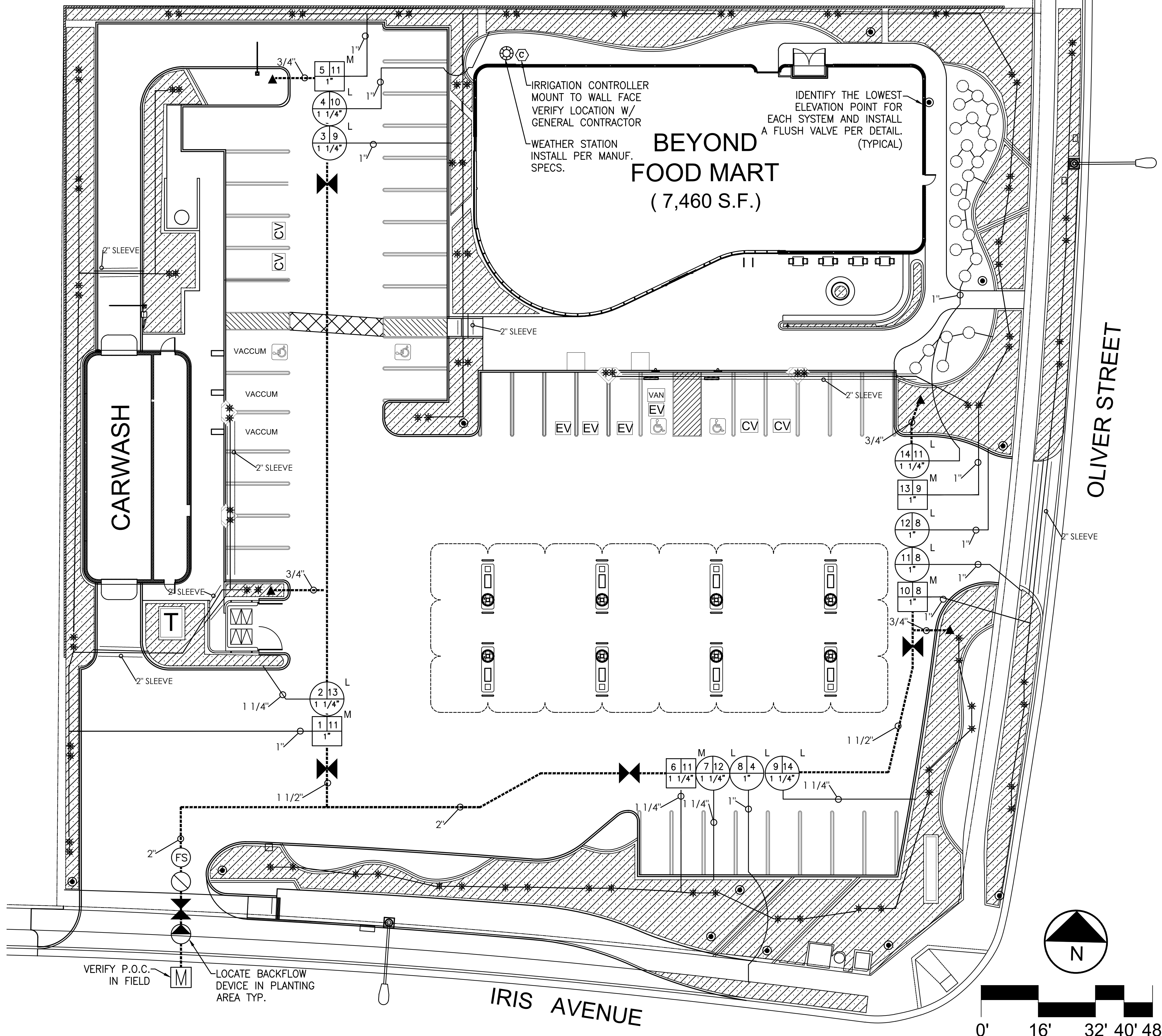
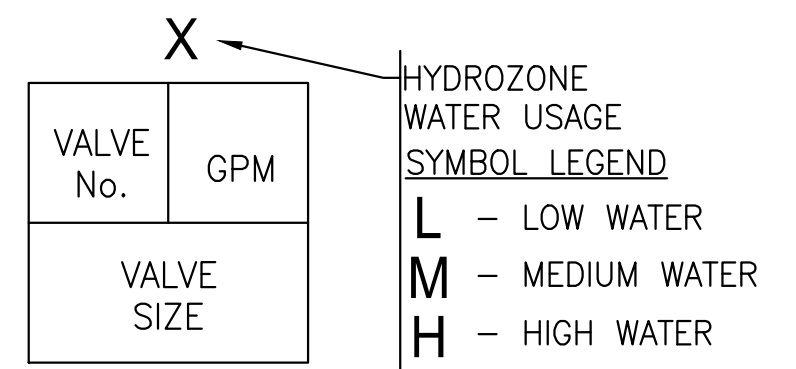
- Drip tubing shall be installed in parallel rows (wherever possible) 18" apart on top the finish grade (unless stated otherwise on plan OR irrigation legend) and covered with 3" of specify groundcover material- see planting plan. Emitter spacing of adjacent rows staggered. Tubing shall be firmly staked in place with U-staples at 5' on center (24" on center around tight curves). In steeply sloped areas, install tubing rows perpendicular to the direction of the slope. Install flush valves at the circuit's major low points (verify in field). Install flush valves in 6" valve boxes. Drip irrigation tubing shall be connected to Schedule 40 PVC supply line and exhaust manifolds where indicated on the plans.
- All remote control valves, gate valves, flush valves, and pressure relief valves shall be installed in suitable valve boxes as shown in details, complete with locking covers. All shall be Carson, Arntec, or approved equal, and shall be marked "G.V." for gate valves, "R.C.V." for remote control valves, etc. Provide expansion coils at each wire connection in valve box as per details.
- Install all backflow prevention devices and all piping between the point of connection and the backflow preventer as per local codes. Final location of the backflow preventer and automatic controller shall be approved by the Owner.
- 120 VAC electrical power source at controller location shall be provided by Electrician or General Contractor. The Contractor shall make the final connection from the electrical source to the controller.
- Pressure test Mainline at 150 PSI per three(3) hours constant.
- ALL IMPROVEMENTS SHALL COMPLY WITH THE STANDARD UNIFORM BUILDING CODE.

All improvements are to be maintained by the property owner.

NOTE: SEE SHEET L-5 FOR IRRIGATION DETAILS

NOTE: "I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the irrigation design plan."  
*Phil May* 04-27-2023  
 Phil May, Landscape Architect Date

IRRIGATION LEGEND							
SYMBOL	MFG	MODEL/ DESCRIPTION	PATN.	GPM	PSI	RAD	DET
	RAINBIRD	1400 SERIES BUBBLER MODEL:1402, 12" RISER	FULL	0.5	30	--	B
	NETAFIM	MANUAL FLUSH VALVE IN 6" VALVE BOX MODEL #TISOV					C
	HUNTER	1" QUICK COUPLER, MODEL: HQ5-LRC INSTALL IN 6" VALVE BOX					E
	HUNTER	WEATHER BASED CONTROLLER: MODEL: PRO-C VERIFY LOCATION W/ GENERAL CONTRACTOR(G.C.) NOTE: CONTROLLER TO BE INSTALL ON A DEDICATED CIRCUIT AND GROUNDED PER LOCAL CODES.					F
	HUNTER	MODEL: SOLAR-SYNC-SEN, MOUNT TO ROOF EAVE PER MANUFACTURE SPECS. VERIFY LOCATION W/ G.C.					F
	ANY APPROVED	PVC SCHEDULE 40 SLEEVING, INSTALL UNDERGROUND (AT LEAST TWICE LINE SIZE)					G
	ANY APPROVED	PVC SCHEDULE 40 LATERAL LINE SIZE AS INDICATED ON PLAN					T
	ANY APPROVED	PVC SCHEDULE 40 MAIN LINE, SIZE AS INDICATED ON PLAN NOTE: USE CLASS 315 PVC FOR LINES 2" AND LARGER					T
	NETAFIM	TECHLINE CV, TLCV6-12 LINES LAYOUT @ 18" O.C.		0.60	40		H
	IRRITROL	700 ULTRA FLOW SERIES AUTOMATIC INLINE VALVE SIZE AS INDICATED ON PLAN					I
	NETAFIM	CONTROL ZONE VALVE KIT MODEL: LVCZS8010075-LF, FLOW RATE 0.25-4.4 GPM MODEL: LVCZ10075-HFHP, FLOW RATE 4.5-17.6 GPM					J
	NIBCO	BRASS BALL VALVE, MODEL: T-FP600A LINE SIZE					K
	ZURN WILKINS	REDUCED PRESSURE ASSEMBLY, MODEL 975XL 1.25" SIZE, WITH "Y" TYPE STRAINER BRONZE WITH 20 MESH SS. PROVIDE METAL ENCLOSURE BY V.I.T. PRODUCTS, MODEL: SBBC-45CR. ASSEMBLY AND ENCLOSURE SHALL BE PAINTED FOREST GREEN.					L
	HUNTER	BRASS INLINE VALVE, MODEL: IBV-151G-FS, SIZE= 1.5" NORMALLY OPEN, USE 10" VALVE BOX PERMANENTLY BRANDED FOR IDENTIFICATION AS MASTER VALVE.					M
	HUNTER	FLOW-CLICK SENSOR, SIZE: 1.5" - IN VALVE BOX INSTALL PER MANUFACTURE SPECIFICATIONS. SET AT 5-FPS MAXIMUM FOR SHUT-OFF AFTER 2-MINUTES					S
	RAINBIRD	FMD SERIES LANDSCAPE SUB-WATER METERS MODEL: FM100B, SIZE 1", INSTALL PER MANUFACTURE SPECIFICATIONS AND LOCAL CODES					-



REVISIONS	BY
CITY COMMENTS 12-08-2022	△

**PHIL MAY LANDSCAPE ARCHITECTURE**  
 2532 Wallace Ave. Fullerton, CA 92831  
 Phone: 909 373 1959  
 pmay@philmaydesign.com  
 www.philmaydesign.com



**IRRIGATION PLAN**

NEW BEYOND FOODMART DEVELOPMENT  
 NWC OF IRIS AVE & OLIVER ST.,  
 MORENO VALLEY, CA

DRAWN R.S.  
 CHECKED R.S.  
 DATE 04-26-2023  
**L-4**  
 OF 5 SHEETS  
 JOB NO. 22093

1.r  
 ATTACHMENT: Project Plans - Conceptual Landscaping and Preliminary Grading (6422 - Beyond Food Mart)  
 THESE DRAWINGS, INSTRUMENTS OF SERVICE AND ANY INFORMATION CONTAINED HEREON ARE THE PROPERTY OF PHIL MAY LANDSCAPE ARCHITECTURE. WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS OF THE JOB AND THE FACE THEREOF. THESE DRAWINGS ARE FOR THE USE OF THE GRABBER PROJECT AND NOT TO BE USED OTHERWISE WITHOUT THE EXPRESS WRITTEN PERMISSION OF PHIL MAY LANDSCAPE ARCHITECTURE. COPYRIGHT ©

**Irrigation Schedule (Establishment Period)**

Water Pressure at meter or at pressure reducer: **80 PSI**  
 Irrigation Controller Brand: **HUNTER**

Valve No.	Hydrozone type-high, med., low	Irrigation type (drip, low flow, etc.)	Mfr rated flow GPH	Application time period (minutes/day)	Total gallons (GPH) x (1hr/60min) x (#minutes)	Days per week Summer	Days per week Winter
1	MED	BUBBLER	.60	4	.4	7	4
2	LOW	DRIP	.60	35	.35	7	4
3	LOW	DRIP	.60	35	.35	7	4
4	LOW	DRIP	.60	35	.35	7	4
5	LOW	DRIP	.60	35	.35	7	4
6	MED	BUBBLER	.60	4	.4	7	4
7	LOW	DRIP	.60	35	.35	7	4
8	LOW	DRIP	.60	35	.35	7	4
9	LOW	DRIP	.60	35	.35	7	4
10	MED	BUBBLER	.60	4	.4	7	4
11	LOW	DRIP	.60	35	.35	7	4
12	LOW	DRIP	.60	35	.35	7	4
13	MED	BUBBLER	.60	4	.4	7	4
14	LOW	DRIP	.60	35	.35	7	4

**Irrigation Schedule (Established - Mature Planting)**

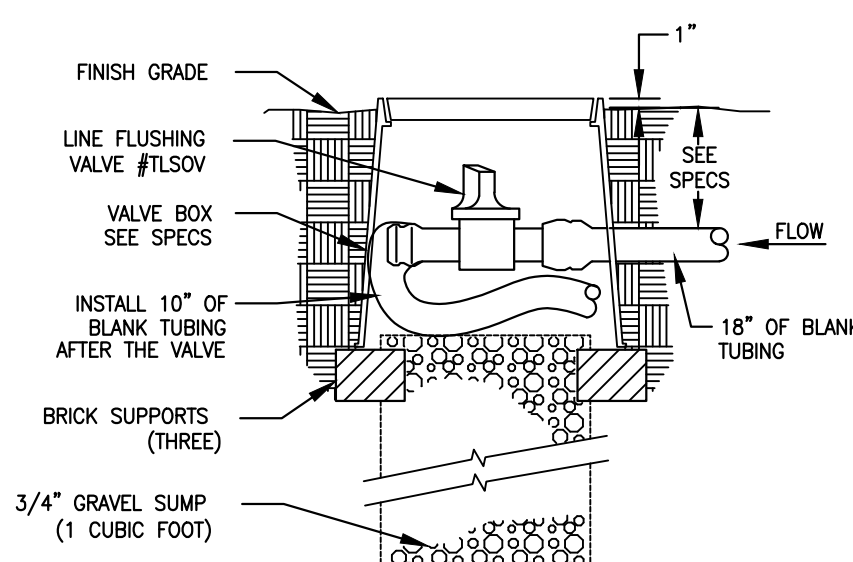
Water Pressure at meter or at pressure reducer: **80 PSI**  
 Irrigation Controller Brand: **HUNTER**

Valve No.	Hydrozone type-high, med., low	Irrigation type (drip, low flow, etc.)	Mfr rated flow GPH	Application time period (minutes/day)	Total gallons (GPH) x (1hr/60min) x (#minutes)	Days per week Summer	Days per week Winter
1	MED	BUBBLER	.60	4	.4	4	2
2	LOW	DRIP	.60	35	.35	4	2
3	LOW	DRIP	.60	35	.35	4	2
4	LOW	DRIP	.60	35	.35	4	2
5	LOW	DRIP	.60	35	.35	4	2
6	MED	BUBBLER	.60	4	.4	4	2
7	LOW	DRIP	.60	35	.35	4	2
8	LOW	DRIP	.60	35	.35	4	2
9	LOW	DRIP	.60	35	.35	4	2
10	MED	BUBBLER	.60	4	.4		
11	LOW	DRIP	.60	35	.35		
12	LOW	DRIP	.60	35	.35		
13	MED	BUBBLER	.60	4	.4		
14	LOW	DRIP	.60	35	.35		

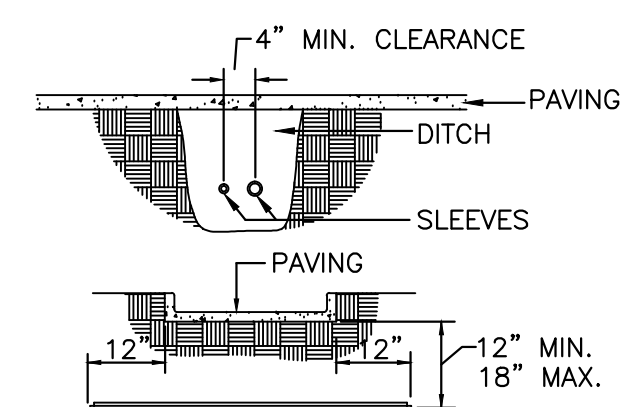
RECOMMENDED MINIMUM LANDSCAPE MAINTENANCE SCHEDULE												
WEEKLY TASKS												
Check all irrigation equipment and adjust/ align as required.												
Repair irrigation equipment with originally specified materials as needed.												
Inspect all landscape areas for pests/ pathogens.												
Weed all shrub/ groundcover areas as needed.												
Remove landscape debris.												
Aerating and dethatching turf areas.												
Repair planting well and/ or grade around plants to eliminate runoff.												
Perform corrective pruning to eliminate hazards and damage to plant after 2nd Year of Growth.												
MINIMUM RECOMMENDED YEARLY MAINTENANCE SCHEDULE												
Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Adjust Irrigation Schedule	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Inspect Tree Staking	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Flush Drip Valves			✓									✓
Add Mulch (Maintain 3" Layer)			✓									✓
Fertilization: Reference to Agronomical Soil's report on these plans		✓			✓							✓

**PRESSURE LOSS CALCULATION**  
 STATION # 9 - HIGHEST FLOW 14 GPM

EQUIPMENT	SIZE	LOSS
Water Meter	1"	0.4
Backflow Preventer	1-1/4"	14.0
Mainline	2"	2.0
Control Valve	1 1/4"	2.0
Lateral Lines	1"	4.5
SUBTOTAL PRESSURE LOSSES		22.9
Misc. losses thru system (10%)	2"	2.9
Elevation Gain (ft)	2'	0.65
TOTAL PRESSURE LOSSES		26.45
Pressure required at head		40.0
TOTAL PRESSURE REQUIRED		66.45
STATIC PRESSURE AVAILABLE		81.0
RESIDUAL PRESSURE		14.55

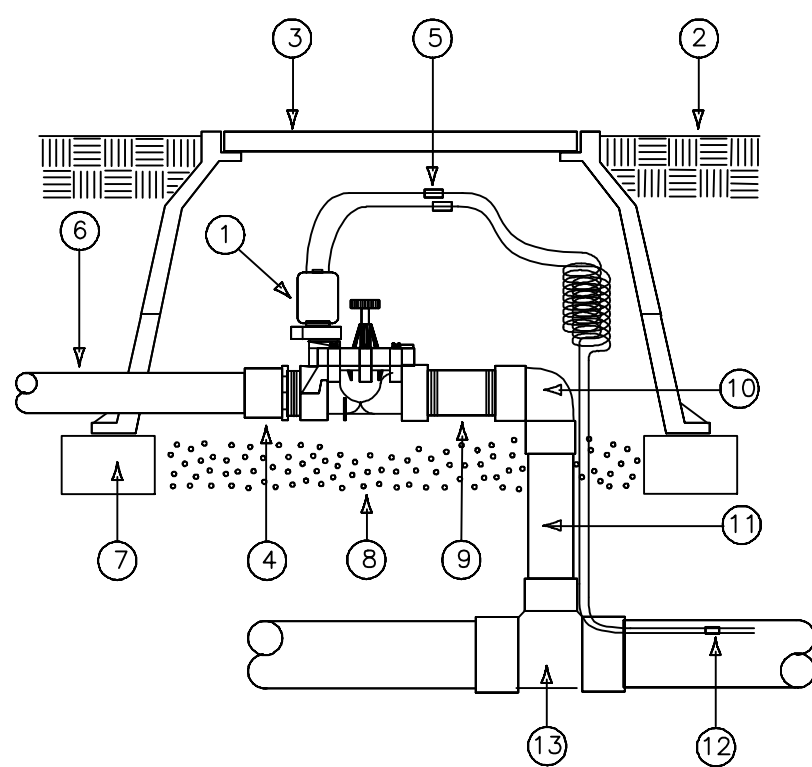


**C MANUAL LINE FLUSHING VALVE TL50V**  
 (PLUMBED TO POLY) N.T.S.



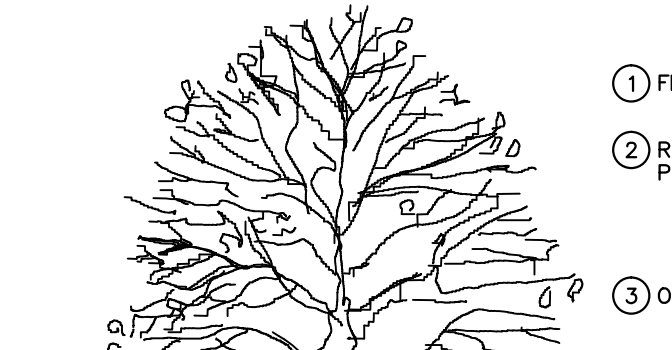
NOTES:  
 1. ALL IRRIGATION SLEEVES TO BE SCH 40 PVC PIPE.  
 2. SLEEVES TO BE AT LEAST TWICE THE LINE SIZE.  
 3. MECHANICALLY TAMP TO 90% COMPACTION.

**G SLEEVES** N.T.S.

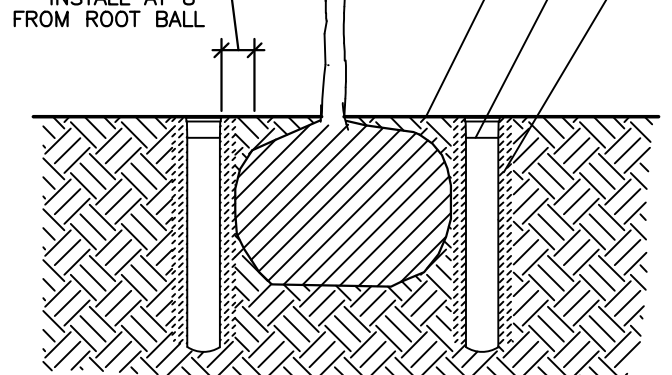


1. INLINE CONTROL VALVE PER LEGEND
2. FINISH GRADE
3. VALVE BOX (HEIGHT ABOVE GRADE AS REQUIRED)
4. PVC MALE ADAPTER
5. WATERPROOF WIRE CONNECTORS
6. PVC LATERAL LINE-ANGLE TO PROPER DEPTH WITH 450 ELLS
7. COMMON RED BRICK (4 REQUIRED)
8. PEA GRAVEL-12\"/>

**I REMOTE CONTROL VALVE** N.T.S.

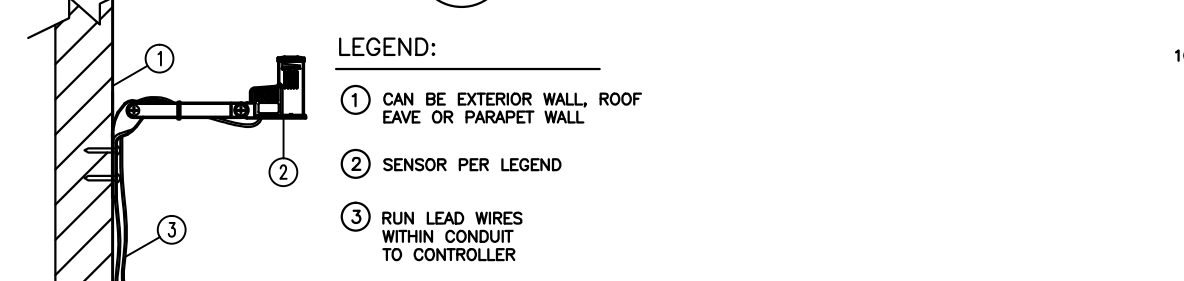


NOTE:  
 1. POSITION UNITS EVENLY SPACED AROUND ROOT BALL. INSTALL PRODUCT CONTROLLER EVEN WITH GROUND SURFACE.

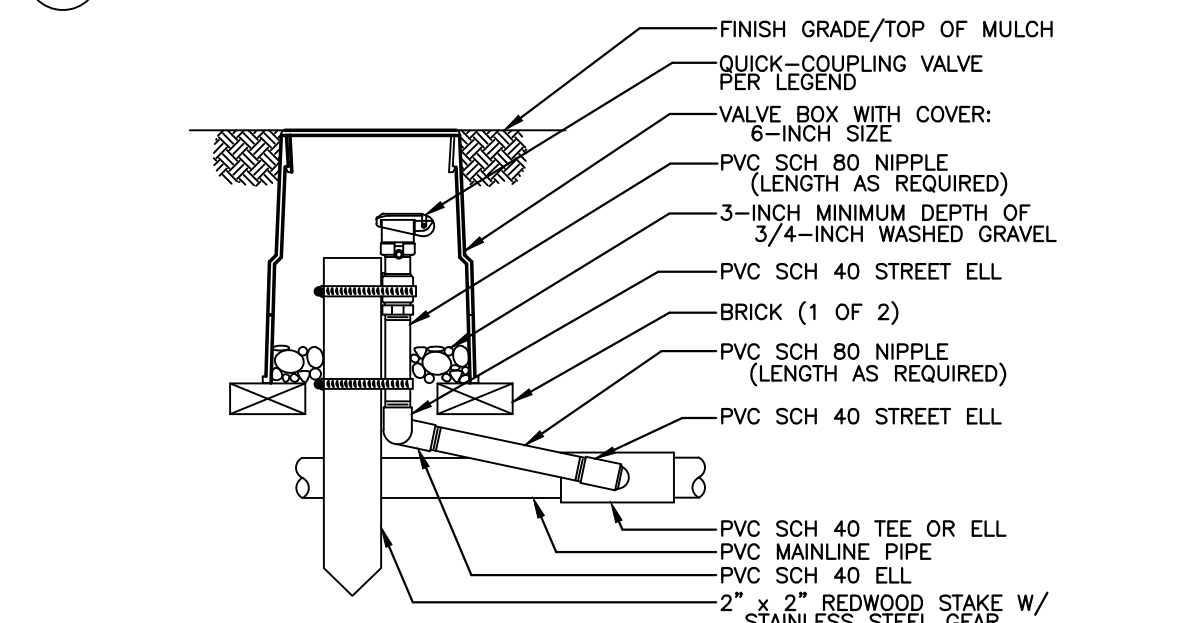


**F WEATHER SENSOR** N.T.S.

**H TECHLINE DRIP (END FEED LAYOUT)**  
 ON-SURFACE INSTALLATION N.T.S.

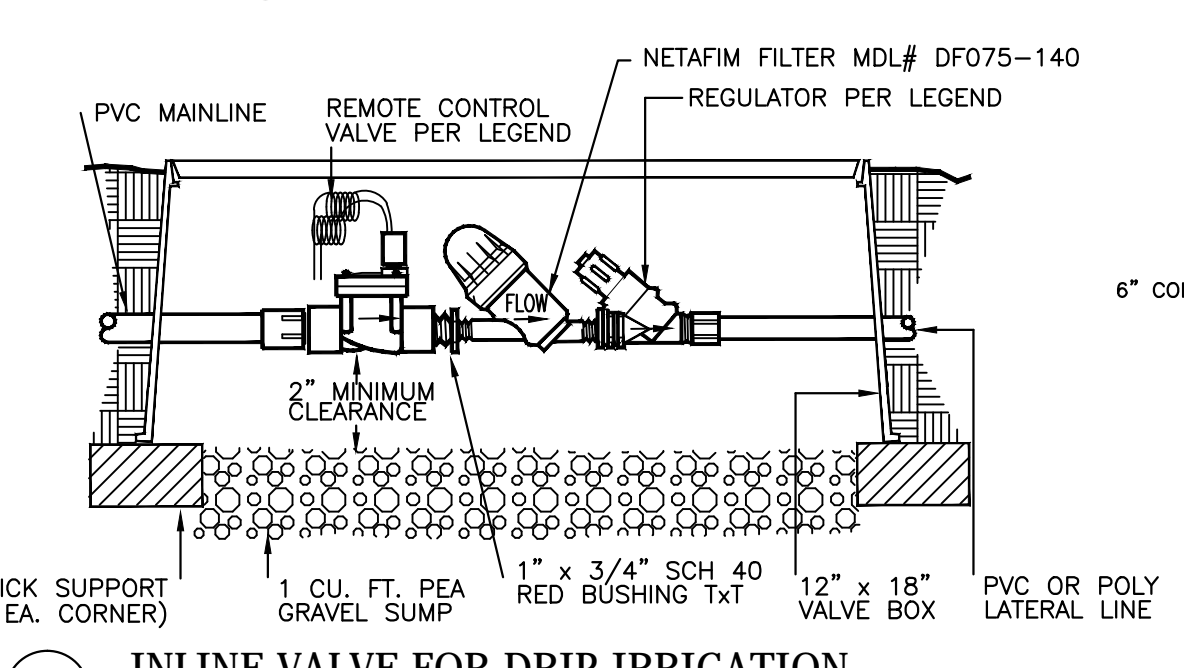


**H TECHLINE DRIP (END FEED LAYOUT)**  
 ON-SURFACE INSTALLATION N.T.S.



NOTE:  
 1. FURNISH FITTINGS AND PIPING NOMINALLY SIZED IDENTICAL TO NOMINAL QUICK COUPLING VALVE INLET SIZE.  
 2. Install at 18-inches from vehicular paving

**E QUICK COUPLING VALVE** N.T.S.

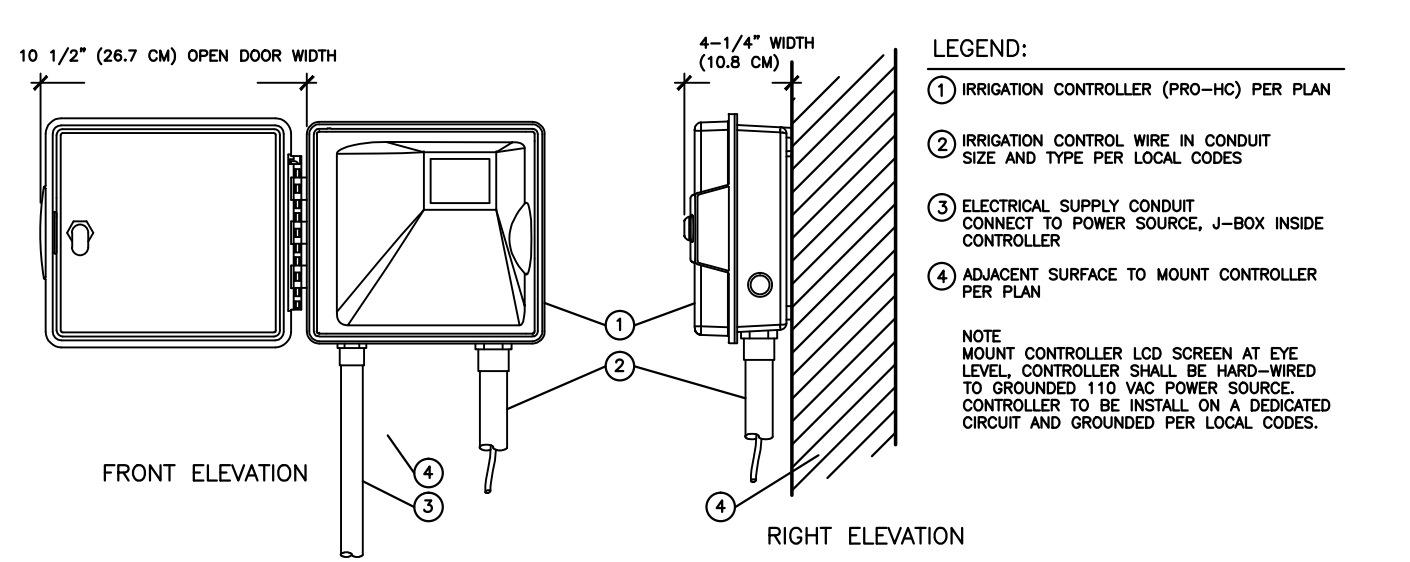


**J INLINE VALVE FOR DRIP IRRIGATION** N.T.S.

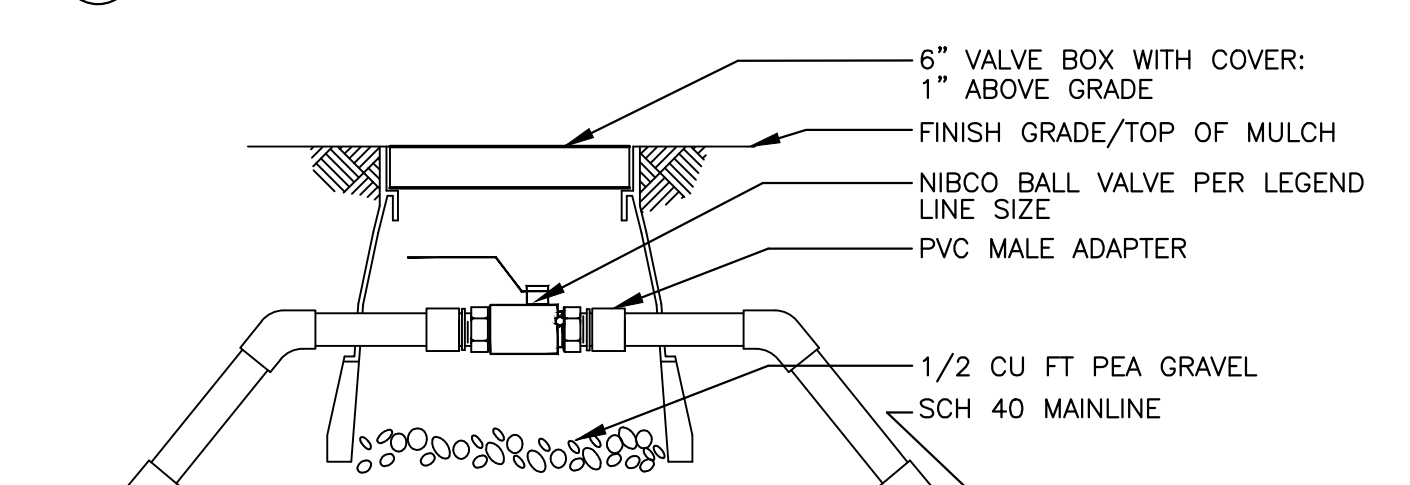
**IRRIGATION LEGEND**

SYMBOL	MFG	MODEL/DESCRIPTION	PATN.	GPM	PSI	RAD	DET
[Symbol]	RAINBIRD	1400 SERIES BUBBLER MODEL:1402, 12\"/>					
[Symbol]	NETAFIM	MANUAL FLUSH VALVE IN 6\"/>					
[Symbol]	HUNTER	1\"/>					
[Symbol]	HUNTER	WEATHER BASED CONTROLLER: MODEL: PRO-C VERIFY LOCATION W/ GENERAL CONTRACTOR(G.C.) NOTE: CONTROLLER TO BE INSTALL ON A DEDICATED CIRCUIT AND GROUNDED PER LOCAL CODES.					
[Symbol]	HUNTER	MODEL: SOLAR-SYNC-SEN, MOUNT TO ROOF EAVE PER MANUFACTURE SPECS. VERIFY LOCATION W/ G.C.					
[Symbol]	ANY APPROVED	PVC SCHEDULE 40 SLEEVING, INSTALL UNDERGROUND (AT LEAST TWICE LINE SIZE)					
[Symbol]	ANY APPROVED	PVC SCHEDULE 40 LATERAL LINE SIZE AS INDICATED ON PLAN					
[Symbol]	ANY APPROVED	PVC SCHEDULE 40 MAIN LINE, SIZE AS INDICATED ON PLAN NOTE: USE CLASS 315 PVC FOR LINES 2\"/>					
[Symbol]	NETAFIM	TECHLINE CV, TL506-12 LINES LAYOUT @ 18\"/>					
[Symbol]	IRRITROL	700 ULTRA FLOW SERIES AUTOMATIC INLINE VALVE SIZE AS INDICATED ON PLAN					
[Symbol]	NETAFIM	CONTROL ZONE VALVE KIT MODEL: LVCZ100105-11-F, FLOW RATE 0.25-4.4 GPM MODEL: LVCZ10075-HFHP, FLOW RATE 4.5-17.6 GPM					
[Symbol]	NIBCO	BRASS BALL VALVE, MODEL: T-FP600A LINE SIZE					
[Symbol]	ZURN WILKINS	REDUCED PRESSURE ASSEMBLY, MODEL: 975XL 1.25\"/>					
[Symbol]	HUNTER	BRASS INLINE VALVE, MODEL: IBV-151G-FS, SIZE= 1.5\"/>					
[Symbol]	HUNTER	FLOW-CLICK SENSOR, SIZE: 1.5\"/>					
[Symbol]	RAINBIRD	FMD SERIES LANDSCAPE SUB-WATER METERS MODEL: FM100B, SIZE 1\", INSTALL PER MANUFACTURE SPECIFICATIONS AND LOCAL CODES					

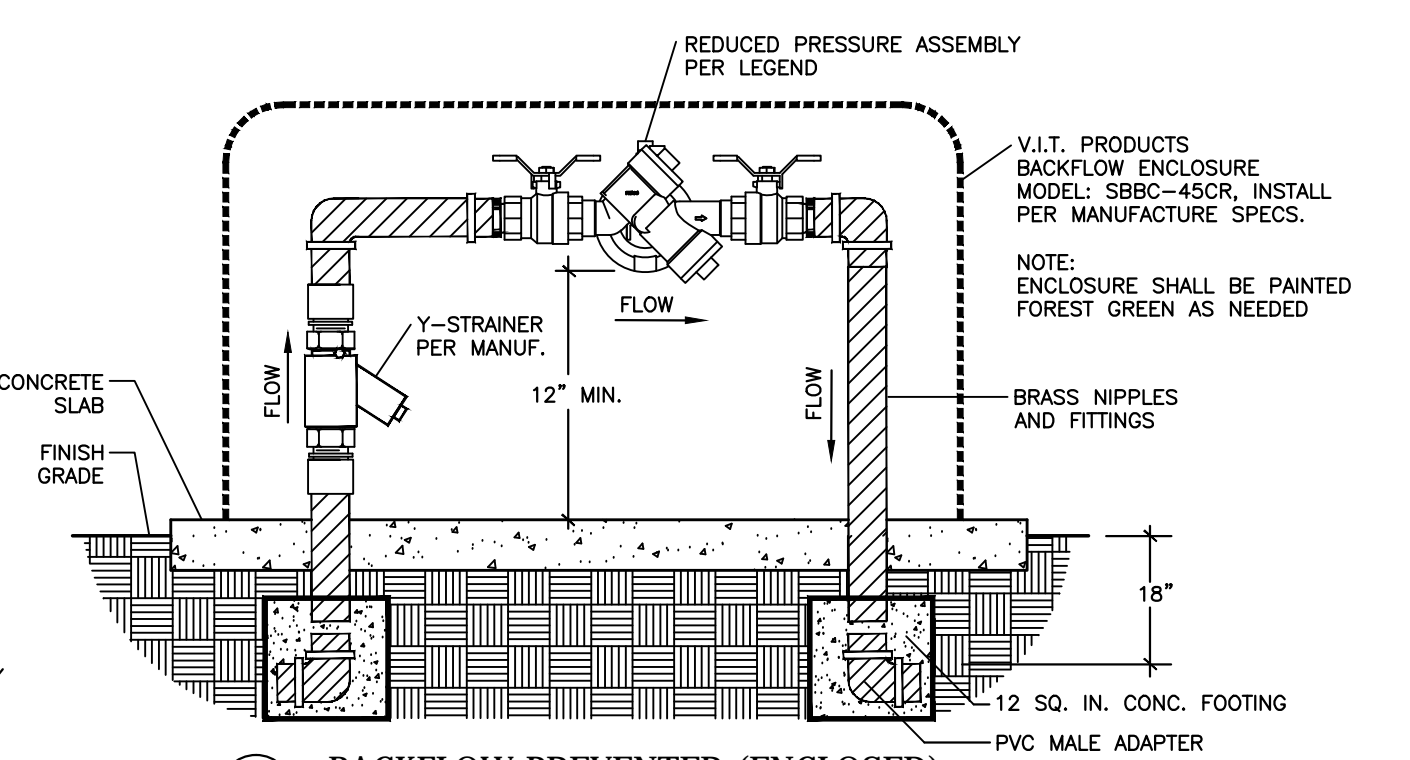
VALVE No.	GPM	HYDROZONE WATER USAGE SYMBOL LEGEND
L		LOW WATER
M		MEDIUM WATER
H		HIGH WATER



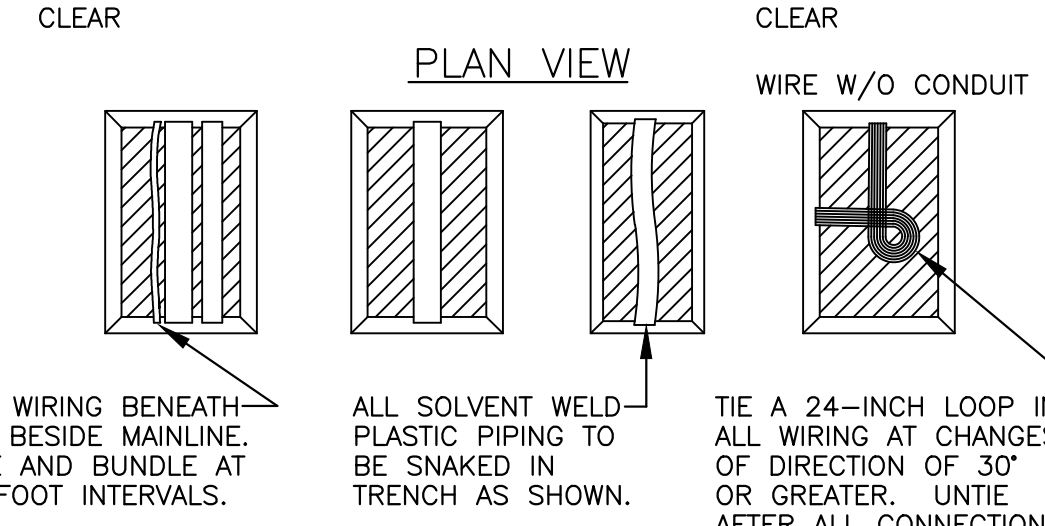
**F HUNTER IRRIGATION CONTROLLER** N.T.S.



**K BALL VALVE** N.T.S.



**L BACKFLOW PREVENTER (ENCLOSED)** N.T.S.



NOTES:  
 1. PIPE SLEEVE BELOW ALL HARDSCAPE ELEMENTS WITH SCH-40 PVC TWICE THE DIAMETER OF THE PIPE AT A MINIMUM DEPTH OF 24\"/>

**T PIPE & WIRE TRENCHING** TYPICAL DETAIL N.T.S.

REVISIONS	BY
CITY COMMENTS 12-06-2022	[Signature]

**PHIL MAY LANDSCAPE ARCHITECTURE**  
 2532 Wallace Ave. Fullerton, CA 92831  
 Phone: 909 373 1959  
 pmay@philmaydesign.com  
 www.philmaydesign.com

**REGULATED LANDSCAPE ARCHITECT**  
 Phil May  
 License No. 58301015  
 EXPIRES 06-30-2025  
 RENEWAL DATE 04-26-2023  
 DATE 04-26-2023  
 STATE OF CALIFORNIA

**IRRIGATION DETAILS**

**NEW BEYOND FOODMART DEVELOPMENT**  
 NWC OF IRIS AVE & OLIVER ST., MORENO VALLEY, CA

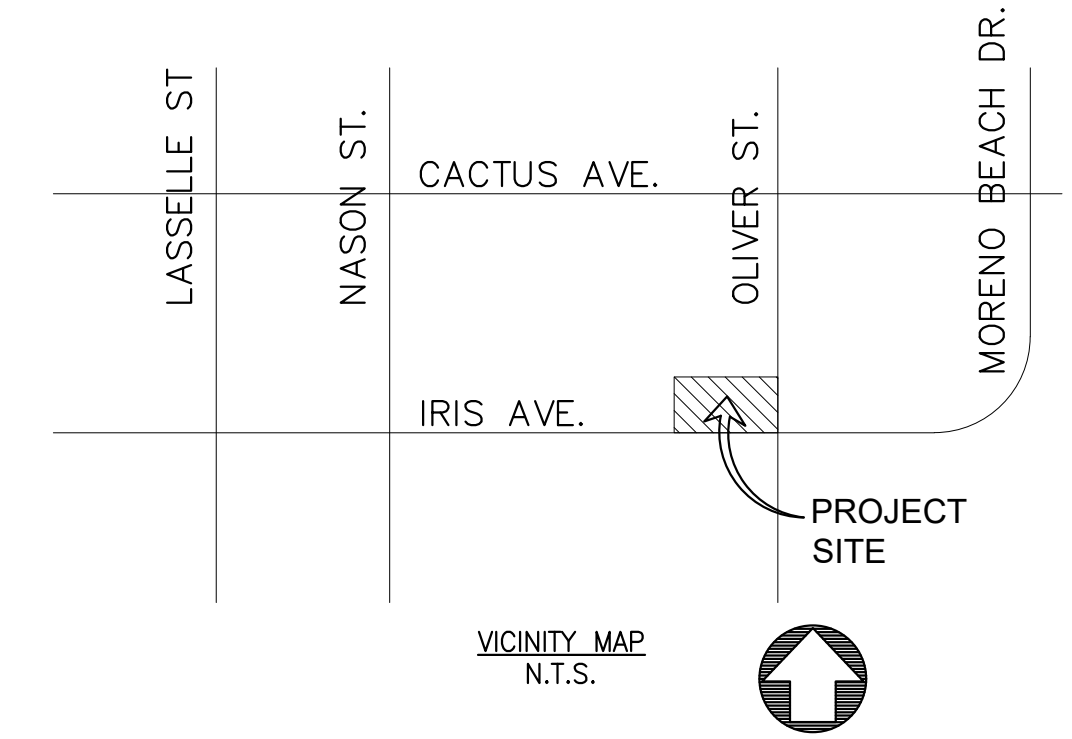
DRAWN: R.S.  
 CHECKED: R.S.  
 DATE: 04-26-2023  
**L-5**  
 OF 5 SHEETS  
 JOB NO. 22093

Attachment: Project Plans - Conceptual Landscaping and Preliminary Grading (6-622 - Beyond Food Mart)

GRADING NOTES

- 1. ALL GRADING SHALL CONFORM TO THE LATEST CALIFORNIA BUILDING CODE (CBC) CHAPTERS 17, 18, APPENDIX-J AND ALL APPLICABLE SECTIONS.
2. A GRADING PERMIT SHALL BE OBTAINED PRIOR TO COMMENCEMENT OF ANY WORK ON THE SITE.
3. ISSUANCE OF A GRADING PERMIT DOES NOT ELIMINATE THE NEED FOR PERMITS FROM OTHER REGULATORY AGENCIES WITH REGULATORY RESPONSIBILITIES FOR CONSTRUCTION ACTIVITIES ASSOCIATED WITH THE WORK AUTHORIZED IN THIS PLAN.

IN THE CITY OF MORENO VALLEY, IN RIVERSIDE COUNTY, STATE OF CALIFORNIA
BEYOND FOODS MART IRIS AVE AND OLIVER ST
COMMERCIAL DEVELOPMENT
APN: 486-310-038



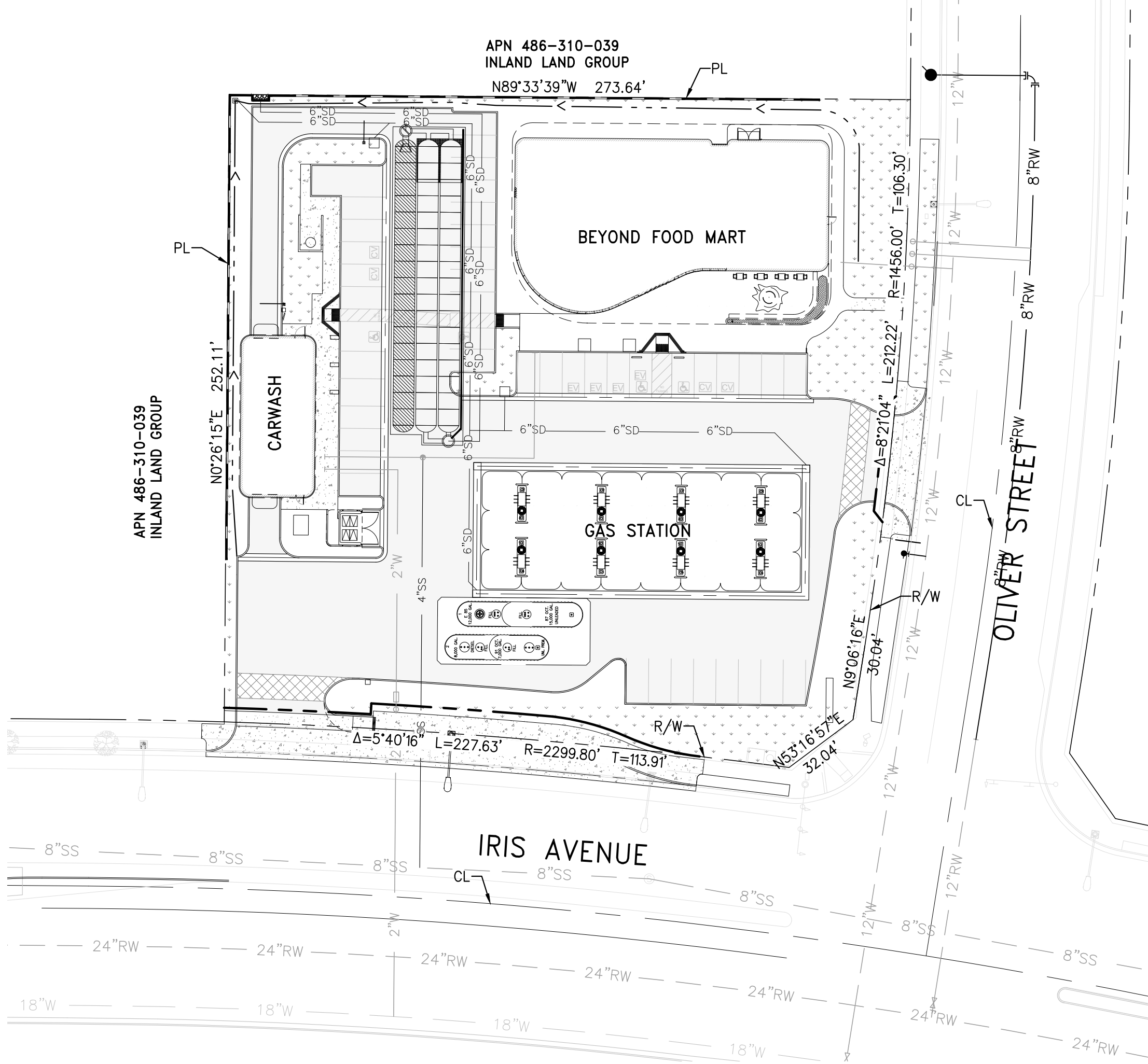
PROPERTY OWNER: RABH SATER, PARADISE LAKE, LLC, 4300 EDISON AVE, CHINO, CA 91710
CIVIL ENGINEER: ANGEL CESAR, P.E., BLUE ENGINEERING AND CONSULTING, INC., 9320 BUCAMONGA, CA 91701

LANDSCAPE ARCHITECT: PHILMAY LANDSCAPE ARCHITECT, 215 N. 2ND AVE., SUITE C, UPLAND, CA 91786
LAND SURVEYOR: RYAN JOHNSTON, P.L.S., PRECISE SURVEYING & MAPPING, 8816 FOOTHILL BLVD. #103-179

ARCHITECT: CHAK LAU, A.I.A., PEGASUS ARCHITECT, 4500 EDISON AVE, CHINO, CA 91710

UTILITY AND SERVICE PURVEYORS: SOUTHERN CALIFORNIA EDISON, THE GAS COMPANY, FRONTIER, EASTERN MUNICIPAL WATER DISTRICT, MORENO VALLEY UNITED SCHOOL DISTRICT

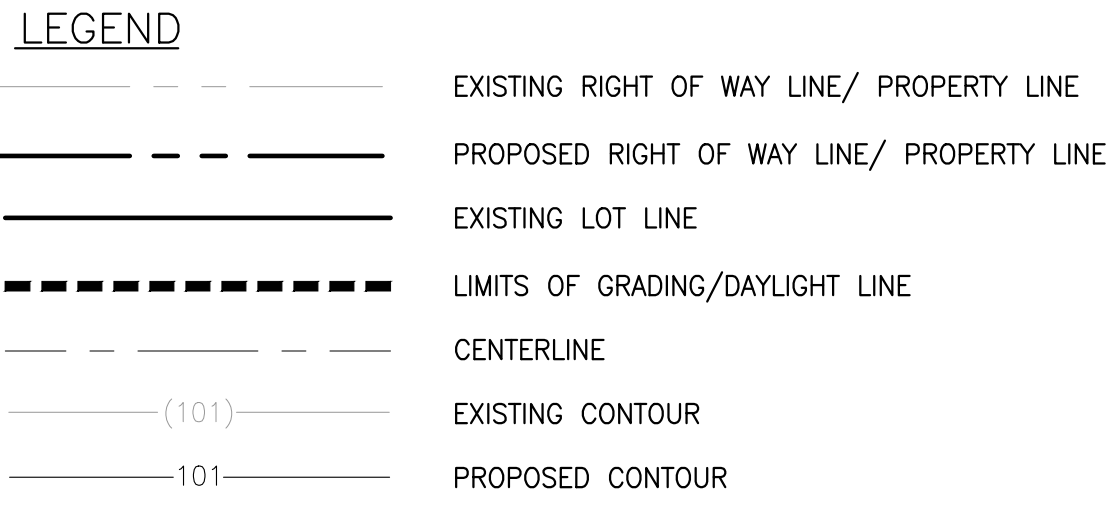
LEGAL DESCRIPTION: THE LAND IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
PARCEL A: PARCEL 1 OF PARCEL MAP NO. 33361, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA...



SHEET INDEX

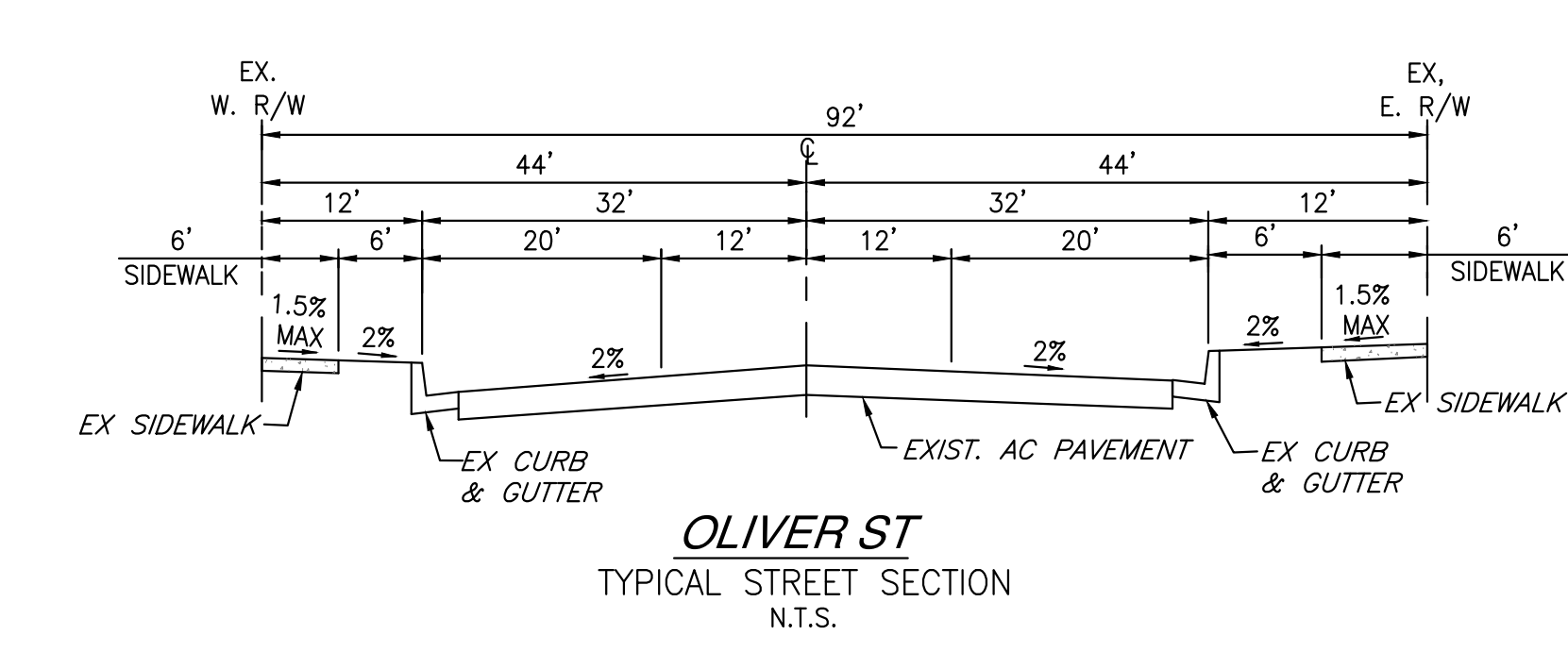
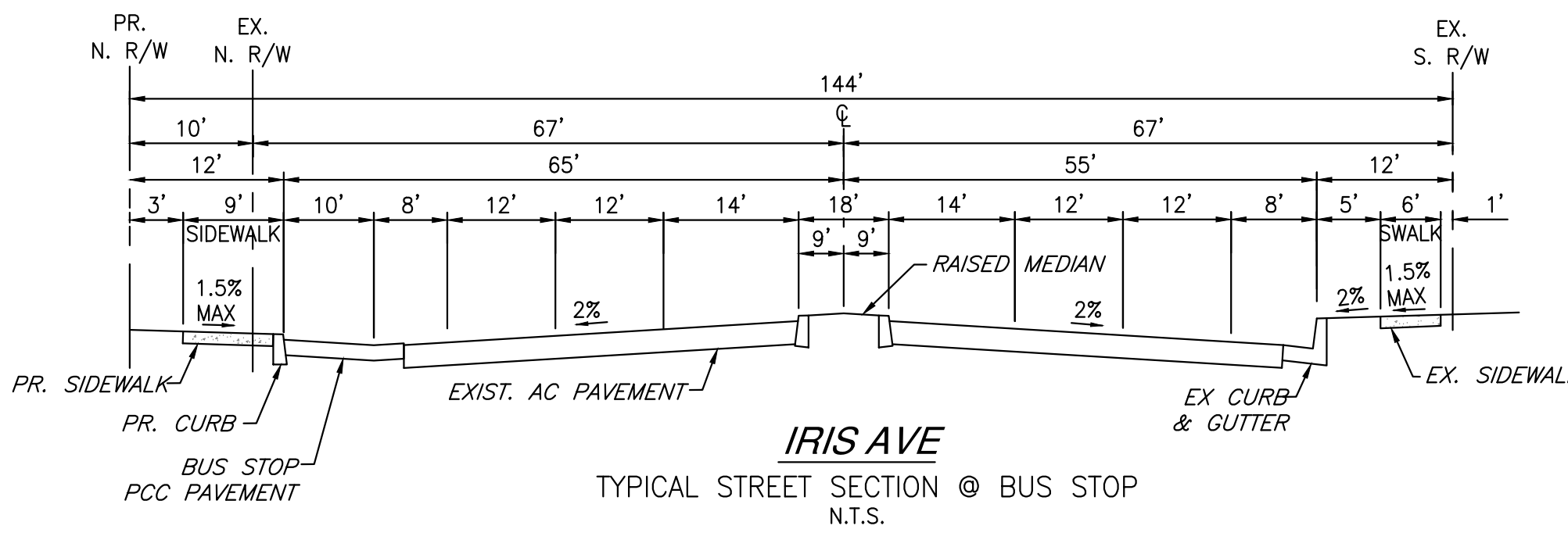
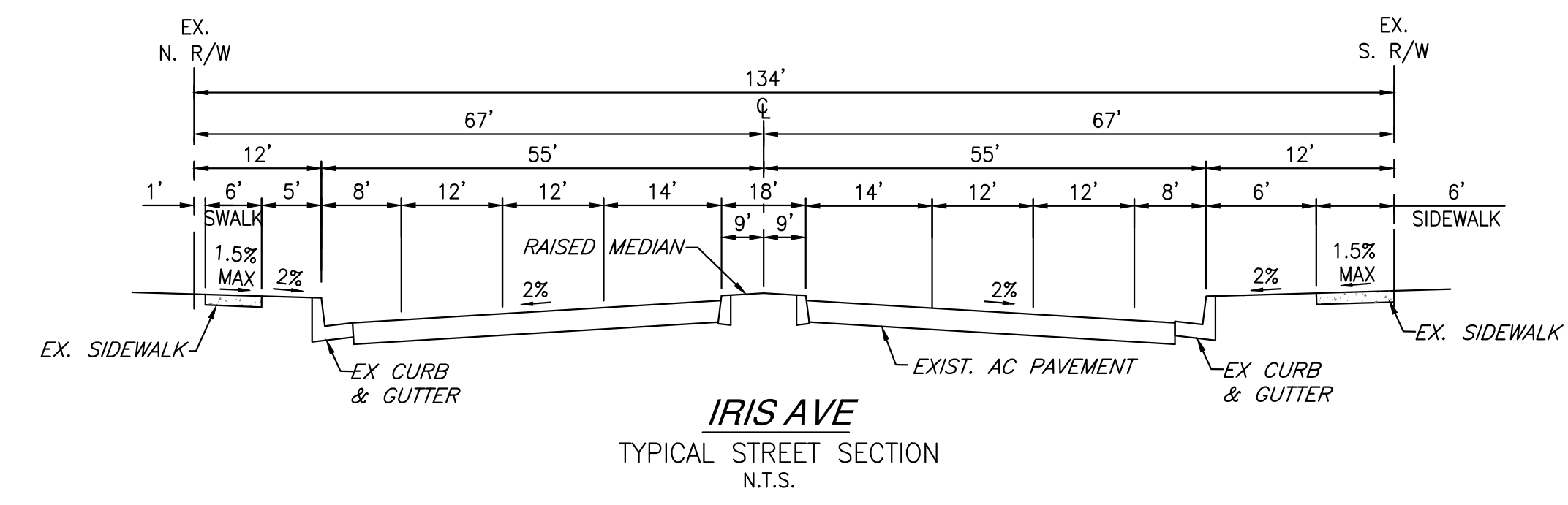
- 1 TITLE SHEET
2 DETAILS & SECTIONS
3 PRELIMINARY GRADING PLAN
4 PRE HYDROLOGY EXHIBIT
5 POST HYDROLOGY EXHIBIT

Table with 2 columns: EARTHWORK QUANTITIES and ABBREVIATIONS. Includes rows for CUT, FILL, NET<IMPORT>, and various line types like AC, CL, EX, FS, P, PR.



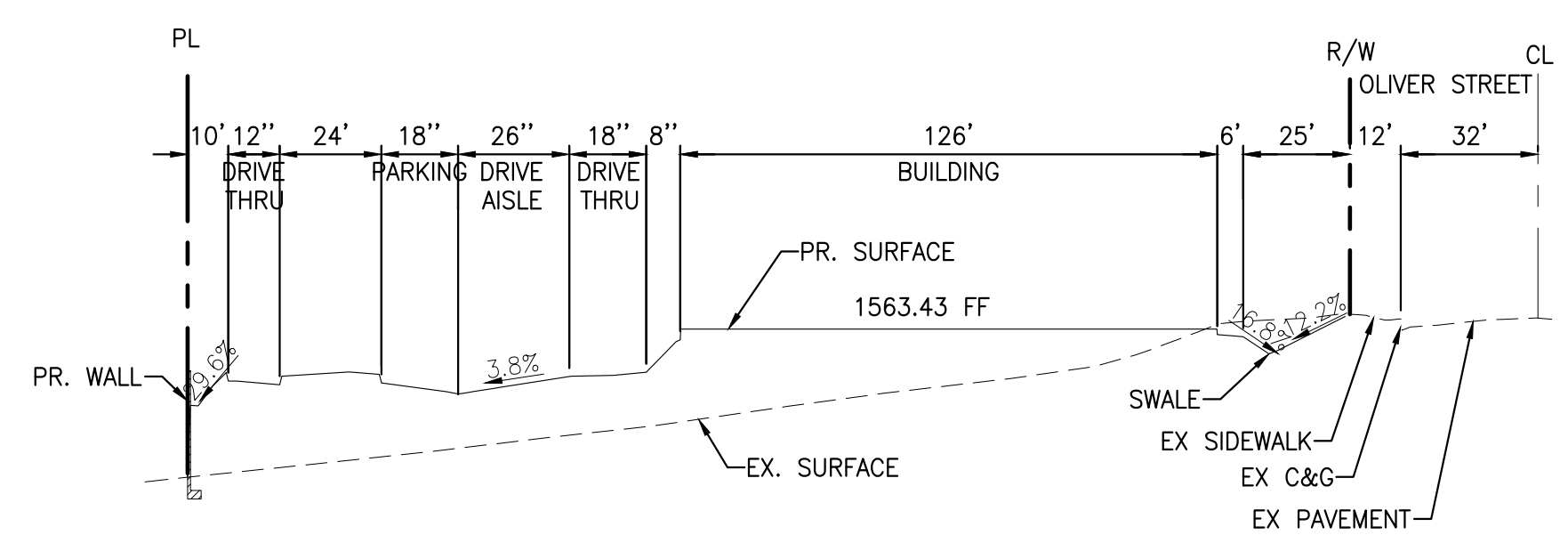
INDEX MAP SCALE 1" = 40'

DIGALERT logo with contact information: CALL 811 or 1-800-422-4133, 2 Working Days Before You Dig.

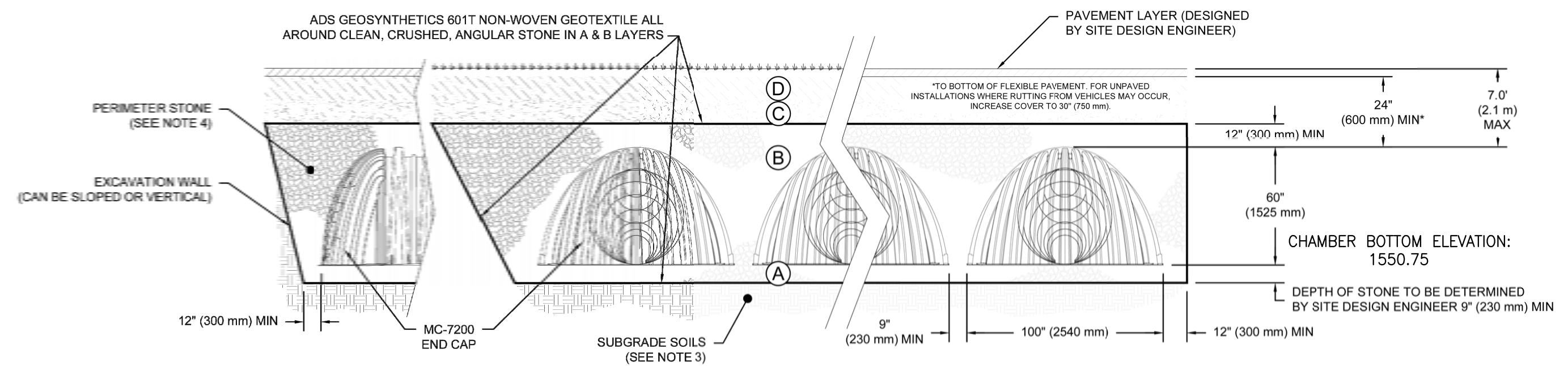


Approval and title block area containing: REVIEW BY CITY STAFF, BENCHMARK, BASIS OF BEARING, CITY OF MORENO VALLEY APPROVALS, ENGINEER OF RECORD'S SEAL (Blue Engineering & Consulting, Inc.), TITLE SHEET (APN. 486-310-038, IRIS AVE AND OLIVER ST, MORENO VALLEY), SHEET 1 OF 5, and CITY ID No.

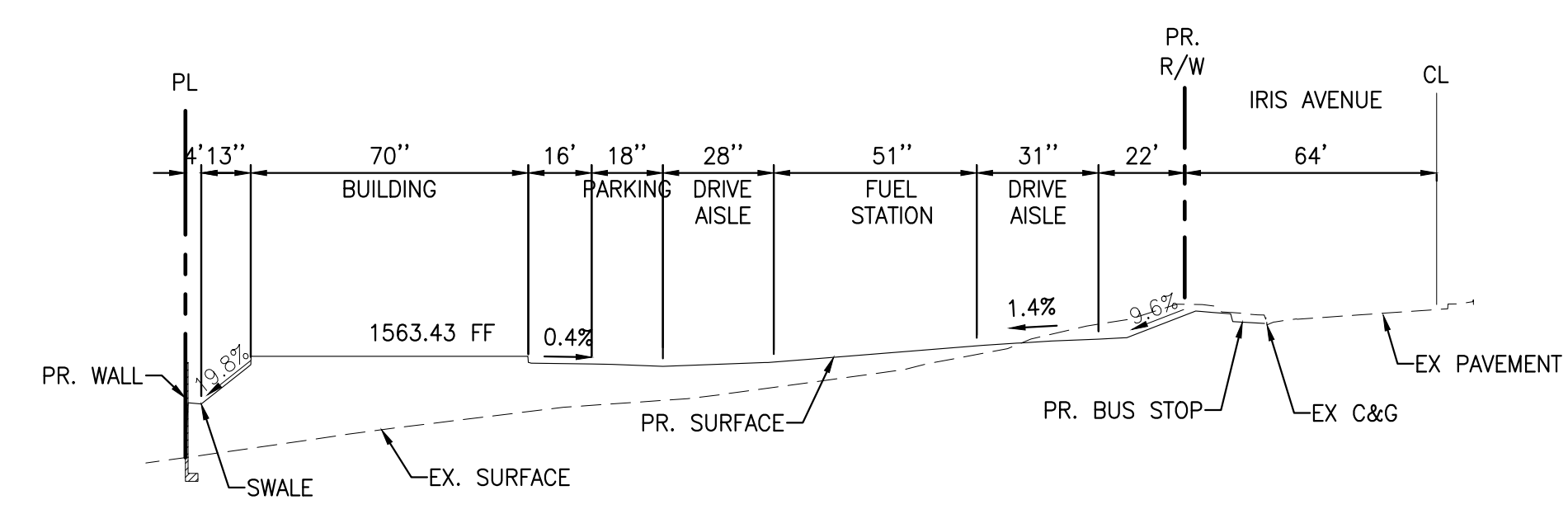
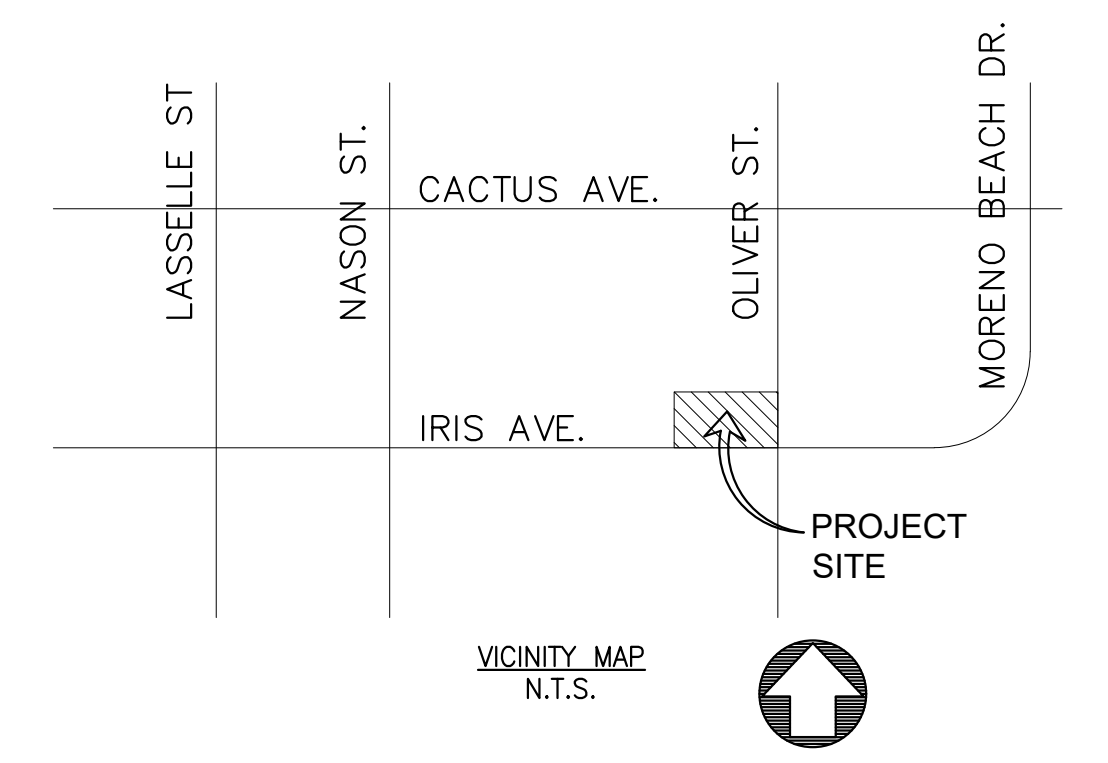




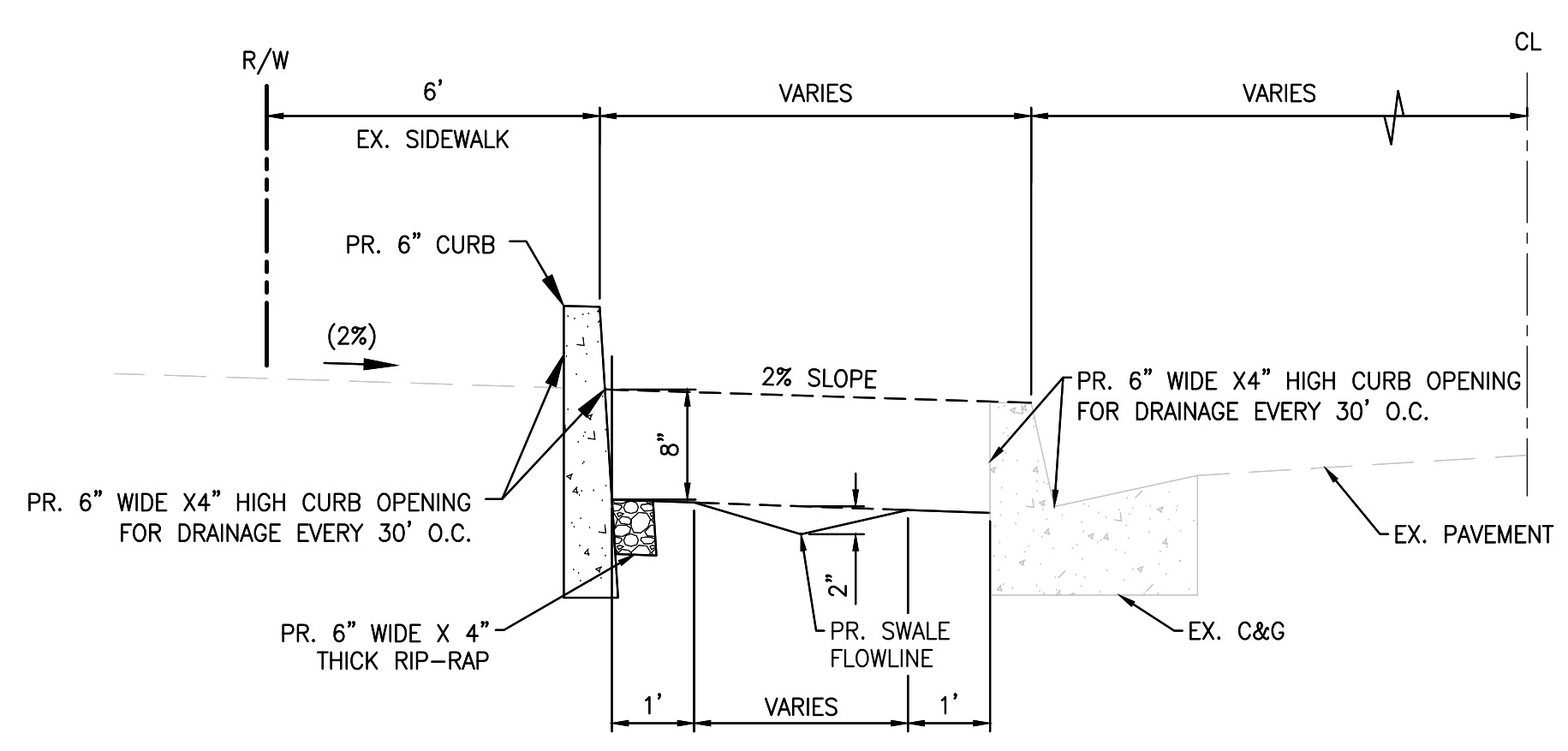
SECTION A-A  
SCALE 1' = 40"



UNDERGROUND INFILTRATION CHAMBERS DETAIL  
NTS



SECTION B-B  
SCALE 1' = 40"



VEGETATED SWALE DETAIL  
NTS

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PEN22-0176

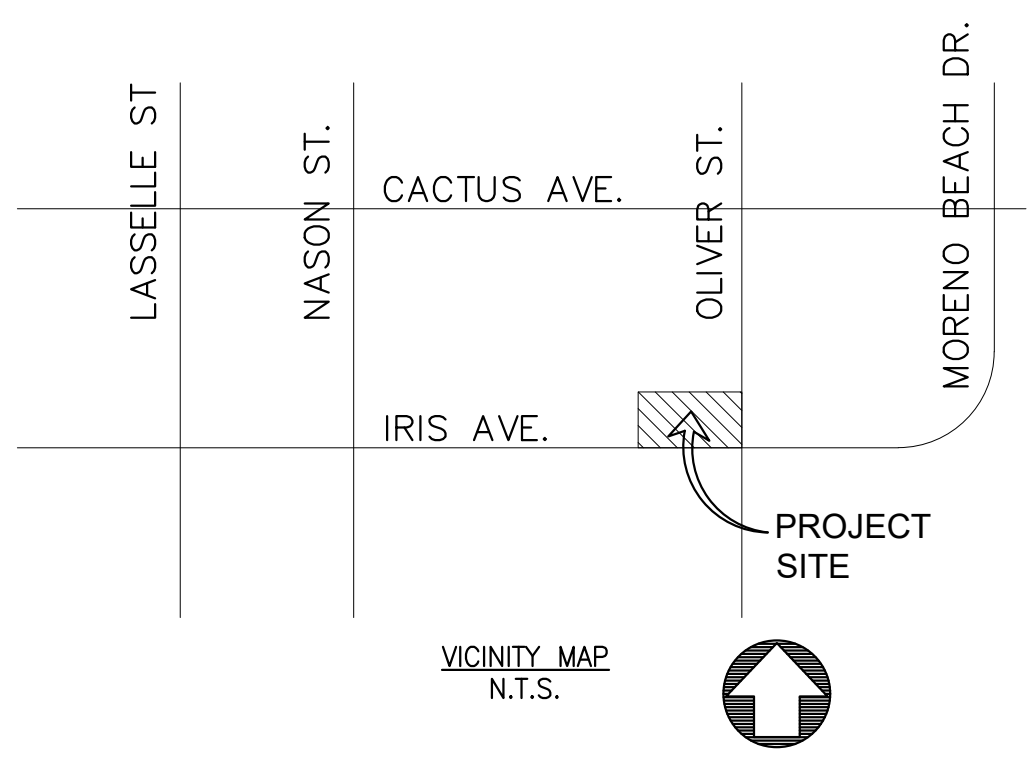
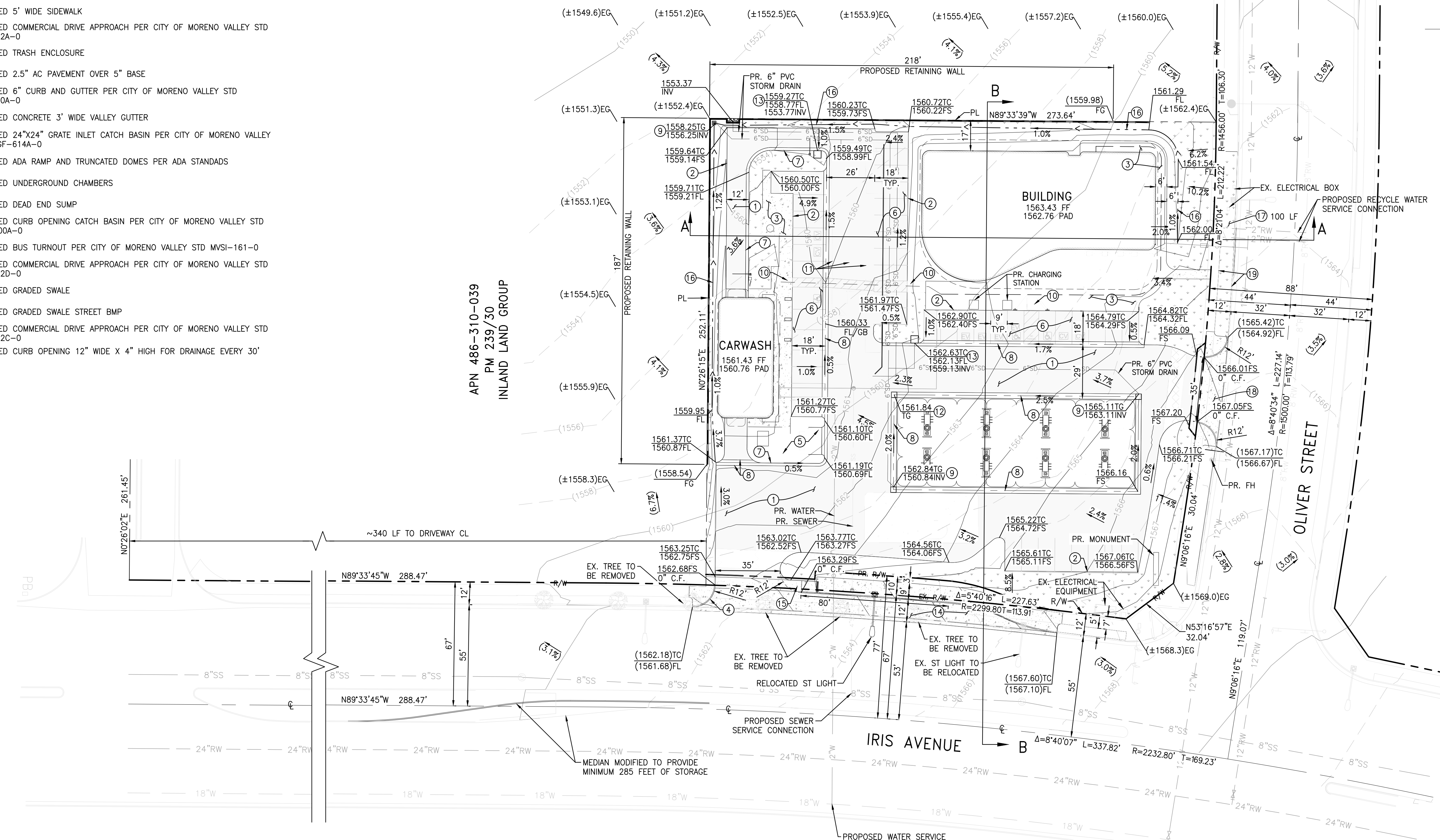
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	THE BENCHMARK FOR THIS SURVEY IS CORN STATION "PPBF", ELEV = 1511.70' PER NGS DATA SHEET DH7168 DESIGNATED "PPBF ARD"	THE BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF OLIVER STREET SHOWN AS N 00°25'52" E ON THIS MAP. ANS PARCEL MAP NO. 33361, PMB 239/30-32 AS N 00°26'04" E	MARK	DATE	INITIAL	DESCRIPTION	REC.			APPR

CONSTRUCTION NOTES

- 1 PROPOSED 3" AC PAVEMENT OVER 6" BASE
- 2 PROPOSED 6" CURB TYPE 6A PER CITY OF MORENO VALLEY STD MVS1-121A-0
- 3 PROPOSED 5' WIDE SIDEWALK
- 4 PROPOSED COMMERCIAL DRIVE APPROACH PER CITY OF MORENO VALLEY STD MVS1-112A-0
- 5 PROPOSED TRASH ENCLOSURE
- 6 PROPOSED 2.5" AC PAVEMENT OVER 5" BASE
- 7 PROPOSED 6" CURB AND GUTTER PER CITY OF MORENO VALLEY STD MVS1-120A-0
- 8 PROPOSED CONCRETE 3' WIDE VALLEY GUTTER
- 9 PROPOSED 24"x24" GRATE INLET CATCH BASIN PER CITY OF MORENO VALLEY STD MVS1-614A-0
- 10 PROPOSED ADA RAMP AND TRUNCATED DOMES PER ADA STANDARDS
- 11 PROPOSED UNDERGROUND CHAMBERS
- 12 PROPOSED DEAD END SUMP
- 13 PROPOSED CURB OPENING CATCH BASIN PER CITY OF MORENO VALLEY STD MVS1-300A-0
- 14 PROPOSED BUS TURNOUT PER CITY OF MORENO VALLEY STD MVS1-161-0
- 15 PROPOSED COMMERCIAL DRIVE APPROACH PER CITY OF MORENO VALLEY STD MVS1-112D-0
- 16 PROPOSED GRADED SWALE
- 17 PROPOSED GRADED SWALE STREET BMP
- 18 PROPOSED COMMERCIAL DRIVE APPROACH PER CITY OF MORENO VALLEY STD MVS1-112C-0
- 19 PROPOSED CURB OPENING 12" WIDE X 4" HIGH FOR DRAINAGE EVERY 30' O.C.

APN 486-310-039  
PM 239/30  
INLAND LAND GROUP

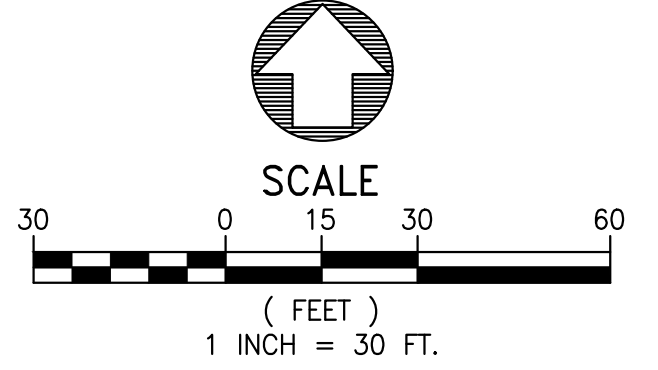
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PM 239/30  
INLAND LAND GROUP



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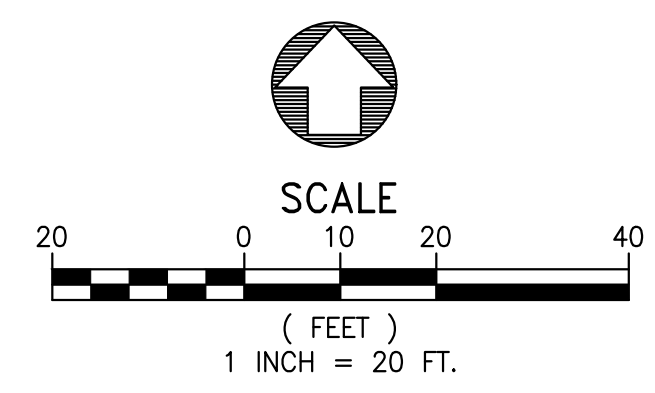
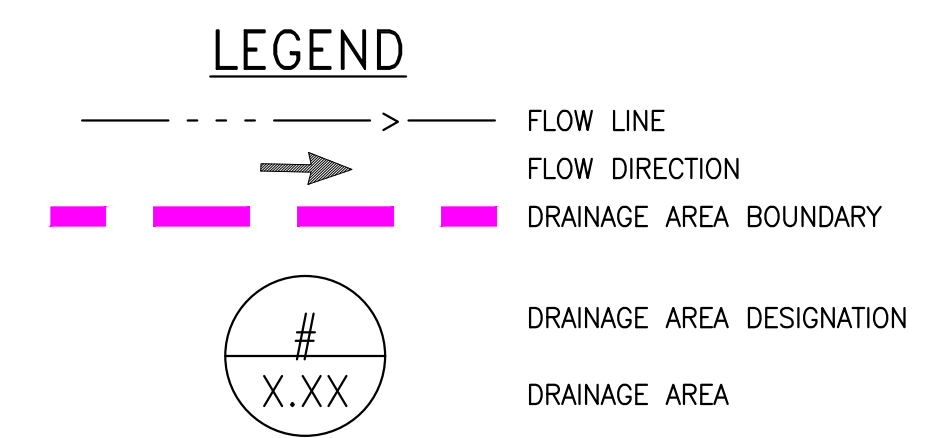
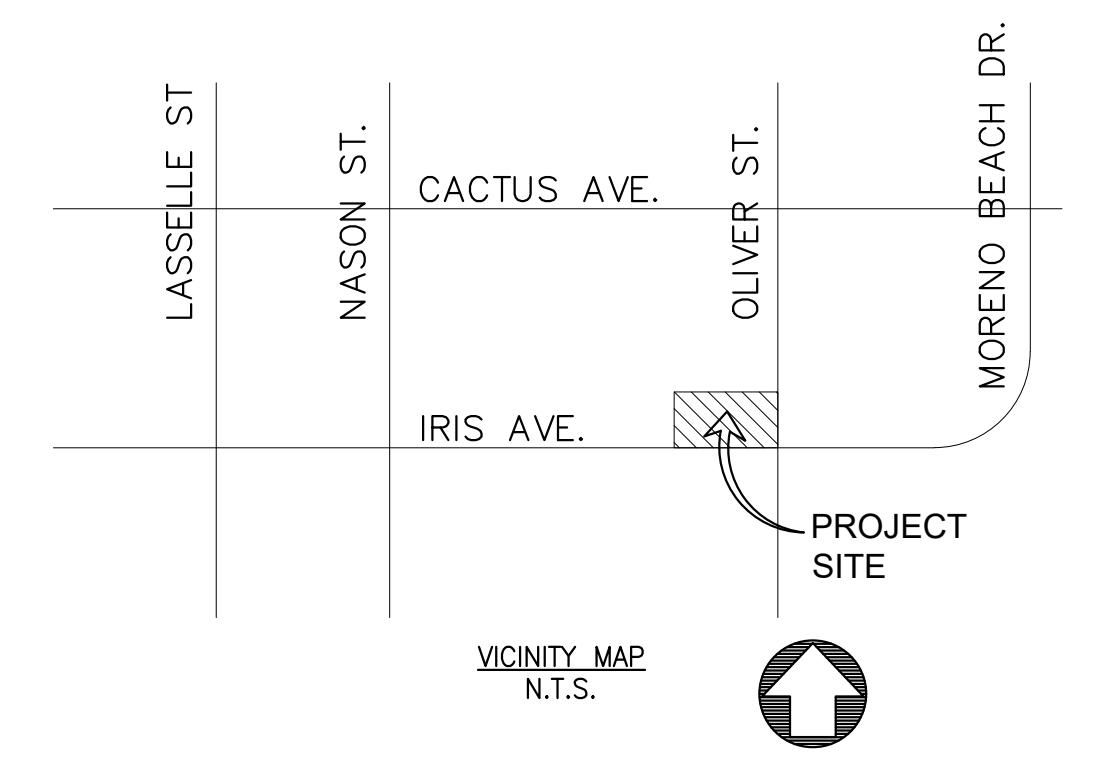
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PEN22-0176

REVIEW BY CITY STAFF		BENCHMARK		BASIS OF BEARING		CITY OF MORENO VALLEY APPROVALS		ENGINEER OF RECORD'S SEAL		CITY OF MORENO VALLEY	
		THE BENCHMARK FOR THIS SURVEY IS CORN STATION "PPBF", ELEV = 1511.70' PER NGS DATA SHEET DH7168 DESIGNATED "PPBF ARD"		THE BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF OLIVER STREET SHOWN AS N 00°25'52" E ON THIS MAP. ANS PARCEL MAP NO. 33361, PMB 239/30-32 AS N 00°26'04" E						<p><b>PRELIMINARY GRADING PLAN</b></p> <p>APN. 486-310-038 IRIS AVE AND OLIVER ST, MORENO VALLEY <b>PRELIMINARY GRADING PLAN</b></p>	
MARK	DATE	INITIAL	DESCRIPTION	REC.	APPR	DATE			<p>UNDER THE SUPERVISION OF:</p> <p>ANGEL CESAR RCE 87222</p> <p>DATE</p>		<p>SHEET <b>3</b> OF <b>5</b></p> <p>CITY ID No</p>
		E.O.R.	REVISION								



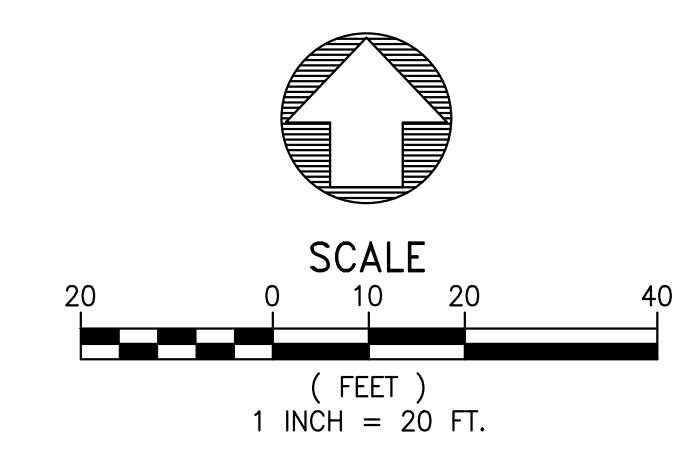
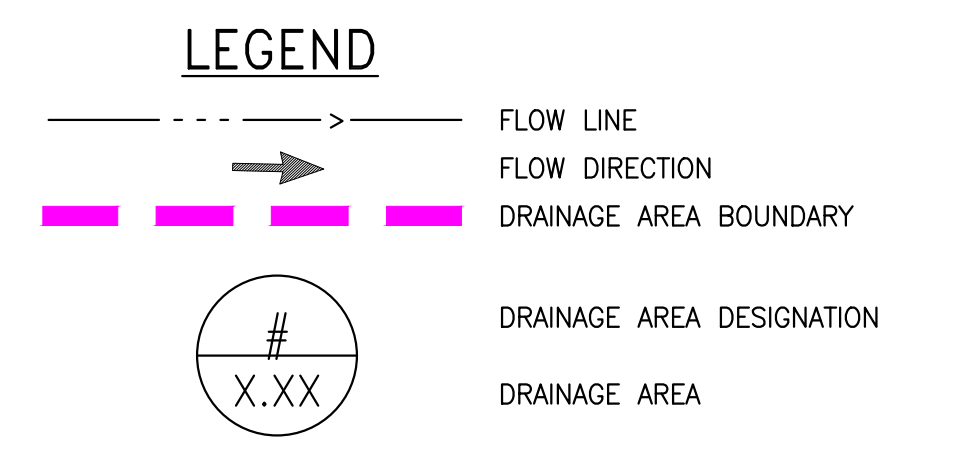
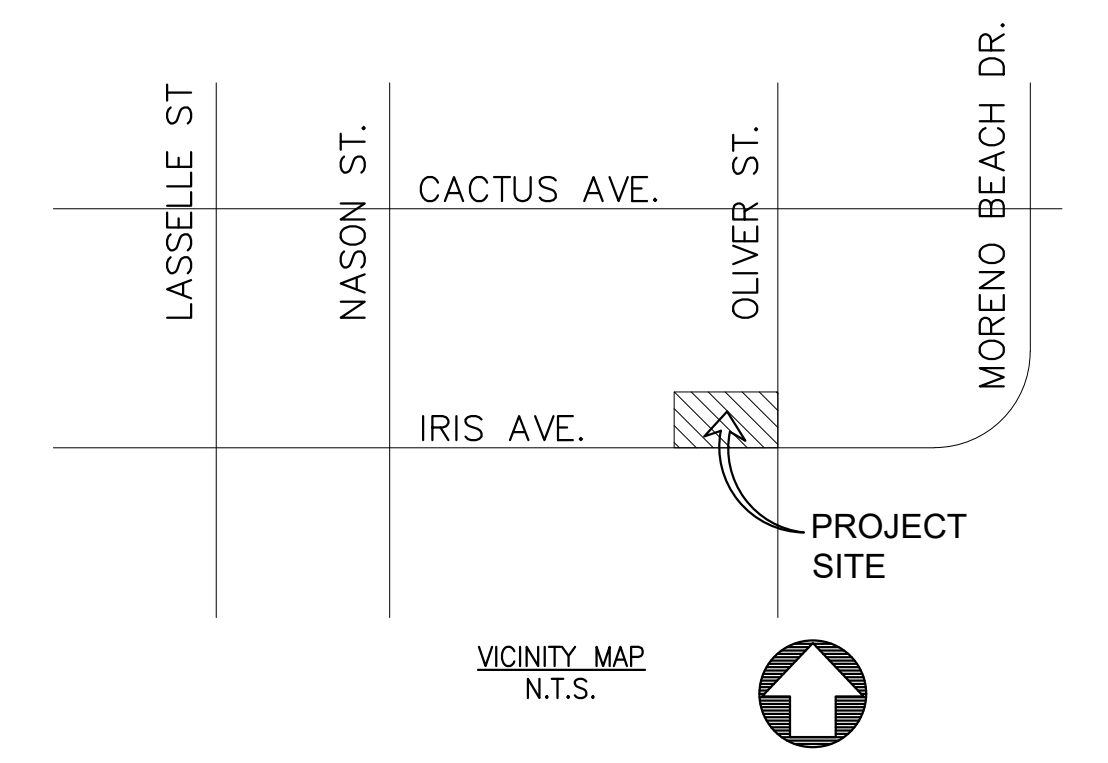
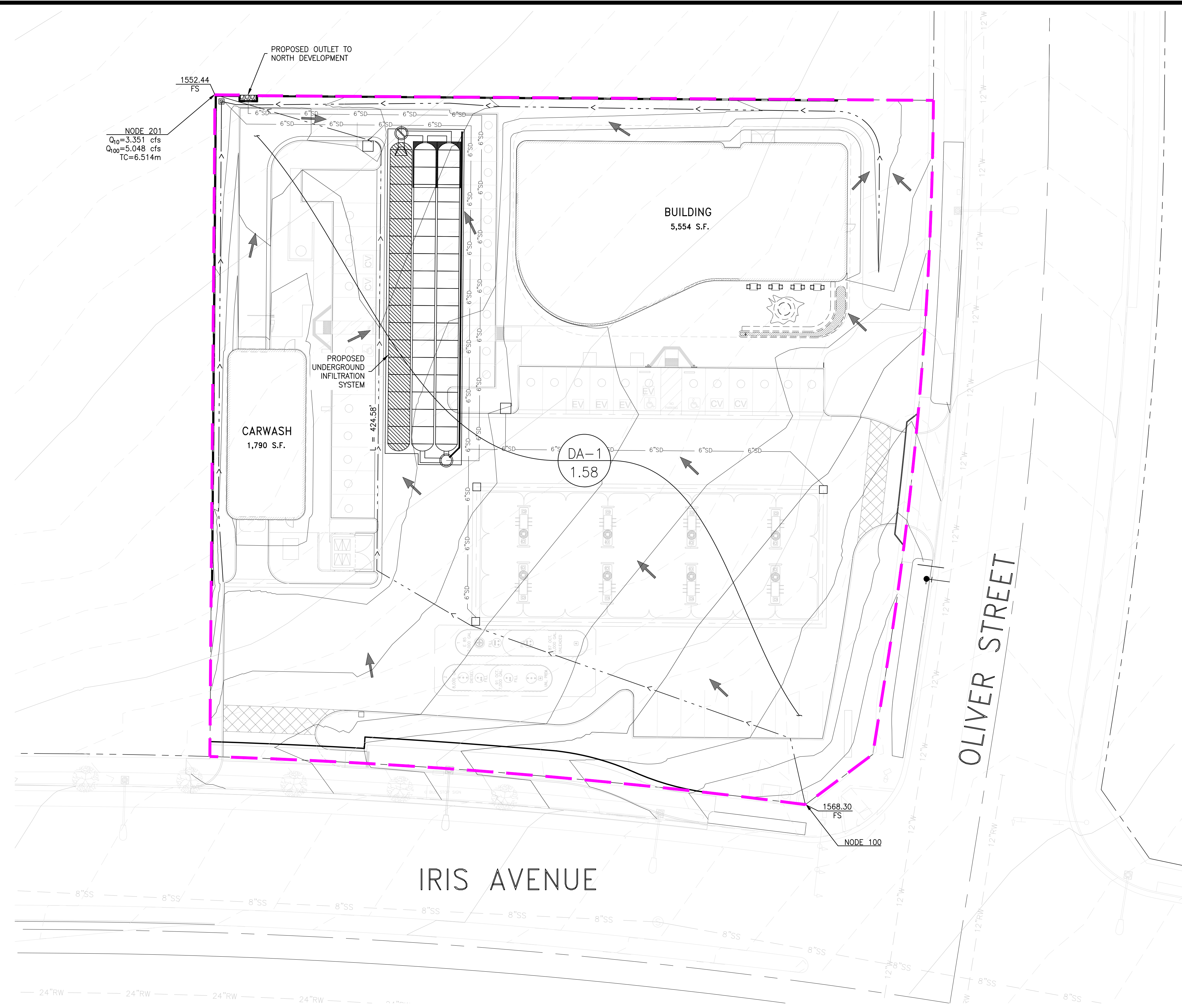
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			MARK	DATE	INITIAL	DESCRIPTION	REC.		APPR	DATE
								APN. 486-310-038 IRIS AVE AND OLIVER ST, MORENO VALLEY <b>PRELIMINARY GRADING PLAN</b>		CITY ID No



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						REVISION						DATE		



October 30, 2023

Oliver Mujica, Contract Planner  
 City of Moreno Valley  
 14177 Frederick Street  
 PO Box 88005  
 Moreno Valley, CA 92552

**Subject:** EMWD Comments for the Beyond Food Mart Project Notice of Intent to Adopt a Mitigated Negative Declaration

**Location:** Northwest corner of Iris Avenue and Oliver Street in the City of Moreno Valley, Riverside County, California.

Dear Mr. Oliver Mujica:

Eastern Municipal Water District (EMWD) thanks you for the opportunity to comment on the Beyond Food Mart Project (project) Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration (MND). The project proposes the construction and operation of an eight-island fueling station, a 7,400 square-foot convenience store, and a 1,790 square-foot drive-thru carwash. The fueling station includes two underground storage tanks with capacities of 27,000 gallons and 15,000 gallons. The fueling island would include 16 fueling positions located under a 5,979 square-foot canopy with a height of 19"6." The project would also include 19,944 square-feet of landscaping, and a storm water system with one underground bioretention basin with the capacity to hold up to 15,237 cubic-feet of storm water, located on the southeast portion of the project site.

EMWD offers the following comments:

To define the impact(s) on the environment and on existing EMWD facilities, and as development within this area occurs over time, the proponents of implementing development projects shall consult EMWD's Development Services Department to compare proposed and existing water demands and sewer flows,

Board of Directors  
 Philip E. Paule, *President*   Stephen J. Corona, *Vice President*   Jeff Armstrong   Randy A. Record   David J. Slawson

2270 Trumble Road • P.O. Box 8300 • Perris, CA 92572-8300  
 T 951.928.3777 • F 951.928.6177   [www.emwd.org](http://www.emwd.org)

Attachment: Comments Received for Notice of Intent (6422 : Beyond Food Mart)

EMWD Comments

October 30, 2023

Page 2

and prepare a Design Conditions report (DC), formally known as the Plan of Service (POS), to detail all pertinent facilities necessary to serve such implementing development projects, resulting in an approved DC, prior to final design and plan check of such facilities.

To help define EMWD's Design Conditions, EMWD requires beginning dialogue with project proponents at an early stage in the site design and development, via a one-hour complementary Due Diligence meeting. To set up this meeting the project proponent should complete a Project Questionnaire (form NBD-058) and submit to EMWD. To download this form or for additional information, please visit our web page [www.emwd.org](http://www.emwd.org), then select the "Developer" link, then select the "New Development Process Forms" link. This meeting will offer the following benefits:

1. Describe EMWD's development process
2. Identify project scope and parameters
3. Provide a preliminary review of the project within the context of existing infrastructure
4. Discuss potential candidacy for recycled water service
5. Identify project submittal requirements to start the Design Conditions review

Following the Due Diligence meeting, and to proceed with a project, the Design Conditions will need to be developed by the developer's engineer and reviewed/approved by EMWD prior to submitting improvement plans for Plan Check. The DC process and approval will provide the following:

1. Technical evaluation of the project's demands and existing system capacities
2. Identification of impacts to existing facilities
3. Identification of additional on-site and off-site facilities, necessary to serve the project
4. Identification of easement requirements, if necessary
5. Identification of potential EMWD's cost participation in facility oversizing, if applicable

If you have questions or concerns, please do not hesitate to contact Maroun El-Hage at (951) 928-3777, extension 4468 or by e-mail at [El-hagem@emwd.org](mailto:El-hagem@emwd.org).

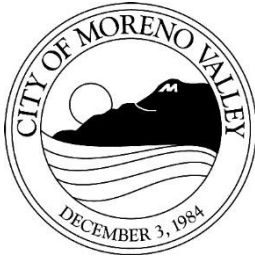
Sincerely,

Alfred Javier  
Director of Environmental and Regulatory Compliance

ARJ: hs

Attachments: Copy of Public Notice

Attachment: Comments Received for Notice of Intent (6422 : Beyond Food Mart)



## PLANNING COMMISSION

### STAFF REPORT

Meeting Date: November 9, 2023

A CONDITIONAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT AND A TENTATIVE TRACT MAP 38442 TO SUBDIVIDE APPROXIMATELY 19.1 ACRES INTO 108 SINGLE-FAMILY RESIDENTIAL LOTS, WITH ASSOCIATED PUBLIC IMPROVEMENTS, A MULTI-USE TRAIL AND A 1.38 ACRE COMMUNITY PARK

Case: Conditional Use Permit (PEN22-0137)  
Tentative Tract Map 38442 (PEN22-0131)

Applicant: Highpoint MV, LLC

Property Owner: Highpoint MV I

Representative: Ross Yamaguchi

Location: North of Alessandro Boulevard, east of Nason Street, South of Bay Avenue, Assessor Parcel Numbers 488-210-006 and 488-210-020

Case Planner: John Moreno, Contract Planner

Council District: 3

Proposal: Conditional Use Permit for a Planned Unit Development and a Tentative Tract Map No. 38442 to subdivide approximately 19.1 acres into 108 single-family residential lots with associated public improvements.

CEQA: Adopt Initial Study/Mitigated Negative Declaration and Mitigation and Monitoring and Reporting Program.

#### **SUMMARY**

Highpoint MV, LLC ("Applicant") is requesting approval of Tentative Parcel Map No. 38442 for the development of a 108-unit single-family residential project on approximately 19.1 gross acres (15.1 net acres) with a Conditional Use Permit for

Planned Unit Development (PEN22-0137), with associated public improvements, within the Downtown Center (DC) Zoning District.

## **PROJECT DESCRIPTION**

### **Proposed Project**

#### **Conditional Use Permit for Planned Unit Development**

The Proposed Project includes a Conditional Use Permit (CUP) for a Planned Unit Development (PUD), which allows for the proposed development to establish unique criteria for setbacks, lot width, and lot size and design. The tract consists of two different lot sizes, 64 units with a minimum of 3200 square feet and 44 units with a minimum of 4500 square feet.

Flexible development standards are allowed in exchange for a higher level of detail and amenities within the Proposed Project than typically are required for standard residential development. PUDs encourage housing that is varied in type, design, and size. The Proposed Project offers three architectural styles (Spanish, Tuscan, and Traditional) and six different floor plans with varying building designs, rooflines, and color combinations.

The Proposed Project includes a 1.38-acre park and connectivity from Alessandro Boulevard north to Bay Avenue. As proposed, the Proposed Project is consistent with the standards of the Moreno Valley Municipal Code.

#### **Tentative Tract Map**

The proposed Tentative Tract Map No. 38442 (TTM) will subdivide the approximately 19.1 acres of vacant and unimproved land into 108 single-family residential lots ranging from 3,200 to 9,046 square foot lots. The TTM will also establish interior streets, and water quality drainage facilities, and dedicate a multi-use trail and a 1.38-acre park.

### **Site and Surrounding Area**

The Project Site is currently vacant and unimproved. The parcels directly to the north are vacant within the Residential 3 (R3) Zoning District. Properties to the south, east, and west are within the DC Zoning District with existing development which includes residential to the west and a new elementary school northwest.

### **Access/Parking**

The Proposed Project proposes two main entrances, one located along Alessandro Boulevard and another on Bay Avenue. Access to the homes will be from new internal streets.

Onsite parking requirements are met with each unit providing a two-car garage. Additional parking is provided in driveways and along the proposed streets within the development. The Proposed Project will also provide a multi-use trail.



## **Design/Landscaping**

The PUD guidelines for the proposed development include two-story homes with three elevation styles: Spanish, Tuscan, and Traditional with various color combinations and architectural designs to provide interest among the housing types using stucco, varied siding finishes, stone and brick, various trim fixtures, and varied rooflines.

The PUD includes typical plot plan configurations for the new homes and typical front yard landscaping. The HOA will perform all common area maintenance to ensure a well-maintained appearance of the streetscapes. A multi-purpose trail with fencing and exercise equipment is included along the north-south street providing connectivity from Alessandro Boulevard to Bay Street with the park in the middle of the development. The park and trails are accessible to the general public and will include a children's playground, turf areas, and seating areas.

## **REVIEW PROCESS**

As part of the standard review process, all appropriate outside agencies have considered the Proposed Project. The Proposed Project was reviewed by the Project Review Staff Committee as required by the Municipal Code. Following subsequent revisions and staff review, the project was deemed complete.

## **ENVIRONMENTAL**

An Initial Study was prepared by MNS Engineering in compliance with the California Environmental Quality Act (CEQA) and its guidelines. The Initial Study examined the potential impacts of the Proposed Project on the environment. The Initial Study/Mitigated Negative Declaration (IS/MND) serves as the appropriate CEQA documentation for the Proposed Project. With the implementation of the proposed mitigation measures, the Proposed Project will not have a significant effect on the environment. Technical studies prepared in support of the IS/MND include the following: Air Quality, Energy, Greenhouse Gas Data; Habitat Assessment and MSHCP Consistency Analysis; Focused Burrowing Owl Survey, Jurisdictional Delineation Report; DBESP; Cultural Resources Assessment; Geotechnical Evaluation; Drainage Report; Water Quality Management Plan Report; Noise Data; Traffic Analysis; and VMT Analysis. Copies of the appendices to the IS/MND can be accessed from the link attached to this staff report. The documents can be reviewed at City Hall during operating hours, and online on the City's website.

Mitigation measures are recommended for the Proposed Project in the following areas: Biological Resources, Cultural Resources, Geology and Soils, Transportation, and Tribal and Cultural Resources all of which are incorporated into the Mitigation Monitoring and Report Program (MMRP). Cultural resources measures are intended to ensure that potential resources that might be discovered are protected. However, these measures are not required to address a known significant impact. Based on the Initial Study and with the implementation of the proposed mitigation measures, the Proposed Project will not cause any significant impacts to the environment.

The public comment period for the Notice of Availability of the Initial Study/Mitigated Negative Declaration began on September 19, 2023, and ended on October 19, 2023, (State Clearing House Number 2023090395) which satisfies the required 30-day review period required for this project. As of the preparation of this staff report, comments have been received from the Rincon Band of Luiseno Indians, Agua Caliente Band of Cahuilla Indians, Eastern Municipal Water District, and Riverside County Flood Control. Written comments received after the preparation of this staff report will be provided at the public hearing.

### **NOTIFICATION**

Consistent with the City Municipal Code provisions and applicable law, public notice was sent to all property owners of record within 600' of the Project Site, posted on the Project Site, and published in the Press Enterprise Newspaper. No public comments have been received regarding the Proposed Project.

### **REVIEW AGENCY COMMENTS**

Staff coordinated with outside agencies where applicable, as is the standard review process for these development applications.

### **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission take the following actions:

- A. **ADOPT** Resolution No. 2023-49, attached hereto, and thereby:
  1. **ADOPTING** the Initial Study/Mitigated Negative Declaration prepared for Conditional Use Permit (PEN22-0137) and Tentative Tract Map No. 38442 (PEN22-0131) on file with the Community Development Department, incorporated herein by this reference, which was completed in compliance with CEQA and the CEQA Guidelines, and reflects that the Planning Commission reviewed and considered the information contained in the Initial Study/Mitigated Negative Declaration, and exercised its independent judgment and analysis of the Proposed Project's potential environmental impacts; and
  2. **ADOPTING** the Mitigated Monitoring and Reporting Program prepared for the proposed project, which consists of Conditional Use Permit (PEN22-0137) and Tentative Tract Map No. 38442 (PEN22-0131) pursuant to CEQA and the CEQA Guidelines.
- B. **ADOPT** Resolution No. 2023-50, attached hereto, and thereby:
  1. **APPROVING** Conditional Use Permit (PEN22-0137) and Tentative Tract Map No. 38442 (PEN22-0131) based on the recitals, evidence contained in the administrative records, and findings as set forth in Resolution No. 2023-50.

Prepared by:  
Julia Descoteaux  
Principle Planner

Approved by:  
Sean P. Kelleher  
Community Development Director

## **ATTACHMENTS**

**To view large attachments, please click your “bookmarks”  on the left hand side of this document for the necessary attachment.**

1. Resolution No. 2023-49
2. Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration
3. Appendix 1 - Air Quality, Energy, and Greenhouse Gas Data
4. Appendix 2A - Habitat Assessment and MSHCP Consistency Analysis
5. Appendix 2B - Focused Burrowing Owl Survey
6. Appendix 2C - Jurisdictional Delineation
7. Appendix 2D - DBESP
8. Appendix 3 - Cultural Resources Assessment
9. Appendix 4 - Geotechnical Evaluation
10. Appendix 5A - Drainage Report
11. Appendix 5B - WQMP Report
12. Appendix 6 - Noise Data
13. Appendix 7A - Traffic Analysis
14. Appendix 7B - VMT Analysis
15. Exhibit B to Resolution 2023-49 - Mitigation Monitoring and Reporting Program
16. Exhibit C to Resolution 2023-49 - Notice of Intent to Adopt a Mitigated Negative Declaration
17. Resolution No. 2023-50
18. Planned Unit Development Guidelines
19. Project Plans - Planned Unit Development
20. Project Plans - Tentative Tract Map No. 38442
21. Zoning Map
22. Comments Received for Notice of Intent

## RESOLUTION NUMBER 2023-49

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING AND REPORTING PROGRAM FOR A CONDITIONAL USE PERMIT (PEN22-0137) FOR A PLANNED UNIT DEVELOPMENT OF 108 SINGLE-FAMILY RESIDENTIAL UNITS AND TENTATIVE TRACT MAP NO. 38442 (PEN22-0131), LOCATED ON THE SOUTH SIDE OF ALESSANDRO BOULEVARD NORTH TO BAY AVENUE (APNS: 488-210-006 AND 488-210-020)**

**WHEREAS**, the City of Moreno Valley (“City”) is a general law city and a municipal corporation of the State of California, and the lead agency for the preparation and consideration of environmental documents for local projects that are subject to requirements of the California Environmental Quality Act (CEQA<sup>1</sup>) and CEQA Guidelines<sup>2</sup>; and

**WHEREAS**, Highpoint MV, LLC (“Applicant”) has submitted applications for a Conditional Use Permit (PEN22-0137) for a Planned Unit Development and a Tentative Tract Map No. 38442 (PEN22-0131) to subdivide two (2) existing parcels into 108 single family lots, on approximately 19.1 acres with associated public improvements (“Proposed Project”) located north of Alessandro Boulevard, east of Nason Street, south of Bay Avenue (APNs: 488-210-006 and 488-210-020) (“Project Site”); and

**WHEREAS**, Planning Division Staff completed an Initial Study (environmental assessment) for the Proposed Project and based on the environmental assessment, recommended adoption of a Mitigated Negative Declaration (“MND”) and a Mitigation Monitoring and Reporting Program (“MMRP”) in accordance with Section 6 (ND Procedures) of the City’s Rules and Procedures for the Implementation of the California Environmental Quality Act and the requirements of CEQA the CEQA Guidelines Sections 15070 – 15075; and

**WHEREAS**, a Notice of Intent to Adopt a Mitigated Negative Declaration was duly noticed and circulated for public review for a period of 30 days commencing on September 19, 2023, through October 19, 2023; and

**WHEREAS**, in compliance with CEQA and the CEQA Guidelines, a MMRP, which is a program for monitoring and reporting on the Proposed Project’s mitigation measures was prepared for the Proposed Project and circulated with the MND; and

**WHEREAS**, on November 9, 2023, a duly noticed public hearing was conducted by the Planning Commission to consider the approval of the Proposed Project’s MND and MMRP and approval of the Proposed Project; and

<sup>1</sup> Public Resources Code §§ 21000-21177

<sup>2</sup> 14 California Code of Regulations §§15000-15387

**WHEREAS**, at the conclusion of the public hearing, in the exercise of its own independent judgment, the Planning Commission determined that the MND and the MMRP prepared for the Proposed Project has reduced the potential impact of the Proposed Project to levels of insignificance and there is no substantial evidence supporting a fair argument that the Proposed Project will significantly affect the environment in a manner that otherwise would require the preparation and certification of an Environmental Impact Report.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1. Recitals and Exhibits**

That the foregoing Recitals and attached exhibits are true and correct and are hereby incorporated by this reference.

**Section 2. Evidence**

That the Planning Commission has considered all of the evidence submitted into the Administrative Record for the MND and MMRP, including, but not limited to, the following:

- (a) Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the Proposed Project, attached hereto as Exhibits A and B;
- (b) Notice of Intent to Adopt a Mitigated Negative Declaration, attached hereto as Exhibit C;
- (c) Staff Report prepared for the Planning Commission's consideration and all documents, records, and references related thereto, and Staff's presentation at the public hearing; and
- (d) Testimony, comments, and correspondence from all persons that were provided at, or prior to, the public hearing.

**Section 3. Findings**

That based on the content of the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission makes the following findings:

- (a) That all environmental impacts of the Proposed Project, with the mitigation measures set forth in the MMRP, have been reduced to levels of insignificance and there is no substantial evidence supporting a fair argument that the Proposed Project will have a significant effect on the environment that would otherwise require the preparation and certification of an Environmental Impact Report;
- (b) That the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program have been completed in compliance with CEQA and the

- CEQA Guidelines and are consistent with the City's Rules and Procedures for the Implementation of the California Environmental Quality Act;
- (c) That the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program represent the independent judgment and analysis of the Planning Commission and the City as the lead agency for the Proposed Project; and
  - (d) That the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program are adequate to serve as the required CEQA environmental documentation for the Proposed Project.

**Section 4. Adoption**

That based on the foregoing Recitals, Evidence contained in the Administrative Record and Findings, as set forth herein, the Planning Commission hereby adopts the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program attached hereto as Exhibits A and B.

**Section 5. Repeal of Conflicting Provisions**

That all the provisions as heretofore adopted by the Planning Commission that are in conflict with the provisions of this Resolution are hereby repealed.

**Section 6. Severability**

That the Planning Commission declares that, should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

**Section 7. Effective Date**

That this Resolution shall take effect immediately upon the date of adoption.

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**Section 8. Certification**

That the Secretary of the Planning Commission shall certify to the passage of this Resolution.

**PASSED AND ADOPTED THIS 9<sup>th</sup> DAY OF November 2023.**

CITY OF MORENO VALLEY  
PLANNING COMMISSION

\_\_\_\_\_  
Alvin DeJohnette,  
Chairperson

ATTEST:

\_\_\_\_\_  
Sean Kelleher,  
Community Development Director

APPROVED AS TO FORM:

\_\_\_\_\_  
Steven B. Quintanilla,  
City Attorney

- Exhibits:
- Exhibit A: Initial Study/Mitigated Negative Declaration
- Exhibit B: Mitigation Monitoring and Reporting Program
- Exhibit C: Notice of Intent to Adopt a Mitigated Negative Declaration

Attachment: Resolution No. 2023-49 [Revision 2] (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))

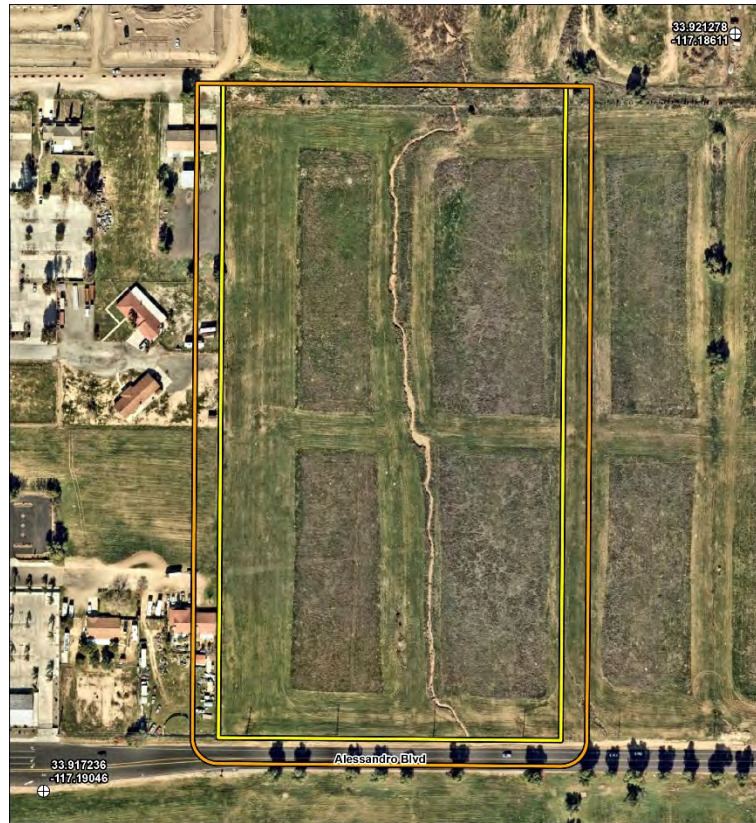
Exhibit A

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



## MITIGATED NEGATIVE DECLARATION FOR SUNSET CROSSINGS



Tentative Tract Map 38442 (PEN22-0131) Sunset Crossings  
Conditional Use Permit (PEN22-0137)

**September 18, 2023**

**Lead Agency**  
**CITY OF MORENO VALLEY**  
14177 Frederick Street  
Moreno Valley, CA 92552

**Prepared By**  
**MNS Engineering**  
Shelah Riggs, Principal Regulatory Specialist  
473 E. Carnegie Drive, Suite 200  
San Bernardino, CA 92408  
909-419-4268

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442

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Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



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Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



# MITIGATED NEGATIVE DECLARATION SUNSET CROSSINGS, TTM 38442

**Project Description:** The City of Moreno Valley is processing an application for a Tentative Tract Map (TTM 38442), for the development of a 108-unit single-family residential project on approximately 19.1 gross acres (15.1 net acres).

According to the City’s most recent Land Use and Zoning Maps, the project site currently has land use and zoning designations of Downtown Center (DC). This is consistent with surrounding developments to the west and south of, which are Downtown Center. Properties to the north are zoned Downtown Center, and further north are zoned Residential 3 (R3).

**Project Location:** The project site is located in the central portion of the City of Moreno Valley, north of Alessandro Boulevard, east of Nason Street, south of Cottonwood Avenue, and west of Oliver Street. The project site consists of two parcels, identified as Assessor Parcel Numbers (APNs) 488-210-020 and 488-210-006. Regional access to the project site is provided by State Route 60 (SR-60) and Interstate 215 (I-215). Local access to the project site is provided by Cottonwood Avenue. The regional and local vicinity of the project site are shown in *Exhibit 1, Regional Vicinity* and *Exhibit 2, Project Location*.

**Project Proponent:** Highpoint MV, LLC

**Findings:**

It is hereby determined that, based on the information contained in the attached Initial Study, the project would not have a significant adverse effect on the environment.

**Mitigation Measures:**

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
<b>4.4 Biological Resources</b>				
BIO-1	A pre-construction clearance survey shall be conducted to reconfirm the absence of burrowing owl (BUOW) within the project impact area and maintain compliance with the Multiple Species Habitat Conservation Plan (MSHCP), Migratory Bird Treaty Act (MBTA), and California Fish and Game Code (CFGC). In accordance with the MSHCP, the pre-construction clearance	Project Applicant and qualified Biologist	Field Verification	1. City of Moreno Valley 2. City of Moreno Valley 3. Prior to Construction

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



# MITIGATED NEGATIVE DECLARATION SUNSET CROSSINGS, TTM 38442

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>survey shall be conducted by a qualified biologist no more than 30 days prior to initiating any ground disturbing activities to avoid direct take of BUOWs. Once the survey is completed, the qualified biologist shall prepare and submit a final report documenting the results of the clearance survey to the City of Moreno Valley for review and file. If no BUOWs or occupied burrows are detected, project activities may begin, and no additional avoidance or minimization measures would be required.</p>			
<b>BIO-2</b>	<p>No less than 60 days prior to initiating project activities, a qualified bat biologist shall conduct a bat roosting habitat suitability assessment of any vegetation that may be removed, altered, or indirectly impacted by the project activities. Any locations identified as having potentially suitable bat roosting habitat by the qualified approved bat biologist shall be subject to additional nighttime surveys (bat surveys) during the summer months (i.e., June through August) to determine the numbers and bat species using the roost(s). The information collected during these additional bat surveys shall be used by the qualified bat biologist to</p>	<p>Project Applicant and qualified Biologist</p>	<p>Field Verification</p>	<p>City of Moreno Valley City of Moreno Valley Prior to Construction</p>

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



# MITIGATED NEGATIVE DECLARATION SUNSET CROSSINGS, TTM 38442

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>develop species-specific measures to minimize impacts to roosting bats should bats be detected using the site. The bat surveys shall be conducted by the qualified bat biologist using an appropriate combination of visual inspection, sampling, exit counts, and acoustic surveys. The results of the pre-construction bat surveys shall be submitted to CDFW for review no less than 30 days prior to the initiation of project activities.</p> <p>If the presence of bats within the project is confirmed, avoidance and minimization measures, including the designation of buffers based upon the particular bat species found and phased removal of trees, shall be developed and submitted to CDFW for review and approval. If the site supports maternity roosts, the Project Applicant shall avoid disturbing those areas during the breeding season.</p> <p>If the site supports a maternity roost(s) or special-status species, the Project Applicant shall contact CDFW and conduct an impact assessment prior to commencing project activities to assist in the development of minimization and mitigation measures. The Project Applicant shall compensate for impacts and losses to maternity roosts and/or special-status bat habitat through a mitigation strategy approved by CDFW.</p>			

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



# MITIGATED NEGATIVE DECLARATION SUNSET CROSSINGS, TTM 38442

2.b

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
<b>BIO-3</b>	<p>If project-related activities are to be initiated during the nesting season (February 1 to August 31), a pre-construction nesting bird clearance survey shall be conducted by a qualified biologist no more than three (3) days prior to the start of any vegetation removal or ground disturbing activities. The qualified biologist shall survey all suitable nesting habitat within the project impact area, and areas within a biologically defensible buffer zone surrounding the project impact area. If no active bird nests are detected during the clearance survey, project activities may begin, and no additional avoidance and minimization measures shall be required. If an active bird nest is found, the species shall be identified, and a “no-disturbance” buffer shall be established around the active nest. The size of the “no-disturbance” buffer shall be increased or decreased based on the judgment of the qualified biologist and level of activity and sensitivity of the species. The qualified biologist shall periodically monitor any active bird nests to determine if project-related activities occurring outside the “no- disturbance” buffer disturb the birds and if the buffer shall be increased. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural</p>	Project Applicant and qualified Biologist	Field Verification	City of Moreno Valley City of Moreno Valley Prior to Construction

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



# MITIGATED NEGATIVE DECLARATION SUNSET CROSSINGS, TTM 38442

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>conditions, project activities within the “no-disturbance” buffer may occur following an additional survey by the qualified biologist to search for any new bird nests in the restricted area.</p>			
<b>BIO-4</b>	<p>Prior to initiation of construction, the Project Applicant shall obtain all necessary permits for impacts to Regional Water Quality Control Board (RWQCB) and California Department of Fish and Wildlife (CDFW) jurisdictional areas. Mitigation for the loss of jurisdictional resources shall be negotiated with the resource agencies during the regulatory permitting process and shall ensure that mitigation to compensate for permanent impacts on jurisdictional resources is equivalent or superior to biological functions and values impacted by the proposed project.</p>	Project Applicant	Permit issuance by CDFW and RWQCB	City of Moreno Valley City of Moreno Valley Prior to Construction
<b>BIO-5</b>	<p>Prior to initiation of construction, the Project Applicant shall purchase of re-establishment or establishment credits within the Santa Jacinto Watershed through the Riverpark Mitigation Bank at a 3:1 ratio. Other offsite options for mitigation include the Riverside-Corona Regional Conservation District (RCRCD) In Lieu Fee (ILF) program, the Barry Jones mitigation bank, permittee-responsible mitigation, or</p>	Project Applicant	Mitigation Bank Purchase Receipt	City of Moreno Valley City of Moreno Valley Prior to Construction

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442

# MITIGATED NEGATIVE DECLARATION SUNSET CROSSINGS, TTM 38442

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>other agency-approved mitigation provider. If the Santa Ana River Watershed In-Lieu Fee Program (RCRCD ILF Program) is selected, the Project Applicant shall retain a qualified biologist to prepare an equivalency analysis report and habitat monitoring and management plan (HMMP) for submittal to the Wildlife Agencies prior to construction activities. The equivalency analysis shall document the biological lift and the functions and values provided by the mitigation site and the HMMP shall describe the offsite compensatory mitigation and identifies the establishment and reestablishment performance criteria for the proposed mitigation. The long-term funding mechanism for post-restoration habitat maintenance and land management entity shall also be identified and approved by the Wildlife Agencies prior to the start of construction.</p>			
<b>4.5 Cultural Resources</b>				
<b>CUL-1</b>	<p>In the event that any subsurface cultural resources are encountered during earth-moving activities, all work within 50 feet shall be halted until an archaeologist can evaluate the findings and make recommendations. Prehistoric materials can include flaked-stone tools (e.g., projectile points, knives, choppers) or</p>	Project Applicant and qualified archeologist	In Field Review	City of Moreno Valley City of Moreno Valley During Construction

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



# MITIGATED NEGATIVE DECLARATION SUNSET CROSSINGS, TTM 38442

2.b

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>obsidian, chert, or quartzite toolmaking debris; culturally darkened soil (i.e., midden soil often containing heat-affected rock, ash, and charcoal, shellfish remains, and cultural materials); and stone milling equipment (e.g., mortars, pestles, handstones). Historical materials might include wood, stone, or concrete footings, walls, and other structural remains; debris-filled wells or privies; and deposits of wood, metal, glass, ceramics, and other refuse. The archaeologist may evaluate the find in accordance with federal, State, and local guidelines, including those set forth in the California Public Resources Code Section 21083.2, to assess the significance of the find and identify avoidance or other measures as appropriate. A qualified archaeologist must meet the Secretary of the Interior's Professional Qualifications Standards for archaeology.</p>			
<b>CUL-2</b>	<p>If human remains are found during project construction, those remains shall receive proper treatment in accordance with State of California Health and Safety Code Sections 7050.5-7055. Specifically, Health and Safety Code Section 7050.5 describes the requirements if any human remains are discovered during excavation of a site. As required by state law, the requirements and procedures set forth in Section 5097.98 of the</p>	<p>Project Applicant and qualified archeologist</p>	<p>In Field Review</p>	<p>City of Moreno Valley City of Moreno Valley During Construction</p>

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



# MITIGATED NEGATIVE DECLARATION SUNSET CROSSINGS, TTM 38442

2.b

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>California Public Resources Code shall be implemented, including notification of the County Coroner, notification of the Native American Heritage Commission, and consultation with the individual identified by the Native American Heritage Commission to be the "most likely descendant." If human remains are found during excavation, excavation shall stop in the vicinity of the find and any area that is reasonably suspected to overlie adjacent remains until the County Coroner has been called out, and the remains have been investigated and appropriate recommendations have been made for the treatment and disposition of the remains.</p>			
<b>4.7 Geology and Soils</b>				
<b>GEO-1</b>	<p>Full-time paleontological monitoring shall be conducted during ground disturbance in undisturbed geologic contexts (i.e., bedrock and outcrops below existing asphalt and base) which have the potential to contain significant paleontological resources. Ground disturbance refers to activities that impact subsurface geologic deposits, such as grading, excavation, boring, etc. Activities taking place in current topsoil or within previously disturbed fill sediments, e.g., clearing,</p>	<p>Project Applicant and qualified paleontologist</p>	<p>In Review Field</p>	<p>City of Moreno Valley City of Moreno Valley During Construction</p>

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442

# MITIGATED NEGATIVE DECLARATION SUNSET CROSSINGS, TTM 38442

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>grubbing, pavement rehabilitation, do not require paleontological monitoring. Bedrock can occur at varying depths depending on the portion of the project area.</p> <p>Prior to grading or excavation in sedimentary rock material other than topsoil, the applicant shall retain a Society of Vertebrate Paleontology (SVP) qualified paleontologist. The qualified paleontologist shall monitor, or supervise the monitoring being performed by a paleontological monitor, of earth-moving activities. If any paleontological resources are discovered at the project area during construction or during any ground-disturbance activities at any depth, the paleontological monitor, in discussion with the qualified paleontologist, shall notify the on-site construction supervisor, who shall temporarily halt work or redirect all such activities within 100 feet of the discovery.</p> <p>At this time, the Project Applicant shall consult with the qualified paleontologist to assess the significance of the find to determine the appropriate treatment. The assessment shall follow SVP (2010) standards for identification, evaluation, disclosure, avoidance, recovery, and/or curation, as appropriate. If any find is determined to be significant, appropriate avoidance measures recommended by the qualified</p>			

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442

# MITIGATED NEGATIVE DECLARATION SUNSET CROSSINGS, TTM 38442

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>paleontologist shall be followed unless avoidance is determined to be unnecessary or infeasible. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. The recommendations of the qualified paleontologist shall be implemented with respect to the evaluation and recovery of fossils, after which the on-site construction supervisor shall be notified and shall direct work to continue in the location of the fossil discovery. Any fossils recovered during mitigation shall be cleaned, identified, catalogued, and permanently curated with an accredited and permanent scientific institution with a research interest in the materials.</p> <p>If no fossils have been recovered after 50 percent of excavation has been completed, full-time monitoring may be modified to weekly spot-check monitoring at the discretion of the qualified paleontologist. The qualified paleontologist may recommend to the client to reduce paleontological monitoring based on observations of specific site conditions during initial monitoring (e.g., if the geologic setting precludes the occurrence of fossils). The recommendation to reduce or discontinue paleontological monitoring in the project area shall be based on the professional</p>			

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



# MITIGATED NEGATIVE DECLARATION SUNSET CROSSINGS, TTM 38442

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>opinion of the qualified paleontologist regarding the potential for fossils to be present after a reasonable extent of the geology and stratigraphy has been evaluated.</p> <p>A qualified professional paleontologist is a professional with a graduate degree in paleontology, geology, or related field, with demonstrated experience in the vertebrate, invertebrate, or botanical paleontology of California, as well as at least one year of full-time professional experience or equivalent specialized training in paleontological research (i.e., the identification of fossil deposits, application of paleontological field and laboratory procedures and techniques, and curation of fossil specimens), and at least four months of supervised field and analytic experience in general North American paleontology.</p>			
<b>Section 4.17 Transportation</b>				
<b>TRA-1</b>	<p>The following project-specific improvements shall be constructed as design features in conjunction with development of the site:</p> <ul style="list-style-type: none"> <li>Project Completion Year 2024 and General Plan Buildout Year 2040: Street A and Alessandro</li> </ul>	City Traffic Engineer	Plan Review	City of Moreno Valley City of Moreno Valley Prior to Construction

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



# MITIGATED NEGATIVE DECLARATION SUNSET CROSSINGS, TTM 38442

2.b

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>Boulevard: Modify the southbound approach by restricting outbound traffic to right-out access only.</p>			
<p><b>TRA-2</b></p>	<p>A construction work zone Traffic Management Plan (TMP) that complies with State/federal standards as prescribed in the California Manual on Uniform Traffic Control Devices (CA MUTCD) shall be submitted to the City for review and approval prior to the issuance of a grading permit or start of construction. The plan shall identify any roadway, sidewalk, bicycle route, or bus stop closures and detours as well as haul routes and hours of operation. All construction-related trips shall be restricted to off-peak hours to the extent possible.</p>			
<p><b>4.18 Tribal Cultural Resources</b></p>				
<p><b>TCR-1</b></p>	<p><b>Archaeological Monitoring.</b> Prior to the issuance of a grading permit, the Project Applicant shall retain a professional archaeologist to conduct monitoring of all ground-disturbing activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s) including the Pechanga Band</p>	<p>Project Applicant and qualified archeologist</p>	<p>In Field Review</p>	<p>City of Moreno Valley City of Moreno Valley During Construction</p>

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442

# MITIGATED NEGATIVE DECLARATION SUNSET CROSSINGS, TTM 38442

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>of Indians and the Morongo Band of Indians, the contractor, and the City, shall develop a CRMP as defined in TCR-3. The Project archeologist shall attend the pre-grading meeting with the City, the construction manager, and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The archaeological monitor shall have the authority to temporarily halt and redirect earth-moving activities in the affected area in the event that suspected archaeological resources are unearthed.</p>			
TCR-2	<p><b>Native American Monitoring.</b> Prior to the issuance of a grading permit, the Project Applicant shall secure agreements with the Pechanga Band of Indians and the Morongo Band of Mission Indians, for tribal monitoring. The Project Applicant is also required to provide a minimum of 30 days advance notice to the tribes of all ground-disturbing activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth-moving activities in the affected area in the event that suspected archaeological resources are unearthed. The Native American Monitor(s) shall attend the pre-grading meeting with the Project Archeologist, City, the</p>	Project Applicant and qualified Native American Monitor	In Field Review	City of Moreno Valley City of Moreno Valley During Construction

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442

# MITIGATED NEGATIVE DECLARATION SUNSET CROSSINGS, TTM 38442

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>construction manager, and any contractors and will conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.</p>			
TCR-3	<p><b>Cultural Resource Monitoring Plan (CRMP).</b> The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a CRMP in consultation pursuant to the definition in AB 52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting Tribe is defined as a Tribe that initiated the AB 52 tribal consultation process for the project, has not opted out of the AB 52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB 52. Details in the Plan shall include:</p> <ul style="list-style-type: none"> <li>• Project description and location</li> <li>• Project grading and development scheduling;</li> <li>• Roles and responsibilities of individuals on the project;</li> <li>• The pre-grading meeting and Cultural Resources</li> </ul>	Project Applicant and qualified Archeologist	Plan Approval by City and Consulting Tribes	City of Moreno Valley City of Moreno Valley Prior to Construction

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442

# MITIGATED NEGATIVE DECLARATION SUNSET CROSSINGS, TTM 38442

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>Worker Sensitivity Training details;</p> <ul style="list-style-type: none"> <li>The protocols and stipulations that the contractor, City, Consulting Tribe (s) and project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.</li> <li>The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items.</li> <li>Contact information of relevant individuals for the project;</li> </ul>			
TCR-4	<p><b>Cultural Resource Disposition.</b> In the event that Native American cultural resources are discovered during the course of ground-disturbing activities (inadvertent discoveries), one or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Department:</p> <p>a. Preservation-In-Place of the cultural resources, if feasible.</p>	Project Applicant and qualified archeologist	In Field Review	City of Moreno Valley City of Moreno Valley During Construction

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



# MITIGATED NEGATIVE DECLARATION SUNSET CROSSINGS, TTM 38442

2.b

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources.</p> <p>b. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure TCR-1. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in TCR-3. The location for the future reburial area shall be identified on a confidential exhibit on file with the City, and concurred to by the Consulting Native American Tribal Governments prior to certification of the environmental document.</p>			

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



# MITIGATED NEGATIVE DECLARATION SUNSET CROSSINGS, TTM 38442

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>The City shall verify that the following note is included on the Grading Plan:</p> <p>"If any suspected archaeological resources are discovered during ground-disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find."</p>			
TCR-5	<p><b>Inadvertent Finds.</b> If potential historic or cultural resources are uncovered during excavation or construction activities at the project site that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to project approval, all ground-disturbing activities in the affected area within 100 feet of the uncovered resource must cease immediately and a qualified person meeting the Secretary of the Interior's standards (Code of Federal Regulations, Title 36, Section 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend</p>	Project Applicant and qualified Archeologist	In Field Review	City of Moreno Valley City of Moreno Valley During Construction

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442

# MITIGATED NEGATIVE DECLARATION SUNSET CROSSINGS, TTM 38442

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional archeologist and Tribal Monitors if needed. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all Consulting Native American Tribes as defined in TCR-2 before any further work commences in the affected area. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the Project Archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.</p>			
TCR-6	<b>Human Remains.</b> If human remains are discovered, no			

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442





# MITIGATED NEGATIVE DECLARATION SUNSET CROSSINGS, TTM 38442

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the "most likely descendant". The "most likely descendant" shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). No photographs are to be taken except by the coroner, with written approval by the consulting Tribe[s].</p>			
TCR-7	<p><b>Non-Disclosure of Reburial Locations.</b> It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r), parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the</p>	Project Applicant and qualified archeologist	In Field Review	City of Moreno Valley City of Moreno Valley During Construction

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



# MITIGATED NEGATIVE DECLARATION SUNSET CROSSINGS, TTM 38442

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	specific exemption set forth in California Government Code 6254 (r).			
TCR-8	<p><b>Archeology Report - Phase III and IV.</b> Prior to final inspection, the Project Applicant/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).</p>	Project Applicant and qualified archeologist	Monitoring Report Submittal	City of Moreno Valley City of Moreno Valley Prior to final inspection

**Attachments:**

1. Location Map
2. Initial Study

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



# MITIGATED NEGATIVE DECLARATION SUNSET CROSSINGS, TTM 38442

2.b

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### 3. Mitigation Monitoring and Reporting Program.

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



# 1. INTRODUCTION AND PROJECT DESCRIPTION

## A. PURPOSE AND PROJECT OVERVIEW

The City of Moreno Valley is processing an application for a Tentative Tract Map (TTM 38442), for the development of a 108-unit single-family residential project on approximately 19.1 gross acres (15.1 net acres). The proposed Sunset Crossings TTM 38442 Project (project) is further described in Section I.C, below.

This Initial Study has been prepared pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.).

## B. PROJECT LOCATION AND DESCRIPTION OF SURROUNDING AREA

The project site is located in the central portion of the City of Moreno Valley, north of Alessandro Boulevard, east of Nason Street, south of Cottonwood Avenue, and west of Oliver Street. The project site consists of two parcels, identified as Assessor Parcel Numbers (APNs) 488-210-020 and 488-210-006. Regional access to the project site is provided by State Route 60 (SR-60) and Interstate 215 (I-215). Local access to the project site is provided by Cottonwood Avenue. The regional and local vicinity of the project site are shown in *Exhibit 1, Regional Vicinity* and *Exhibit 2, Project Location*.

According to the City's most recent Land Use and Zoning Maps, the project site currently has land use and zoning designations of Downtown Center (DC). This is consistent with surrounding developments to the west and south of, which are Downtown Center. Properties to the north are zoned Downtown Center, and further north are zoned Residential 3, (R3).

There are three existing educational facilities in close proximity to the project site, including Moreno Elementary School (approximately 0.5-mile west of the project site); Mountain View Middle School (approximately 0.9-mile northwest of the project site); and Valley View High School (approximately 0.6-mile northwest of the project site).

## C. PROJECT DESCRIPTION

The proposed project would develop 108 single-family detached residential units on an approximately 15.1-net-acre site. The density of the project would be approximately 7.1 du/ac, which is within the allowable density for the existing Downtown Center (DC) land use/zoning designation. The project also requires approval of a Tentative Tract Map (TTM 38442).

### Development Concept

As illustrated in *Exhibit 3, Conceptual Site Plan* and *Exhibit 4, Tentative Tract Map 38442*, the single-family residential development would consist of 108 residential units with the minimum and maximum lot sizes proposed to range from 3,200 to 4,500 square feet (SF). The maximum building height of the residences would be 26 feet, 6.5 inches. The development would include a 1.38-acre park and a 0.52-acre water quality basin located in the southeastern portion of the site.



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The development would be supported by internal private streets, sewer and water access, and the installation of right-of-way improvements including curb, gutter, sidewalks, and streetlights.

The project would be constructed to conform with Moreno Valley Municipal Code, Title 9, *Planning and Zoning*, and the City's adopted design standards and guidelines, which include design standards related to building size, height, setback, and materials, as well as landscaping, signage, and other considerations.-

### Utilities

The following utilities/infrastructure systems and services are available at the project site. Refer to ***Exhibit 5, Preliminary Grading and Utility Plan***.

- ***Water and Sewer***. Water and sewer services would be provided to the project by the main water purveyor to the community, which is Eastern Municipal Water District (EMWD).
- ***Drainage***. The Moreno, Sunnymead, and West End Master Drainage Plans cover the vast majority of land within Moreno Valley's city limits, including the project site, and are administered by the Riverside County Flood Control and Water Conservation District (RCFCWCD).
- ***Dry Utilities***. Electricity and natural gas services would be provided to the project site by Southern California Edison (SCE) and Southern California Gas Company (SoCalGas), respectively.

### Access and Circulation

Access to the project site would be provided by a full access intersection located along Alessandro Boulevard. All project access and circulation improvements would be designed and constructed consistent with City design and engineering standards, as described in detail in Section 4.17, *Transportation*, of this IS/MND. The project would be subject to the City's Development Impact Fee (DIF) fee program and the Western Riverside Council of Governments' (WRCOG) Transportation Uniform Mitigation Fee (TUMF) program and would be required to pay the requisite DIF and TUMF fees at the rates then in effect pursuant to the DIF and TUMF ordinances.

### Drainage

One the site has been developed, a proposed storm drain system would convey water runoff from the proposed residential development to a detention/extended detention basin located in the southeastern portion of the project site; refer to ***Exhibit 6, WQMP Site Plan***. The basin would control outlet flows and provide runoff treatment and would have a bottom section that will be utilized as a Best Management Practice (BMP) to treat the Design Capture Volume (DCV). Stormwater runoff would pond over a sand filter section to allow runoff to receive treatment. An outlet structure would be provided within the basin with orifice openings above the water quality water surface elevation to outlet 100-year storms to the proposed Line H in Street A. The outlet structure has been designed to decrease developed flows before discharging runoff to Line H.



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**Landscaping**

Ornamental water-efficient landscaping, including a variety of trees, shrubs, vines and ground cover and would be installed throughout the project site. Planting materials would be selected in accordance with Moreno Valley Municipal Code Chapter 9.17, *Landscape and Water Efficiency Requirements*, and the City’s adopted design standards and guidelines.

**Project Construction and Phasing**

Construction activities for the project would occur over 38 months and would begin in August 2023 with the opening for project occupancy in September 2026. Construction activities would occur in the following stages: site preparation, grading, building construction, architectural coating, and paving. Pursuant to Moreno Valley Municipal Code Chapter 8.14.040(E), *Hours of Construction*, construction activities would be limited to between the hours of 7:00 a.m. to 8:00 p.m. Monday through Friday, excluding holidays and from 8:00 a.m. to 4:00 p.m. on Saturday, unless written approval is obtained from the City building official or City engineer.

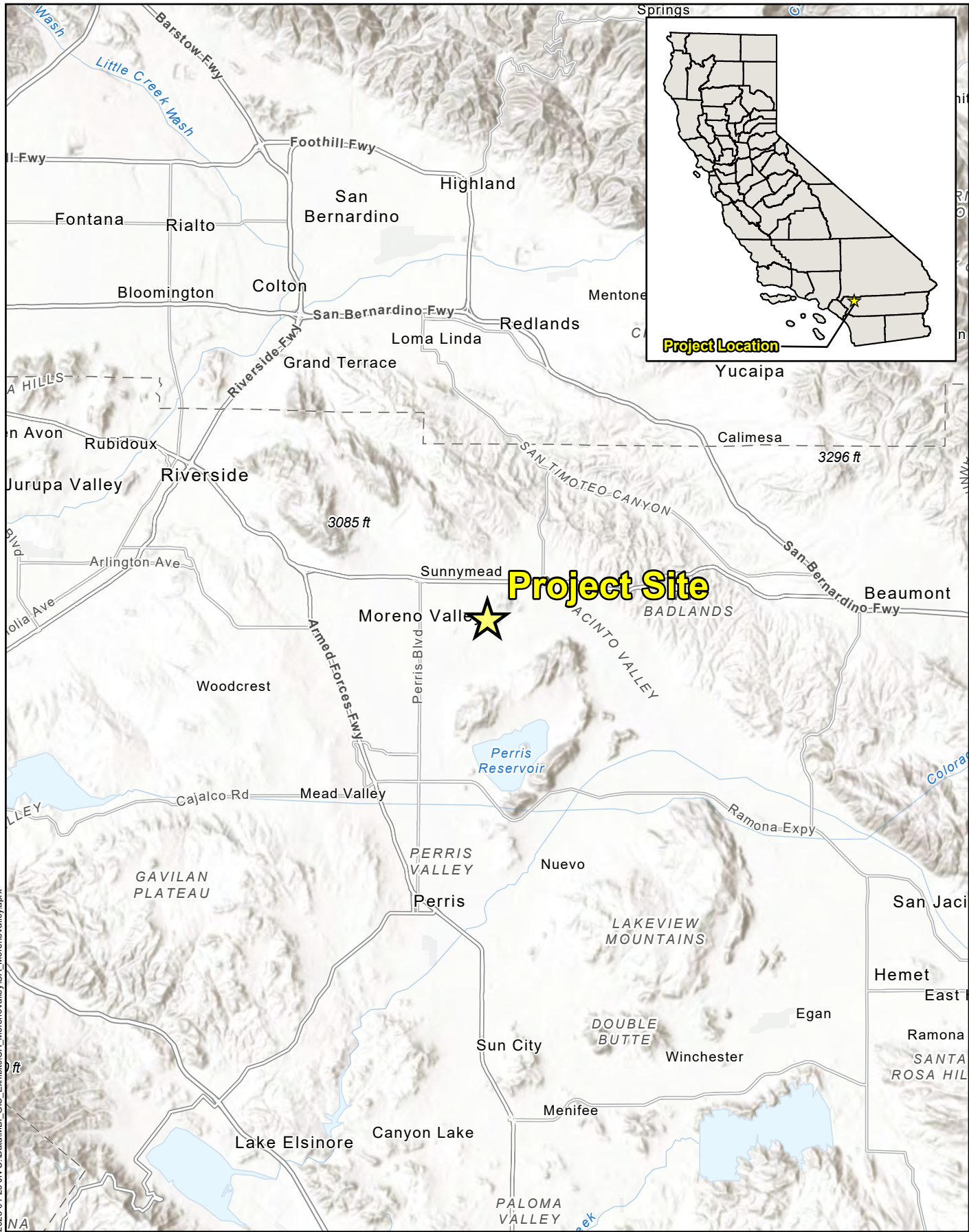


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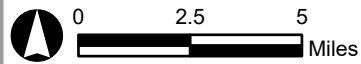


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SUNSET CROSSINGS TTM 38442  
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

# Regional Vicinity



Source: Esri, NASA, NGA, USGS, Loma Linda University, UC Riverside, City of Moreno Valley, County of Riverside, California State Parks, Esri, HERE, Garmin, SafeGraph, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USDA



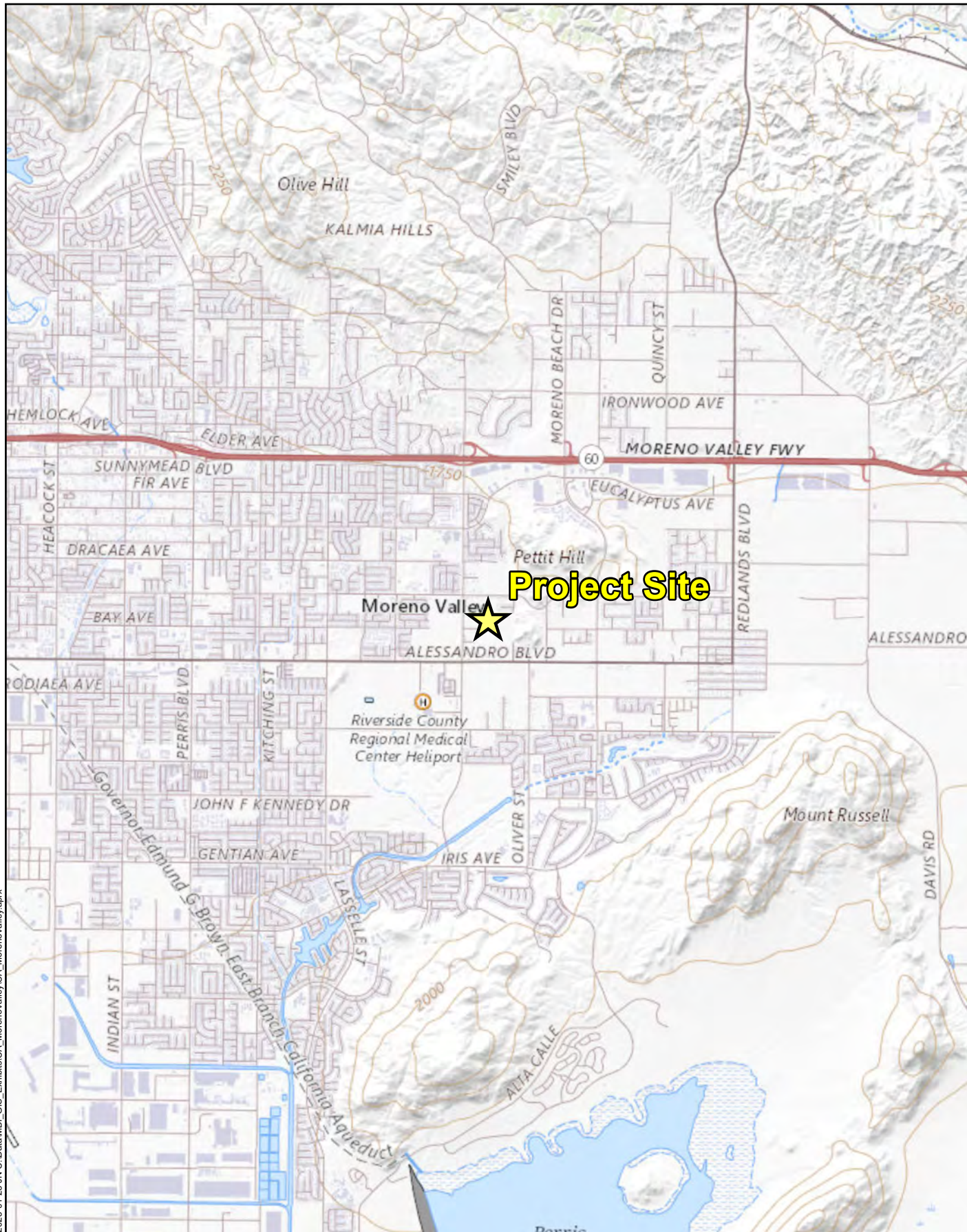


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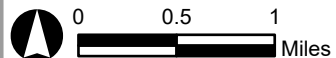
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SUNSET CROSSINGS TTM 38442  
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
**Project Location**



USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed June, 2022.



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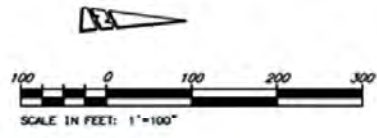
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Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



**TRACT 38442 (SOUTH OF BAY) LEGEND & LOT COUNT**

LOT SIZE	MIN LOT AREA	# OF LOTS
40'x80'	3200 SF	64
45'x100'	4500 SF	44
		<b>TOTAL - 108</b>
OPEN SPACE	N/A	5
WQ BASIN	N/A	1



**PROACTIVE**  
ENGINEERING CONSULTANTS  
AUGUST 2022

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Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442

APPLICANT / OWNER

HIGHPOINT INV. LLC  
11000 SANDHURST AVENUE  
SUITE 100  
DALLAS, TEXAS 75244

TOPO SOURCE

DEM ROAD CORPORATION  
531 HEDDEN LANE  
MESA, CA 90291  
(714) 368-8244

ENGINEER

PROACTIVE ENGINEERING  
301 N. MAIN STREET, SUITE 400  
CERRITOS, CA 94528  
TEL: (925) 752-8318

SOILS ENGINEER

LEIGHTON GROUP  
1701 JENKINS  
CERRITOS, CA 94528  
415.7.180.7 (PH) 415.7.180.7 (FAX)

UTILITIES

WATER: EASTON MUNICIPAL WATER DISTRICT  
SEWER: EASTON MUNICIPAL WATER DISTRICT  
GAS: CALIFORNIA GAS COMPANY  
ELECTRIC: CALIFORNIA ELECTRIC POWER & TELECOMMUNICATIONS COMPANY  
TELEVISION: COMCAST

ASSESSOR'S PARCEL NO.'S

480-020-010-000-000-0000

LAND USE

TOTAL AREA: 10.1 AC  
TOWN: 100  
ZONING: 100  
GENERAL PLAN: 100  
PLANNED GENERAL PLAN: 100

NOTES

- 1. THIS AREA IS WITHIN THE MORENO VALLEY UNIFIED SCHOOL DISTRICT.
- 2. PROJECT SITE IS LOCATED WITHIN ZONE A, AREA OF WINDING FLOODING, FOR FLOOD RESILIENCE AND MITIGATION OF FLOOD DAMAGE. NUMBERS WITHIN THIS ZONE INDICATE THE FLOOD RESILIENCE RATING FOR EACH LOT.
- 3. ALL IMPROVEMENTS AND STRUCTURES SHALL BE CONSTRUCTION WITH THE REQUIREMENTS OF THE CITY OF MORENO VALLEY.
- 4. IMPROVEMENTS SHALL BE THE CITY OF MORENO VALLEY.
- 5. THE PROJECT SITE IS SUBJECT TO THE CITY OF MORENO VALLEY'S FLOOD RESILIENCE AND MITIGATION OF FLOOD DAMAGE PROGRAM.
- 6. THIS TRACT IS LOCATED IN A FLOOD RESILIENCE ZONE.
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BENCHMARK

2017 BENCHMARK (M-10-4-10-10)  
2017 BENCHMARK (M-10-4-10-10)  
2017 BENCHMARK (M-10-4-10-10)  
2017 BENCHMARK (M-10-4-10-10)

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS TRACT IS THE 1983 NAD 83 STATE PLANE COORDINATE SYSTEM. THE BASIS OF BEARINGS FOR THIS TRACT IS THE 1983 NAD 83 STATE PLANE COORDINATE SYSTEM.

LEGAL DESCRIPTION

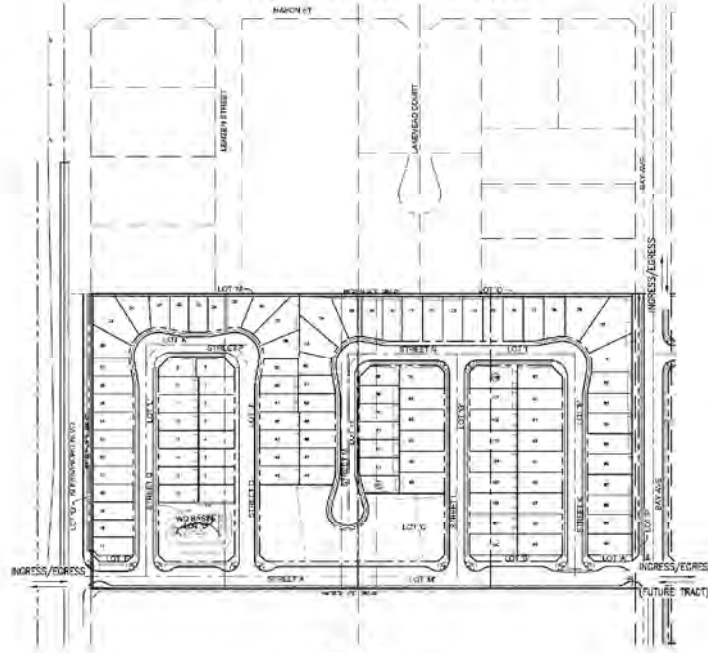
LOTS 4 AND 5, SECTION 10, TOWNSHIP 10N, RANGE 14E, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

GEOTECHNICAL NOTES

- 1. THIS SITE IS LOCATED WITHIN A LOW TO MODERATE SEISMICITY SUGGESTIBILITY ZONE.
- 2. THERE ARE NO FAULT LINES PASSING THROUGH OR NEAR THIS SITE.
- 3. THIS SITE IS NOT LOCATED IN A FLOOD RESILIENCE ZONE.
- 4. THIS SITE IS LOCATED IN A SUBSEQUENT SUGGESTIBILITY ZONE.
- 5. SEE GEOTECHNICAL REPORT FOR MORE DETAILS.

TENTATIVE TRACT MAP NO. 38442

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



PROPOSED LOT SUMMARY TABLE

Table with 8 columns: LOT#, AREA, LOT#, AREA, LOT#, AREA, LOT#, AREA. It lists 50 lots with their respective areas in square feet.

IMPROVEMENTS/LANDSCAPE AREAS

Table with 4 columns: LOT#, AREA, OWNERSHIP, PURPOSE. It lists improvements and landscape areas for various lots.

LEGEND



EASEMENT LIST and DISPOSITION table. It lists various easements and their dispositions, such as 'EASEMENT FOR UTILITIES' and 'EASEMENT FOR PUBLIC UTILITY PURPOSES'.

Professional stamps and title block. Includes the logo for PROACTIVE ENGINEERING CONSULTANTS, the title 'TENTATIVE TRACT MAP 38442', and the date 'MAY 2022'.

SUNSET CROSSINGS TTM 38442 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION Tentative Tract Map 38442

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1]



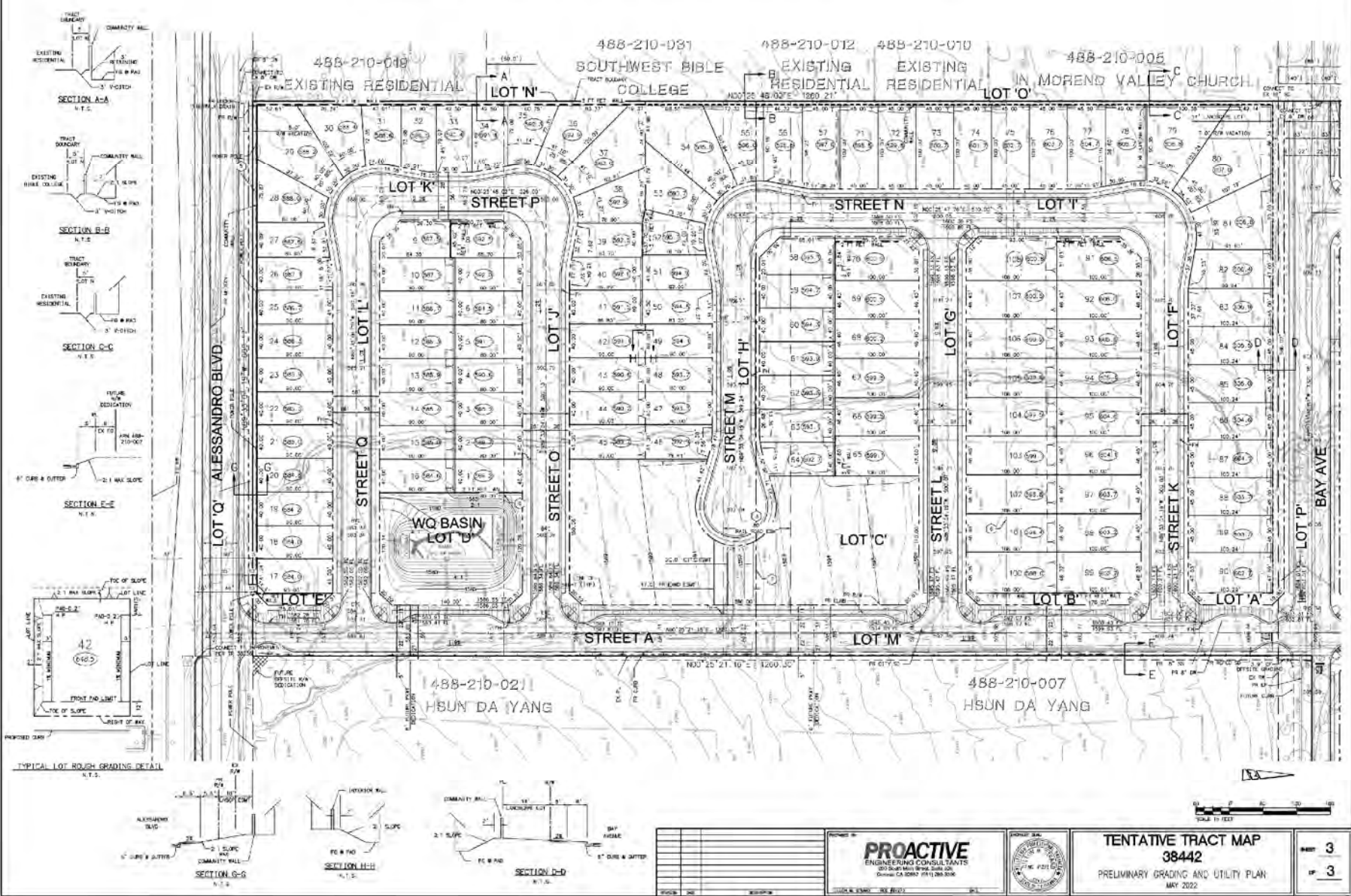
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# PRELIMINARY GRADING AND UTILITY PLAN



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**PROACTIVE**  
ENGINEERING CONSULTANTS  
200 South Main Street, Suite 200  
Dana Point, CA 92629 (714) 266-3636



**TENTATIVE TRACT MAP**  
**38442**  
PRELIMINARY GRADING AND UTILITY PLAN  
MAY 2022

Sheet	3
of	3

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1]





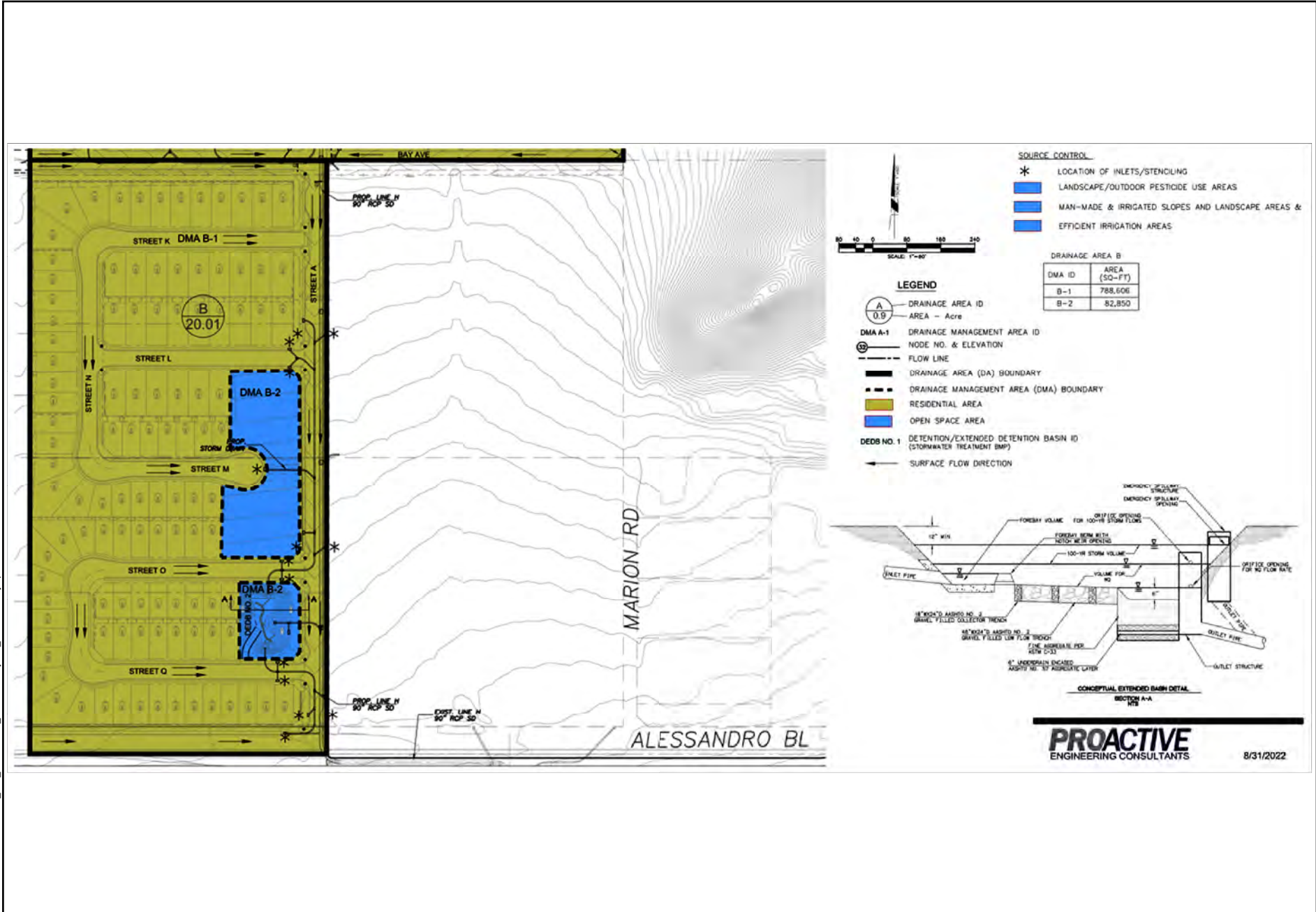
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SUNSET CROSSINGS TTM 38442  
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
**WQMP Site Plan**



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## 2. ENVIRONMENTAL SETTING

### A. Regulatory Setting

The City of Moreno Valley General Plan 2040 (General Plan) was adopted on June 15, 2021, and can be found on the City's website at <https://moval.gov/cdd/documents/general-plan-adopted.html>.

The City's Zoning Code (current through Ordinance 981) can be found on the Moreno Valley Municipal Code hosting website at: [https://library.qcode.us/lib/moreno\\_valley\\_ca/pub/municipal\\_code](https://library.qcode.us/lib/moreno_valley_ca/pub/municipal_code).

The Zoning Code is located under Title 9, *Planning and Zoning*, of the Moreno Valley Municipal Code.

### B. Physical Setting

The project site consists of approximately 19.1 gross acres (15.1 net acres) located north of Alessandro Boulevard, east of Nason Street, south of Cottonwood Avenue, and west of Oliver Street. Alessandro Boulevard and Nason Street are both classified as a Divided Arterial in the General Plan Circulation Element, with 110 feet of right-of-way. The project site consists of two parcels, identified as APNs 488-210-020 and 488-210-006, which are currently undeveloped. The project site is vacant and is primarily comprised of disturbed land that is dominated by ruderal/weedy and ornamental plant species. The site topography is relatively flat terrain with elevations ranging from approximately 1,611 to 1,644 feet above mean sea level.

Land uses surrounding the project include office, public (educational) facilities, and residential uses that are consistent with their respective permitted densities and complete with right-of-way improvements such as sidewalks, lighting, and landscaping.



### 3. ENVIRONMENTAL CHECKLIST FORM

#### A. Project Information

1.	<b>Project Title:</b>	Sunset Crossings TTM 38442 Project
2.	<b>Lead Agency Name and Address</b>	City of Moreno Valley Planning Division 14177 Frederick Street Moreno Valley, CA 92552
3.	<b>Contact Person and Phone Number</b>	Julia Descoteaux, Senior Planner 951.413.3209 juliad@moval.org
4.	<b>Project Location</b>	Located north of Alessandro Boulevard east of Nason Street, south of Bay Avenue, City of Moreno Valley, County of Riverside, California. Assessor's Parcel Numbers 488-210-006 and 488-210-020.
5.	<b>Project Sponsor Name and Address</b>	Highpointe Communities, Inc. Ross Yamaguchi, Director of Community Development 530 Technology, Suite 100 Irvine, CA 92618 ross.yamaguchi@highpointeinc.com
6.	<b>General Plan Designation Existing</b>	Downtown Center (DC)
	<b>General Plan Designation Proposed</b>	NA
7.	<b>Zoning Existing</b>	Downtown Center (DC)
	<b>Zoning Proposed</b>	NA
8.	<b>Description of Project</b>	Tentative Parcel Map for the development of a 108-unit single-family residential project on approximately 19.1 gross acres (15.1 net acres).



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<b>9.</b>	<b>Surrounding Land Use Designations and Zoning</b>		
	<b>North</b>	Land Use Designation	Residential: Downtown Center
		Zoning	Downtown Center
	<b>East</b>	Land Use Designation	Residential (R3)
		Zoning	Residential (R3)
	<b>South</b>	Land Use Designation	Downtown Center
		Zoning	Downtown Center
	<b>West</b>	Land Use Designation	Downtown Center
		Zoning	Downtown Center
<b>10.</b>	<b>Other Required Public Agency Approvals</b>		
	<ul style="list-style-type: none"> <li>• Eastern Municipal Water District (EMWD) – Water and wastewater connection permits</li> </ul>		
	<ul style="list-style-type: none"> <li>• Santa Ana Regional Water Quality Control Board – National Pollutant Discharge Elimination System (NPDES) Approval</li> </ul>		
	<ul style="list-style-type: none"> <li>• State Water Resources Control Board – Stormwater Pollution Prevention Plan (SWPPP) Approval</li> </ul>		
<b>11.</b>	<b>Have California Native American Tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3? If so, has consultation begun?</b>		
	<p><i>Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission’s Sacred Lands File based on Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code Section 21082.3(c) contains provisions specific to confidentiality.</i></p> <p>The City has established a Tribal Historic Preservation Office (THPO) contact list pursuant to Public Resources Code Section 21080.3. The City has distributed letters to applicable THPOs on the City’s contact list, providing initial information about the project and inviting consultation. See Section 4.18, <i>Tribal Cultural Resources</i>, of this IS/MND for additional information.</p>		



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**B.Environmental Factors Potentially Affected**

The environmental factors checked below would be potentially affected by this project, involving at least one impact requiring mitigation to be reduced to a level that is less than significant as indicated in the checklist on the following pages.

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Aesthetics                         | <input type="checkbox"/> Greenhouse Gas Emissions        | <input type="checkbox"/> Public Services                      |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Recreation                           |
| <input type="checkbox"/> Air Quality                        | <input type="checkbox"/> Hydrology and Water Quality     | <input checked="" type="checkbox"/> Transportation            |
| <input checked="" type="checkbox"/> Biological Resources    | <input type="checkbox"/> Land Use and Planning           | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input checked="" type="checkbox"/> Cultural Resources      | <input type="checkbox"/> Mineral Resources               | <input type="checkbox"/> Utilities and Service Systems        |
| <input type="checkbox"/> Energy                             | <input type="checkbox"/> Noise                           | <input type="checkbox"/> Wildfire                             |
| <input checked="" type="checkbox"/> Geology and Soils       | <input type="checkbox"/> Population and Housing          | <input type="checkbox"/> Mandatory Findings of Significance   |

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



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**C.Determination**

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because of the incorporated mitigation measures and revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

**City Representative**

Julia Descoteaux  
Senior Planner

9/18/2023

Date





## 4. ENVIRONMENTAL ANALYSIS

### 4.1 AESTHETICS

Would the proposed project:		Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista?			X	
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

#### DISCUSSION

1(a) *Have a substantial adverse effect on a scenic vista?*

**Determination: Less Than Significant Impact.**

A scenic vista is generally defined as a view of undisturbed natural lands exhibiting a unique or unusual feature that comprises an important or dominant portion of the viewshed.<sup>1</sup> Scenic vistas may also be represented by a particular distant view that provides visual relief from less attractive views of nearby features. Other designated Federal and State lands, as well as local open space or recreational areas, may also offer scenic vistas if they represent a valued aesthetic view within the surrounding landscape of nearby features.

According to the *Map OSRC-3: Scenic Resources and Ridgelines*, of the City’s General Plan, the project site is located adjacent to a designated view corridor. Distant views of the Bernasconi Hills to the southeast and the Box Springs Mountains to the north are afforded from vantage points throughout the majority of the City. Under clear atmospheric conditions, motorists and pedestrians traveling along Nason Street and Alessandro Boulevard have partial views of these scenic resources, as the viewshed is obstructed by off-site trees, overhead powerlines, and buildings. Thus, the project would not have a substantial adverse effect on a scenic vista in this regard and impacts would be less than significant. However, these views are distant, obstructed, and not expansive. The proposed project would have a maximum building height of 26 feet, 6.5

<sup>1</sup> A viewshed is the geographical area which is visible from a particular location.



IV. ENVIRONMENTAL ANALYSIS

inches, or two stories, consistent with surrounding development. As such, it is not expected that the new residential buildings would block views of or from the identified scenic resources. Impacts to scenic resources would be less than significant.

1(b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

**Determination: No Impact.**

There are no officially designated State scenic highways in the City. The nearest scenic highways are State Route 74 (SR-74) (designated as eligible for listing), located approximately 9.4 miles south of the project site, and State Route 243 (SR-243) (officially designated), located approximately 17.9 miles east of the project site.<sup>2</sup> Views of the project site are not afforded from SR-74 or SR-243 due to intervening topography, structures, and vegetation. Thus, the project would not substantially damage scenic resources within a State scenic highway. No impact would occur in this regard.

1(c) *Substantially degrade the existing visual character or quality of the site and its surroundings?*

**Determination: Less Than Significant Impact.**

The proposed project includes grading and the construction of a 108-unit single-family residential development. The project would include installation of right-of-way improvements, including sidewalk, street lighting, and landscaping along Alessandro Boulevard. The project site is located within a moderately developed portion of the City and is surrounded by single-family residential development to the north, east, and south, and by office and educational facilities to the west. Thus, for the purposes of this threshold, the analysis considers whether the project would conflict with applicable zoning or other regulations governing scenic quality.

The architectural design of the project would adhere to the requirements of General Plan Land Use and Community Character Element Policy LCC.3-15, which requires that new project designs provide building placement variations, roofline variations, architectural projections, and other embellishments to enhance the visual interest along residential streets. The project design would also adhere to the General Plan Land Use and Community Character Element Policy LCC.3-13, which states that new and retrofitted fences and walls should incorporate landscape elements and changes in materials or texture to deter graffiti and add visual interest. In addition, as described previously, the proposed project is consistent with development standards required by the Downtown Center (DC) land use and zoning designation, as well as the General Plan Land Use and Community Character Element goals and policies related to scenic quality.

<sup>2</sup> California Department of Transportation State Scenic Highway System Map. nd. <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca> Accessed January 25, 2023.



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#### IV. ENVIRONMENTAL ANALYSIS

While project implementation would change the visual quality of the site and its surroundings, the proposed project would not degrade the visual quality of the project area because the project is consistent with the City's design guidelines and is consistent with the surrounding development. Therefore, with adherence to the City's design policies and goals, impacts would be less than significant.

1(d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

**Determination: Less Than Significant Impact.**

As the project is located in a moderately urbanized area, existing sources of light and glare typically come from vehicles traveling on Alessandro Boulevard and Nason Street, streetlights, exterior lighting on surrounding development and sports fields associated with Valley View High School located 0.3-mile to the northwest, and reflection from windows and roofs on the surrounding development.

**Construction Impacts**

Project construction could result in temporary glare impacts as a result of construction equipment and materials present at the site. However, based on the project's limited scope of construction activities, these sources of glare would not be substantial, compared to the existing building materials present in the surrounding area. Construction of the proposed project would be restricted to the City's permitted construction hours in accordance with Moreno Valley Municipal Code Chapter 8.14.040, *Miscellaneous Standards and Regulations*, which are limited to between the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday, excluding holidays and from 8:00 a.m. to 4:00 p.m. on Saturday. Although some lighting may be required in the early morning or late evening, this lighting would be minimal and consistent with the existing sources of light from the surrounding residential uses, as well as the lights from traffic along Alessandro Boulevard. Therefore, no adverse light or glare impacts to adjacent properties would result from temporary construction activities and impacts would be less than significant.

**Operational Impacts**

Project operations would create new light sources from interior and exterior illumination associated with building materials, windows, exterior lighting, and security lighting. Interior and exterior lighting would conform to the California Green (CALGreen) Building Standards Code and Moreno Valley Municipal Code Article VI, *Applications for Lighting*, Chapter 9.16.280, *General Requirements*. All outdoor lighting would be automatic and programmable to turn on at certain times as necessary as well as adjustable to dim the light intensity between 40 percent and 80 percent to meet the efficiency requirements of California's Building Energy Efficiency Standards (Title 24, Parts 6 and 11).

Although the project would increase light and glare in the surrounding area, light and glare produced on-site would be similar to that of the surrounding development. Adherence to State and local standards and regulations would reduce impacts to a less than significant levels.



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IV. ENVIRONMENTAL ANALYSIS

**MITIGATION MEASURES**

None required.

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



IV. ENVIRONMENTAL ANALYSIS

4.2 AGRICULTURE AND FORESTRY RESOURCES

Would the proposed project:					
Issues		Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. <b>Would the proposed project:</b></p>					
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?			X	
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	
c)	Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				X
d)	Result in the loss of forestland or conversion of forestland to non-forest use?				X
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forestland to non-forest use?			X	

**DISCUSSION**

2(a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?*

**Determination: Less Than Significant Impact.**

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IV. ENVIRONMENTAL ANALYSIS

The California Department of Conservation (DOC) manages the Farmland Mapping and Monitoring Program (FMMP), which identifies and maps significant farmland in the State of California.<sup>3</sup> Pursuant to Public Resources Code Section 21060.1, farmland is classified using a system of five categories: Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land. The classification of farmland as Prime Farmland, Farmland of Statewide Importance, and Unique Farmland is based on the suitability of soils for agricultural production, as determined by a soil survey conducted by the National Resources Conservation Service.

According to the FMMP, the entire project site is identified as “Farmland of Local Importance.” The site is not identified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Farmland of Local Importance is farmland important to the local agricultural economy as determined by the County Board of Supervisors and a local advisory committee. Per the City’s General Plan and General Plan EIR, a variety of economic factors have caused farming to decrease substantially over recent decades. The City has a long history of agricultural use dating back to when Moreno Valley was originally settled in the 1850s, however, the high cost of land, the high cost of water and energy, fragmented ownership patterns, and market conditions have limited potential returns on investment, which have combined to disincentivize the continuation of agricultural production. As such, urban development has encroached on agricultural land within Moreno Valley over time as agricultural production is no longer a strong component of the City’s economy.

Both the City’s General Plan and General Plan EIR account for the conversion of agricultural uses to urban uses as a result of new development and do not propose any permanent preservation of agricultural land. The proposed project is consistent with the City’s General Plan as the project site is located within a planning area identified for urban development and anticipated conversion of agricultural land to non-agricultural urban uses. Further, the project site is not designated as agriculture on the City’s existing land use map, but rather, it is designated as residential land use. As such, development under the General Plan is consistent with the orderly transition of agricultural land to other urban and rural land uses pursuant to the General Plan Open Space and Resource Conservation Element Policy OSCR.1-6. Therefore, impacts would be less than significant.

*2(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

**Determination: Less Than Significant Impact.**

As previously discussed, the project site has land use and zoning designations of Downtown Center (DC). This is consistent with surrounding developments to the west and south of, which are Downtown Center. Properties to the north are zoned Downtown Center, and further north are zoned Residential 3 (R3).

Further, no agricultural operations currently occur at the project site and the project site is not

<sup>3</sup> California Department of Conservation. n.d. Important Farmland Finder website. Accessed January 24, 2023. <https://www.conservation.ca.gov/dlrp/fmmp>.



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covered under an existing Williamson Act contract. Thus, impacts related to conflicting with existing zoning for agricultural use or a Williamson Act contract would be less than significant.

2(c) *Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timber and zoned Timberland Production (as defined by Government Code Section 51104(g))?*

**Determination: No Impact.**

The City does not have any zoning classifications for forestland, timberland, or timberland production zones. The project site is zoned Downtown Center (DC) and is not occupied or used for forestland or timberland. As such, project implementation would not conflict with existing zoning of, or result in the rezoning of forestland, timberland, or timberland zoned Timberland Production. Therefore, no impact would occur.

2(d) *Result in the loss of forestland or conversion of forestland to non-forest use?*

**Determination: No Impact.**

Refer to Response 4.2(c). No impact would occur in this regard.

2(e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forestland to non-forest use?*

**Determination: Less Than Significant Impact.**

Refer to Responses 4.2(a) through 4.2(d). Less than significant impacts would occur in this regard.

**MITIGATION MEASURES**

None required.



IV. ENVIRONMENTAL ANALYSIS

4.3 AIR QUALITY

Would the proposed project:		Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan?			X	
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard?			X	
c)	Expose sensitive receptors to substantial pollutant concentrations?			X	
d)	Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?			X	

The analysis and findings throughout this section are based on the *Air Quality, Energy and Greenhouse Gas Emissions Impact Modeling Data* (Air Quality, Energy and Greenhouse Gas Data) prepared by Michael Baker International, dated January 11, 2023, provided as **Appendix 1** of this IS/MND.

**DISCUSSION**

3(a) *Conflict with or obstruct implementation of the applicable air quality plan?*

**Determination: Less Than Significant Impact.**

The project is located within the South Coast Air Basin (Basin), which is governed by the South Coast Air Quality Management District (SCAQMD). On December 2, 2022, the SCAQMD Governing Board adopted the *2022 Air Quality Management Plan (2022 AQMP)*. The 2022 AQMP incorporates the latest scientific and technical information and planning assumptions, including the latest applicable growth assumptions and updated emission inventory methodologies for various source categories. Additionally, the 2022 AQMP utilized information and data from the Southern California Association of Government (SCAG) and its *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (2020-2045 RTP/SCS)*. According to SCAQMD, if a project is consistent with the 2022 AQMP that is intended to bring the Basin into attainment for all criteria pollutants, it is considered to have less than significant cumulative impacts. According to the SCAQMD CEQA *Air Quality Handbook*, in order to determine consistency with 2022 AQMP, two main criteria must be addressed:

**Criterion 1:**

With respect to the first criterion, SCAQMD methodologies require that an air quality analysis for





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#### IV. ENVIRONMENTAL ANALYSIS

a project include forecasts of project emissions in relation to contributing to air quality violations and delay of attainment.

- a) *Would the project result in an increase in the frequency or severity of existing air quality violations?*

Since the consistency criteria identified under the first criterion pertains to pollutant concentrations, rather than to total regional emissions, an analysis of the project's pollutant emissions relative to localized pollutant concentrations is used as the basis for evaluating project consistency. As discussed in Response 4.3(c), localized concentrations of carbon monoxide (CO), nitrogen oxide (NO<sub>x</sub>), particulate matter less than 10 microns in diameter (PM<sub>10</sub>), and particulate matter less than 2.5 microns in diameter (PM<sub>2.5</sub>) would be less than significant during project construction and operation. Therefore, the proposed project would not result in an increase in the frequency or severity of existing air quality violations.

- b) *Would the project cause or contribute to new air quality violations?*

As discussed in Responses 4.3(b) and 4.3(c), the proposed project would result in emissions that are below the SCAQMD thresholds for regional and localized emissions. Therefore, the project would not have the potential to cause or affect a violation of the ambient air quality standards.

- c) *Would the project delay timely attainment of air quality standards or the interim emissions reductions specified in the AQMP?*

The proposed project would result in less than significant impacts with regard to regional and localized concentrations during project construction and operation; refer to Responses 4.3(b) and 4.3(c). As such, the project would not delay the timely attainment of air quality standards or 2022 AQMP emissions reductions.

#### **Criterion 2:**

With respect to the second criterion for determining consistency with SCAQMD and SCAG air quality policies, it is important to recognize that air quality planning within the Basin focuses on the attainment of ambient air quality standards at the earliest feasible date. Projections for achieving air quality goals are based on assumptions regarding population, housing, and growth trends. Thus, the SCAQMD's second criterion for determining project consistency focuses on whether or not the project exceeds the assumptions utilized in preparing the forecasts presented in the 2022 AQMP. Determining whether or not a project exceeds the assumptions reflected in the 2022 AQMP involves the evaluation of the three criteria outlined below. The following discussion provides an analysis of each of these criteria.

- a) *Would the project be consistent with the population, housing, and employment growth projections utilized in the preparation of the AQMP?*

A project is consistent with the 2022 AQMP in part if it is consistent with the population, housing, and employment assumptions that were used in the development of the 2022 AQMP. In the case of the 2022 AQMP, three sources of data form the basis for the



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#### IV. ENVIRONMENTAL ANALYSIS

projections of air pollutant emissions: the General Plan, SCAG's regional growth forecast, and SCAG's 2020-2045 RTP/SCS. The 2020-2045 RTP/SCS also provides socioeconomic forecast projections of regional population growth.

Based on the City's average household size of 3.70<sup>4</sup>, the 108 units would introduce up to 400 additional residents within the City. The City's current population is 209,407 persons as of January 1, 2022.<sup>5</sup> The forecast population in 2045 is 266,800 persons.<sup>6</sup> The project's potential growth-inducing impacts would be considered less than significant since the 400 additional residents represents only a 0.19 percent increase from the City's current population and 0.7 percent of the City's population increase between 2022 and 2045. Thus, the project would be consistent with the types, intensity, and patterns of land use envisioned for the site and vicinity. As the SCAQMD has incorporated these same projections into the 2022 AQMP, it can be concluded that the project would be consistent with the projections. A less than significant impact would occur with regard to 2022 AQMP consistency with the project.

b) *Would the project implement all feasible air quality mitigation measures?*

The project would be required to comply with all applicable SCAQMD rules and regulations, including Rule 403 that requires excessive fugitive dust emissions controlled by regular watering or other dust prevention measures and Rule 1113 that regulates the ROG content of paint. As such, the project meets this AQMP consistency criterion.

c) *Would the project be consistent with the land use planning strategies set forth in the AQMP?*

Land use planning strategies set forth in the 2022 AQMP are primarily based on the 2020-2045 RTP/SCS. The project is proposing to build 108 single-family residential dwelling units and the existing Riverside Transit Agency (RTA) bus stops are located less than half a mile to the southwest of the project site. Further, in compliance with CALGreen Code, all single-family residential units of the project would install solar ready roofs and be electric vehicle (EV) charging capable by including a listed raceway within each dwelling unit to accommodate EV charging stations. Therefore, the project would be consistent with the actions and strategies of the 2020-2045 RTP/SCS. The project would be constructed to conform with Moreno Valley Municipal Code, Title 9, *Planning and Zoning*, and the City's adopted design standards and guidelines, which include design standards related to building size, height, setback, and materials, as well as landscaping, signage, and other considerations. In addition, as discussed above, the project would be consistent with the General Plan land use designation with the approval of the Tentative Tract Map,

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<sup>4</sup> State of California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2021-2022 with 2020 Census Benchmark*, May 2022, <https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2022/>, accessed December 27, 2022.

<sup>5</sup> Ibid.

<sup>6</sup> Southern California Association of Governments, *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy Demographics & Growth Forecast*, September 3, 2020.



#### IV. ENVIRONMENTAL ANALYSIS

General Plan Amendment and Change of Zone. As such, the project is consistent with the land use planning strategies set forth in the AQMP.

In conclusion, the determination of 2022 AQMP consistency is primarily concerned with a project's long-term influence on the Basin's air quality. The project would not result in a long-term impact on the region's ability to meet State and Federal air quality standards. Also, the project would be consistent with the 2022 AQMP's goals. As discussed above, the project's long-term influence would also be consistent with the SCAQMD and SCAG's goals and policies and is, therefore, considered consistent with the 2022 AQMP. Impacts associated with compliance with the 2022 AQMP would be less than significant.

**(b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard?**

**Determination: Less Than Significant Impact.**

#### CRITERIA POLLUTANTS

Carbon Monoxide (CO). CO is an odorless, colorless toxic gas that is emitted by mobile and stationary sources as a result of incomplete combustion of hydrocarbons or other carbon-based fuels. In cities, automobile exhaust can cause as much as 95 percent of all CO emissions. CO replaces oxygen in the body's red blood cells. Individuals with a deficient blood supply to the heart, patients with diseases involving heart and blood vessels, fetuses (unborn babies), and patients with chronic hypoxemia (oxygen deficiency) as seen in high altitudes are most susceptible to the adverse effects of CO exposure. People with heart disease are also more susceptible to develop chest pains when exposed to low levels of carbon monoxide.

Ozone (O<sub>3</sub>). O<sub>3</sub> occurs in two layers of the atmosphere. The layer surrounding the Earth's surface is the troposphere. The troposphere extends approximately 10 miles above ground level, where it meets the second layer, the stratosphere. The stratosphere (the "good" ozone layer) extends upward from about 10 to 30 miles and protects life on Earth from the sun's harmful ultraviolet rays. "Bad" O<sub>3</sub> is a photochemical pollutant, and needs volatile organic compounds (VOCs), NO<sub>x</sub>, and sunlight to form; therefore, VOCs and NO<sub>x</sub> are O<sub>3</sub> precursors. To reduce O<sub>3</sub> concentrations, it is necessary to control the emissions of these O<sub>3</sub> precursors. Significant O<sub>3</sub> formation generally requires an adequate amount of precursors in the atmosphere and a period of several hours in a stable atmosphere with strong sunlight. High O<sub>3</sub> concentrations can form over large regions when emissions from motor vehicles and stationary sources are carried hundreds of miles from their origins.

While O<sub>3</sub> in the upper atmosphere (stratosphere) protects the Earth from harmful ultraviolet radiation, high concentrations of ground-level O<sub>3</sub> (in the troposphere) can adversely affect the human respiratory system and other tissues. O<sub>3</sub> is a strong irritant that can constrict the airways, forcing the respiratory system to work hard to deliver oxygen. Individuals exercising outdoors, children, and people with pre-existing lung disease such as asthma and chronic pulmonary lung disease are considered to be the most susceptible to the health effects of O<sub>3</sub>. Short-term exposure (lasting for a few hours) to O<sub>3</sub> at elevated levels can result in aggravated respiratory



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diseases such as emphysema, bronchitis and asthma, shortness of breath, increased susceptibility to infections, inflammation of the lung tissue, increased fatigue, as well as chest pain, dry throat, headache, and nausea.

Nitrogen Dioxide (NO<sub>2</sub>). NO<sub>x</sub> are a family of highly reactive gases that are a primary precursor to the formation of ground-level ozone and react in the atmosphere to form acid rain. NO<sub>2</sub> (often used interchangeably with NO<sub>x</sub>) is a reddish-brown gas that can cause breathing difficulties at elevated levels. Peak readings of NO<sub>2</sub> occur in areas that have a high concentration of combustion sources (e.g., motor vehicle engines, power plants, refineries, and other industrial operations). NO<sub>2</sub> can irritate and damage the lungs and lower resistance to respiratory infections such as influenza. The health effects of short-term exposure are still unclear. However, continued or frequent exposure to NO<sub>2</sub> concentrations that are typically much higher than those normally found in the ambient air may increase acute respiratory illnesses in children and increase the incidence of chronic bronchitis and lung irritation. Chronic exposure to NO<sub>2</sub> may aggravate eyes and mucus membranes and cause pulmonary dysfunction.

Coarse Particulate Matter (PM<sub>10</sub>). PM<sub>10</sub> refers to suspended particulate matter, which is smaller than 10 microns or ten one-millionths of a meter. PM<sub>10</sub> arises from sources such as road dust, diesel soot, combustion products, construction operations, and dust storms. PM<sub>10</sub> scatters light and significantly reduces visibility. In addition, these particulates penetrate into lungs and can potentially damage the respiratory tract. On June 19, 2003, the California Air Resources Board (CARB) adopted amendments to the Statewide 24-hour particulate matter standards based upon requirements set forth in the Children's Environmental Health Protection Act (Senate Bill 25).

Fine Particulate Matter (PM<sub>2.5</sub>). Due to recent increased concerns over health impacts related to PM<sub>2.5</sub>, both State and Federal PM<sub>2.5</sub> standards have been created. Particulate matter impacts primarily affect infants, children, the elderly, and those with pre-existing cardiopulmonary disease. In 1997, the U.S. Environmental Protection Agency (EPA) announced new PM<sub>2.5</sub> standards. Industry groups challenged the new standard in court and the implementation of the standard was blocked. However, upon appeal by the EPA, the United States Supreme Court reversed this decision and upheld the EPA's new standards. On January 5, 2005, the EPA published a final rule in the Federal Register that designates the basin as a nonattainment area for Federal PM<sub>2.5</sub> standards. On June 20, 2002, CARB adopted amendments for Statewide annual ambient particulate matter air quality standards. These standards were revised and established due to increasing concerns by CARB that previous standards were inadequate, as almost everyone in California is exposed to levels at or above the current state standards during some parts of the year, and the Statewide potential for significant health impacts associated with particulate matter exposure was determined to be large and wide-ranging.

Sulfur Dioxide (SO<sub>2</sub>). SO<sub>2</sub> is a colorless, irritating gas with a rotten egg smell; it is formed primarily by the combustion of sulfur-containing fossil fuels. SO<sub>2</sub> is often used interchangeably with SO<sub>x</sub>. Exposure of a few minutes to low levels of SO<sub>2</sub> can result in airway constriction in some asthmatics.

Volatile Organic Compounds (VOC). VOCs are hydrocarbon compounds (any compound containing various combinations of hydrogen and carbon atoms) that exist in the ambient air.



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VOCs contribute to the formation of smog through atmospheric photochemical reactions and may be toxic. Compounds of carbon (also known as organic compounds) have different levels of reactivity; that is, they do not react at the same speed or do not form O3 to the same extent when exposed to photochemical processes. VOCs often have an odor, and some examples include gasoline, alcohol, and the solvents used in paints. Exceptions to the VOC designation include: CO, CO2, carbonic acid, metallic carbides or carbonates, and ammonium carbonate. VOCs are a criteria pollutant since they are a precursor to O3, which is a criteria pollutant. The SCAQMD uses the terms VOC and ROG interchangeably (see below).

Reactive Organic Gases (ROG). Similar to VOC, ROG are also precursors in forming O3 and consist of compounds containing methane, ethane, propane, butane, and longer chain hydrocarbons, which are typically the result of some type of combustion/decomposition process. Smog is formed when ROG and NOx react in the presence of sunlight. ROG are a criteria pollutant since they are a precursor to O3, which is a criteria pollutant.

**SHORT-TERM CONSTRUCTION EMISSIONS**

The project involves construction activities associated with grading, building construction, paving, and architectural coating applications. The project would be constructed over approximately 38 months and would involve approximately 335,000 cubic yards of cut and 325,000 cubic yards of fill, resulting in approximately 10,000 cubic yards of net soil export. Exhaust emission factors for typical diesel-powered heavy equipment are based on the California Emissions Estimator Model version 2020.4.0 (CalEEMod) program defaults. Variables factored into estimating the total construction emissions include the level of activity, length of construction period, number of pieces and types of equipment in use, site characteristics, weather conditions, number of construction personnel, and the amount of materials to be transported on- or off-site. The analysis of daily construction emissions has been prepared utilizing CalEEMod. Refer to *Appendix 1, Air Quality, Energy and Greenhouse Gas Data*, for the CalEEMod outputs and results. *Table 1, Project-Generated Construction Emissions*, presents the anticipated daily short-term construction emissions.

**Table 1: Project-Generated Construction Emissions**

Emissions Source	Pollutant (pounds/day) <sup>1,2</sup>					
	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Year 1	3.41	35.56	28.91	0.07	5.76	2.99
Year 2	3.30	33.42	28.55	0.07	5.68	2.91
Year 3	1.58	13.31	18.03	0.04	1.39	0.73
Year 4	34.96	13.29	17.92	0.04	1.39	0.73
<b>Maximum Daily Emissions</b>	<b>34.96</b>	<b>35.56</b>	<b>28.91</b>	<b>0.07</b>	<b>5.76</b>	<b>2.99</b>
<i>SCAQMD Thresholds</i>	<i>75</i>	<i>100</i>	<i>550</i>	<i>150</i>	<i>150</i>	<i>55</i>
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>



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Notes:

1. Emissions were calculated using CalEEMod version 2020.4.0. Winter emissions represent worst-case.
2. The reduction/credits for construction emissions are based on “mitigation” included in CalEEMod and are required by the SCAQMD Rules. The adjustments applied in CalEEMod includes the following: properly maintain mobile and other construction equipment; replace ground cover in disturbed areas quickly; water exposed surfaces two times daily; cover stockpiles with tarps; and limit speeds on unpaved roads to 15 miles per hour. The emissions results in this table represent the “mitigated” emissions shown in [Appendix 1](#).

Source: Refer to [Appendix 1](#) for assumptions used in this analysis.

#### Fugitive Dust Emissions

Construction activities are a source of fugitive dust emission that may have a substantial, temporary impact on local air quality. In addition, fugitive dust may be a nuisance to those living and working in the project area. Fugitive dust emissions are associated with land clearing, ground excavation, cut-and-fill, and truck travel on unpaved roadways (including demolition as well as construction activities). Fugitive dust emissions vary substantially from day to day, depending on the level of activity, specific operations, and weather conditions. Fugitive dust from grading, excavation and construction is expected to be short-term and would cease upon project completion. Most of this material is inert silicates, rather than the complex organic particulates released from combustion sources, which are more harmful to health.

Dust (larger than 10 microns) generated by such activities usually becomes more of a local nuisance than a serious health problem. Of particulate health concerns is the amount of PM<sub>10</sub> generated as part of fugitive dust emissions. PM<sub>10</sub> poses a serious health hazard alone or in combination with other pollutants. PM<sub>2.5</sub> is mostly produced by mechanical processes. These include automobile tire wear, industrial processes such as cutting and grinding, and re-suspension of particles from the ground or road surfaces by wind and human activities such as construction or agriculture. PM<sub>2.5</sub> is mostly derived from combustion sources, such as automobiles, trucks, and other vehicle exhaust, as well as from stationary sources. These particles are either directly emitted or are formed in the atmosphere from the combustion of gases such as NO<sub>x</sub> and SO<sub>x</sub> combining with ammonia. PM<sub>2.5</sub> components from material in the Earth’s crust, such as dust, are also present, with the amount varying in different locations.

The project would implement required SCAQMD dust control techniques (i.e., daily watering), limitations on construction hours, and adhere to SCAQMD Rules 402 and 403 (which require watering of inactive and perimeter areas, track out requirements, etc.), to reduce PM<sub>10</sub> and PM<sub>2.5</sub> concentrations. As depicted in [Table 1](#), total PM<sub>10</sub> and PM<sub>2.5</sub> emissions would not exceed the SCAQMD thresholds during construction. Thus, PM<sub>10</sub> and PM<sub>2.5</sub> emissions impacts associated with project construction would be less than significant.

#### Construction Equipment and Worker Vehicle Exhaust

Exhaust emissions from construction activities include emissions associated with the transport of machinery and supplies to and from the project site, construction worker commutes to the project site, emissions produced on-site as the equipment is used, and emissions from trucks transporting materials to/from the site. As presented in [Table 1](#), construction equipment and worker vehicle exhaust emissions (i.e., ROG, NO<sub>x</sub>, CO, SO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub>) would not exceed the established SCAQMD thresholds for all criteria pollutants. Therefore, impacts in this regard would be less than significant.



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##### ROG Emissions

In addition to gaseous and particulate emissions, the application of asphalt and surface coatings creates ROG emissions, which are O<sub>3</sub> precursors. In accordance with the methodology prescribed by the SCAQMD, ROG emissions associated with paving and architectural coating have been quantified with the CalEEMod model. As required by SCAQMD Regulation XI, Rule 1113 – *Architectural Coating*, all architectural coatings would comply with specifications on painting practices as well as regulation on the ROG content of paint. ROG emissions associated with the proposed project would be less than significant; refer to **Table 1**.

##### Total Daily Construction Emissions

As indicated in **Table 1**, criteria pollutant emissions during construction of the proposed project would not exceed the SCAQMD significance thresholds. Thus, total construction related air emissions would be less than significant.

##### Naturally Occurring Asbestos

Asbestos is a term used for several types of naturally occurring fibrous minerals that are a human health hazard when airborne. The most common type of asbestos is chrysotile, but other types such as tremolite and actinolite are also found in California. Asbestos is classified as a known human carcinogen by State, Federal, and international agencies and was identified as a toxic air contaminant by CARB in 1986.

Asbestos can be released from serpentinite and ultramafic rocks when the rock is broken or crushed. At the point of release, the asbestos fibers may become airborne, causing air quality and human health hazards. These rocks have been commonly used for unpaved gravel roads, landscaping, fill projects, and other improvement projects in some localities. Asbestos may be released to the atmosphere due to vehicular traffic on unpaved roads, during grading for development projects, and at quarry operations. All of these activities may have the effect of releasing potentially harmful asbestos into the air. Natural weathering and erosion processes can act on asbestos bearing rock and make it easier for asbestos fibers to become airborne if such rock is disturbed. According to the California Department of Conservation Division of Mines and Geology, serpentinite and ultramafic rocks are not known to occur within the project area. Thus, no impacts would occur in this regard.

#### **LONG-TERM OPERATIONAL EMISSIONS**

Operational emissions generated by both stationary and mobile sources would result from normal daily activities on the project site after occupation (i.e., increased concentrations of ROG, NO<sub>x</sub>, SO<sub>x</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and CO). Mobile source emissions would be generated by the motor vehicles traveling to and from the project site. Stationary area source emissions would be generated by the reapplication of architectural coatings, operation of landscape maintenance equipment, potential machinery, and use of consumer products. Stationary energy emissions would result from natural gas consumption associated with the project. Emissions associated with each source are detailed in **Table 2, Project-Generated Operational Emissions**, and are discussed below.



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**Table 2: Project-Generated Operational Emissions**

Emissions Source	Pollutant (pounds/day) <sup>1</sup>					
	ROG	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>Project Summer Emissions</b>						
Area	4.66	1.89	9.66	0.01	0.19	0.19
Energy	0.09	0.77	0.33	<0.01	0.06	0.06
Mobile	2.95	3.71	28.71	0.07	7.49	2.03
<b>Total Summer Emissions</b>	<b>7.70</b>	<b>6.37</b>	<b>38.71</b>	<b>0.09</b>	<b>7.74</b>	<b>2.29</b>
<i>Significance Threshold<sup>2</sup></i>	55	55	550	150	150	55
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
<b>Project Winter Emissions</b>						
Area	4.66	1.89	9.66	0.01	0.19	0.19
Energy	0.09	0.77	0.33	<0.01	0.06	0.06
Mobile	2.51	3.94	25.46	0.06	7.49	2.03
<b>Total Winter Emissions</b>	<b>7.26</b>	<b>6.60</b>	<b>35.45</b>	<b>0.08</b>	<b>7.74</b>	<b>2.29</b>
<i>Significance Threshold<sup>2</sup></i>	55	55	550	150	150	55
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
Notes:						
1. Emissions were calculated using CalEEMod version 2020.4.0.						
2. Regional daily thresholds are based on the SCAQMD significance thresholds.						
Refer to <a href="#">Appendix 1</a> for assumptions used in this analysis.						

Mobile Source

Mobile sources are emissions from motor vehicles, including tailpipe and evaporative emissions. Depending upon the pollutant being discussed, the potential air quality impact may be of either regional or local concern. For example, ROG, NO<sub>x</sub>, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> are all pollutants of regional concern (NO<sub>x</sub> and ROG react with sunlight to form O<sub>3</sub> [photochemical smog], and wind currents readily transport SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>). However, CO tends to be a localized pollutant, dispersing rapidly at the source.

The mobile source emissions were calculated using the trip generation data provided in the *Moreno Valley TTM 38442 Residential Traffic Impact Analysis* (Traffic Analysis) developed by Translutions, Inc. (dated August 5, 2022). According to the Traffic Analysis, the proposed project would generate approximately 1,018 average daily trips, including 76 trips during a.m. peak hour and 102 trips during p.m. peak hour trips. As shown in **Table 2**, emissions generated by vehicle traffic associated with the project would not exceed established SCAQMD thresholds. Impacts from mobile source emissions would be less than significant.

Area Source Emissions

Area source emissions would be generated from consumer products, area architectural coatings, and landscaping equipment associated with the development of the proposed project. The project would use all-electric landscaping equipment throughout the project site and conservatively, has not been accounted for in **Table 2**. As shown in **Table 2**, area source emissions





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during both summer and winter would not exceed established SCAQMD thresholds. Impacts would be less than significant in this regard.

##### Energy Source Emissions

Energy source emissions would be generated as a result of natural gas usage associated with the proposed project; refer to **Table 2**. The project has been designed to exceed Title 24 standards and would install high efficiency lighting fixtures energy efficient appliances and conservatively, all of which have not been accounted for in **Table 2**. Energy source emissions during both summer and winter would not exceed established SCAQMD thresholds; refer to **Table 2**. Impacts in this regard would be less than significant.

##### Total Operational Emissions

As shown in **Table 2**, the total operational emissions for both summer and winter would not exceed established SCAQMD thresholds. Impacts in this regard would be less than significant.

#### **AIR QUALITY HEALTH IMPACTS**

Adverse health effects induced by criteria pollutant emissions are highly dependent on a multitude of interconnected variables (e.g., cumulative concentrations, local meteorology and atmospheric conditions, and the number and character of exposed individual [e.g., age, gender]). In particular, O<sub>3</sub> precursors, VOCs and NO<sub>x</sub>, affect air quality on a regional scale. Health effects related to O<sub>3</sub> are therefore the product of emissions generated by numerous sources throughout a region. Existing models have limited sensitivity to small changes in criteria pollutant concentrations, and, as such, translating project-generated criteria pollutants to specific health effects or additional days of nonattainment would produce meaningless results. In other words, the project's less than significant increases in regional air pollution from criteria air pollutants would have nominal or negligible impacts on human health.

Further, as noted in the Brief of Amicus Curiae by the SCAQMD, the SCAQMD acknowledged it would be extremely difficult, if not impossible to quantify health impacts of criteria pollutants for various reasons including modeling limitations as well as where in the atmosphere air pollutants interact and form.<sup>7</sup> Furthermore, as noted in the Brief of Amicus Curiae by the San Joaquin Valley Air Pollution Control District (SJVAPCD), SJVAPCD has acknowledged that currently available modeling tools are not equipped to provide a meaningful analysis of the correlation between an individual development project's air emissions and specific human health impacts.<sup>8</sup>

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<sup>7</sup> South Coast Air Quality Management District, *Application of the South Coast Air Quality Management District for Leave to File Brief of Amicus Curiae in Support of Neither Party and Brief of Amicus Curiae. In the Supreme Court of California. Sierra Club, Revive the San Joaquin, and League of Women Voters of Fresno v. County of Fresno*, 2014.

<sup>8</sup> San Joaquin Valley Air Pollution Control District, *Application for Leave to File Brief of Amicus Curiae Brief of San Joaquin Valley Unified Air Pollution Control District in Support of Defendant and Respondent, County of Fresno and Real Party In Interest and Respondent, Friant Ranch, L.P. In the Supreme Court of California. Sierra Club, Revive the San Joaquin, and League of Women Voters of Fresno v. County of Fresno*, 2014.



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The SCAQMD acknowledges that health effects quantification from O<sub>3</sub>, as an example is correlated with the increases in ambient level of O<sub>3</sub> in the air (concentration) that an individual person breathes. SCAQMD's Brief of Amicus Curiae states that it would take a large amount of additional emissions to cause a modeled increase in ambient O<sub>3</sub> levels over the entire region. The SCAQMD states that based on their own modeling in the SCAQMD's *2012 Air Quality Management Plan*, a reduction of 432 tons (864,000 pounds) per day of NO<sub>x</sub> and a reduction of 187 tons (374,000 pounds) per day of VOCs would reduce O<sub>3</sub> levels at highest monitored site by only nine parts per billion. As such, the SCAQMD concludes that it is not currently possible to accurately quantify O<sub>3</sub>-related health impacts caused by NO<sub>x</sub> or VOC emissions from relatively small projects (defined as projects with regional scope) due to photochemistry and regional model limitations. Thus, as the project would not exceed SCAQMD thresholds for construction and operational air emissions, the project would have a less than significant impact for air quality health impacts.

**(c) Expose sensitive receptors to substantial pollutant concentrations?**

**Determination: Less Than Significant Impact.**

#### Localized Significance Thresholds

Localized Significance Thresholds (LSTs) were developed in response to SCAQMD Governing Boards' Environmental Justice Enhancement Initiative (I-4). The SCAQMD provided the *Final Localized Significance Threshold Methodology* (dated June 2003 [revised 2008]) for guidance. The LST methodology assists lead agencies in analyzing localized air quality impacts. The SCAQMD provides the LST lookup tables for one-, two-, and five-acre projects emitting CO, NO<sub>x</sub>, PM<sub>2.5</sub>, and/or PM<sub>10</sub>. The LST methodology and associated mass rates are not designed to evaluate localized impacts from mobile sources traveling over the roadways. The SCAQMD recommends that any project over five acres should perform air quality dispersion modeling to assess impacts to nearby sensitive receptors. The project site is located within Source Receptor Area (SRA) 24, Perris Valley. LST thresholds are provided for distances to sensitive receptors of 25, 50, 100, 200, and 500 meters. In order to identify impacts to sensitive receptors, the SCAQMD recommends addressing LSTs for construction and operational impacts (stationary sources only).

#### Sensitive Receptors

Sensitive receptors are defined as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of these sensitive receptors are residences, schools, hospitals, and daycare centers. The CARB has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, athletes, and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis. The closest sensitive receptors are single-family residences adjoining to the west of the project site.

#### Construction LST



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The SCAQMD’s guidance on applying CalEEMod to LSTs specifies the number of acres a particular piece of equipment would likely disturb per day.<sup>9</sup> SCAQMD provides LST thresholds for one-, two- and five-acre site disturbance areas. Based on information obtained from CalEEMod, the project would disturb approximately three acres per day. Therefore, LST thresholds for two-acre were conservatively utilized for the construction LST analysis. As the nearest sensitive receptors adjoin the project site, the lowest available LST values for 25 meters were used.

**Table 3, Localized Emissions Significance**, shows the localized construction-related emissions for NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> compared to the LSTs for SRA 24. It is noted that the localized emissions presented in **Table 3** are less than those in **Table 1** because localized emissions include only on-site emissions (e.g., from construction equipment and fugitive dust) and do not include off-site emissions (e.g., from hauling activities). As shown in **Table 3**, the project’s localized construction emissions would not exceed the LSTs for SRA 24. Therefore, localized significance impacts from project-related construction activities would be less than significant.

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<sup>9</sup> The number of acres represent the total acres traversed by grading equipment. In order to properly grade a piece of land, multiple passes with equipment may be required. The disturbance acreage is based on the equipment list and days of the grading phase according to the anticipated maximum number of acres a given piece of equipment can pass over in an 8-hour workday.



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**Table 3: Localized Emissions Significance**

Maximum Emissions	Maximum Daily Emissions (pounds/day) <sup>6</sup>			
	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Year 1 <sup>1,5</sup>	34.52	28.05	5.36	2.87
Year 2 <sup>2,5</sup>	32.38	27.72	5.27	2.79
Year 3 <sup>3,5</sup>	12.47	16.08	0.53	0.50
Year 4 <sup>4,5</sup>	12.47	16.08	0.53	0.50
<b>Maximum Daily Emissions</b>	<b>34.52</b>	<b>28.05</b>	<b>5.36</b>	<b>2.87</b>
<i>LST Mass Rate Screening Criteria</i>	<i>170.0</i>	<i>883.0</i>	<i>7.0</i>	<i>4.0</i>
<b>Thresholds Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
Notes: 1. Maximum on-site daily emissions occur during grading phase for NO <sub>x</sub> , CO, PM <sub>10</sub> , and PM <sub>2.5</sub> in Year 1. 2. Maximum on-site daily emissions occur during grading phase for NO <sub>x</sub> , CO, PM <sub>10</sub> , and PM <sub>2.5</sub> in Year 2. 3. Maximum on-site daily emissions occur during building construction phase for NO <sub>x</sub> , CO, PM <sub>10</sub> , and PM <sub>2.5</sub> in Year 3. 4. Maximum on-site daily emissions occur during building construction phase for NO <sub>x</sub> , CO, PM <sub>10</sub> , and PM <sub>2.5</sub> in Year 4. 5. Modeling assumptions include compliance with SCAQMD Rule 403 which requires the following: properly maintain mobile and other construction equipment; replace ground cover in disturbed areas quickly; water exposed surfaces two times daily; cover stockpiles with tarps; water all haul roads twice daily; and limit speeds on unpaved roads to 15 miles per hour. 6. The Localized Significance Threshold Mass Rate Screening Criteria was determined using Appendix C of the SCAQMD <i>Final Localized Significant Threshold Methodology</i> guidance document for pollutants NO <sub>x</sub> , CO, PM <sub>10</sub> , and PM <sub>2.5</sub> . The Localized Significance Threshold was based on the anticipated daily acreage disturbance for construction (approximately three acres; conservatively, the two-acre threshold was used) and Source Receptor Area 24.				
Source: Refer to <a href="#">Appendix 1</a> for assumptions used in this analysis.				

**Operational LST**

According to SCAQMD LST methodology, LSTs would apply to the operational phase of a proposed project if the project includes stationary sources or attracts mobile sources that may spend extended periods queuing and idling at the site (e.g., warehouse or transfer facilities). The proposed project does not include such uses. Thus, due to the lack of such emissions, no long-term LST analysis is needed. Operational LST impacts would be less than significant in this regard.

**Carbon Monoxide Hotspots**

CO emissions are a function of vehicle idling time, meteorological conditions, and traffic flow. Under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach unhealthful levels (e.g., adversely affecting residents, school children, hospital patients, and the elderly).

The Basin is designated as an attainment/maintenance area for the federal CO standards and an attainment area under State standards. There has been a decline in CO emissions even though vehicle miles traveled (VMT) on U.S. urban and rural roads have increased; estimated anthropogenic CO emissions have decreased 68 percent between 1990 and 2014. In 2014, mobile sources accounted for 82 percent of the nation’s total anthropogenic CO emissions.<sup>10</sup> Three

<sup>10</sup> U.S. Environmental Protection Agency, *Carbon Monoxide Emissions*, [https://cfpub.epa.gov/roe/indicator\\_pdf.cfm?i=10](https://cfpub.epa.gov/roe/indicator_pdf.cfm?i=10), accessed December 28, 2022.



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major control programs have contributed to the reduced per-vehicle CO emissions, including exhaust standards, cleaner burning fuels, and motor vehicle inspection/maintenance programs.

According to the SCAQMD *CEQA Air Quality Handbook*, a potential CO hotspot may occur at any location where the background CO concentration already exceeds 9.0 parts per million (ppm), which is the 8-hour California ambient air quality standard. As previously discussed, the site is located in SRA 24. Communities within SRAs are expected to have similar climatology and ambient air pollutant concentrations. The monitoring station representative of SRA 24 is the Riverside – Rubidoux station, which is located approximately 14 miles northwest of the site. The maximum CO concentration at Riverside – Rubidoux station was measured at 0.783 ppm in 2022.<sup>11</sup> Given that the background CO concentration does not currently exceed 9.0 ppm, a CO hotspot would not occur at the project site. Therefore, CO hotspot impacts would be less than significant in this regard.

#### **Air Quality Health Impacts**

As evaluated above, the project's air emissions would not exceed the SCAQMD's LST thresholds, and CO hotspots would not occur as a result of the proposed project. Therefore, the project would not exceed the most stringent applicable federal or State ambient air quality standards for emissions of CO, NO<sub>x</sub>, PM<sub>10</sub>, or PM<sub>2.5</sub>. It should be noted that the ambient air quality standards are developed and represent levels at which the most susceptible persons (children and the elderly) are protected. In other words, the ambient air quality standards are purposefully set in a stringent manner to protect children, elderly, and those with existing respiratory problems. Thus, an air quality health impact would be less than significant in this regard.

**(d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?)**

#### **Determination: Less Than Significant Impact.**

According to the SCAQMD *CEQA Air Quality Handbook*, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The proposed project does not include any uses identified by the SCAQMD as being associated with odors.

Construction activities associated with the project may generate detectable odors from heavy-duty equipment exhaust and architectural coatings. However, construction-related odors would be short-term in nature and cease upon project completion. In addition, the project would be required to comply with the California Code of Regulations, Title 13, Sections 2449(d)(3) and 2485, which minimizes the idling time of construction equipment either by requiring equipment to be shut off when not in use or limiting idling time to no more than five minutes. Compliance with these existing regulations would further reduce the detectable odors from heavy-duty equipment exhaust. The project would also be required to comply with the SCAQMD Rule 1113

<sup>11</sup> California Air Resources Board, *AQMIS2: Air Quality Data*, <https://www.arb.ca.gov/aqmis2/aqdselect.php>, accessed December 28, 2022.



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– *Architectural Coating*, which would minimize odor impacts from ROG emissions during architectural coating. Any odor impacts to existing adjacent land uses would be short-term and negligible. As such, the project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. Impacts would be less than significant in this regard.

#### MITIGATION MEASURES

None required.



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4.4 BIOLOGICAL RESOURCES

Would the proposed project:		Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?		X		
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?		X		
c)	Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f)	Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan?		X		

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



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The analysis and findings throughout this section are based on the following technical studies:

- *Sunset Crossing Tentative Tract Map 38442 Habitat Assessment and Western Riverside County Multiple Species Habitat Conservation Plan Consistency Analysis* (Habitat Assessment and MSHCP Consistency Analysis), prepared by Michael Baker International, dated November 2022, and as provided as **Appendix 2A** of this IS/MND;
- *Results of Focused Burrowing Owl (*Athene cunicularia*) Surveys for Sunset Crossing TTM 38442 – City of Moreno Valley, Riverside County, California* (Focused Burrowing Owl Surveys), prepared by Michael Baker International, dated November 2, 2022, and provided as **Appendix 2B** of this IS/MND; and
- *Delineation of State and Federal Jurisdictional Waters for the Sunset Crossing TTM 38442 Project – City of Moreno Valley, Riverside County, California* (Jurisdictional Delineation), prepared by Michael Baker International, dated November 1, 2022, and provided as **Appendix 2C** of this IS/MND.
- *Determination of Biologically Equivalent or Superior Preservation Report for the Sunset Crossing TTM 38442 Project – City of Moreno Valley, Riverside County, California* (DBESP), prepared by Michael Baker International, dated February 2023, and provided as **Appendix 2D** of this IS/MND.

#### Environmental Setting

The project area is located within a partially developed portion of the City of Moreno Valley with generally flat topography throughout. Natural habitats within the project site have been eliminated due to routine weed abatement activities (i.e., disking, tilling), resulting in heavily disturbed and compacted surface soils. As such, native vegetation communities do not occur, and the project site is primarily comprised of disturbed land that is dominated by ruderal/weedy and ornamental plant species. Plant species observed in the disturbed areas include common fiddleneck (*Amsinckia intermedia*), wild oat (*Avena fatua*), ripgut brome (*Bromus diandrus*), red brome (*Bromus madritensis* ssp. *rubens*), short-podded mustard (*Hirschfeldia incana*), and telegraph weed (*Heterotheca grandiflora*). The project site is not located within any federally designated Critical Habitat.

The project site is bounded by undeveloped land and Cottonwood Avenue to the north, undeveloped land and residential development to the east, Alessandro Boulevard to the south, and mixed development to the west. Disturbed habitat comprises approximately 19.10 acres of the project site. Disturbed areas within the project site do not comprise a natural plant community and instead consist of unpaved bare ground or areas that have been previously disked or tilled as part of routine weed abatement activities.

Land uses in the immediate vicinity of the project area include vacant, residential, and commercial land uses. Vacant, undeveloped land is located to the north, south, and east of the project site, while residential uses are located along the west, northwest, and northeast boundaries of the site. A small portion of the western side of the project site was being actively used for a construction yard for a commercial development along the project's western boundary at the time of the field survey.





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The project site is located within the boundaries of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) administered by the Western Riverside County Regional Conservation Authority (RCA). The City of Moreno Valley is a signatory to the MSHCP.

**DISCUSSION**

4(a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?*

**Determination: Less Than Significant Impact with Mitigation Incorporated.**

Sensitive Plant Species

Forty (40) special-status wildlife species have been recorded in the USGS *El Casco, Perris, Riverside East, Steele Peak, and Sunnymead, California* 7.5-minute quadrangles by the CNDDB. The MSHCP calls for focused studies of habitat evaluations for narrow endemic plant species, however, the project area is not located within a designed survey area for narrow endemic plant species. In addition, no special-status plant species were observed within the project area during the field survey. According to the Habitat Assessment and MSHCP Consistency Analysis, the disturbed state of the project site does not provide suitable habitat for any special-status species recorded in the California Natural Diversity Database (CNDDDB) or California Native Plant Society (CNPS) searches due to the lack of natural vegetation communities and routine weed abatement. Therefore, no special-status plant species are expected to occur on the project site.

Sensitive Wildlife Species

Forty-three (43) special-status wildlife species have been recorded in the USGS *El Casco, Perris, Riverside East, Steele Peak, and Sunnymead, California* 7.5-minute quadrangles by the CNDDB. One (1) special-status wildlife species was observed during the field survey: Cooper’s hawk (*Accipiter cooperii*; a State Watch List [WL] species). Based on the results of the field survey and a review of specific habitat preferences, occurrence records, known distributions, and elevation ranges, it was determined that the project site has a low potential to support burrowing owl (*Athene cunicularia*) (BUOW) (a State Species of Special Concern [SSC]), California horned lark (*Eremophila alpestris actia*; a State WL species), western mastiff bat (*Eumops perotis californicus*; a State SSC), and western yellow bat (*Lasiurus xanthinus*; a State SSC). All remaining special-status wildlife species identified by the CNDDB database are not expected to occur within the project site.

Stephen’s Kangaroo Rat (SKR) (genus *Dipodomys*)

SKR (genus *Dipodomys*) is federally listed as endangered, and State listed as threatened. SKR occurs in western Riverside County, existing in fragmented populations due to the urban landscape. Separate from the MSHCP, the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) issued the Riverside County Habitat Conservation Agency a Section 10(a) Permit and CFGC Section 2081 Management Authorization in 1996 establishing the Long-Term Stephens’ Kangaroo Rat Habitat Conservation Plan (HCP). Based on a



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review of the SKR HCP, the project area is located outside the boundaries of the SKR HCP and associated Core Reserves; the San Jacinto Core Reserve is located approximately 2.5 miles to the southeast of the project site. Although the project site is approximately 2.5 miles from a well-established population to the north of Perris Reservoir, the site is separated by extensive development, primarily residential, and as a result combined with the lack of suitable on-site habitat the survey area is not expected to support SKR.

##### Burrowing owl (*Athene cunicularia*)

The burrowing owl is designated as a species of special concern by CDFW and is a fully covered species under the MSHCP. The species is typically found in grassland, shrub steppe, and desert habitat types, however, can also be found in agricultural areas, ruderal fields, and pastures, as well as in urban environments such as vacant lots, flood control facilities, and open spaces. Burrowing owls require underground burrows or other cavities for nesting, roosting and shelter. Burrows used by the owls are usually dug by other species such as California ground squirrel (*Spermophilus beecheyi*) and round-tailed ground squirrel (*Citellus tereticaudus*). As such, the presence of colonial mammal burrows is often an indication that burrowing owls may be present. Burrowing owls have also been found occupying man-made cavities, such as buried and non-functioning drainpipes, standpipes, and dry culverts.

Focused BUOW surveys were conducted in April, May, and June 2022 following the MSHCP survey protocol, *Burrowing Owl Survey Instructions for the Western Riverside County Multiple Species Habitat Conservation Plan Area*. No BUOWs, BUOW sign (i.e., pellets, feathers, castings, or whitewash), occupied burrows, or remnant burrows were observed. However, the project site is sparsely vegetated with a variety of low-growing plant species that allow for open line-of-sight and foraging opportunities for BUOW. In accordance with the *Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area*, if BUOW habitat occurs onsite, both focused surveys and pre-construction clearance surveys are required.

The proposed project would implement **Mitigation Measure BIO-1** to ensure potential impacts to burrowing owls are reduced to a less than significant level by requiring a pre-construction survey prior to ground-disturbing activities. With the implementation of **Mitigation Measure BIO-1**, impacts to burrowing owl would be less than significant.

##### Mammals

Five (5) mammal species were observed during the field survey: coyote (*Canis latrans*), domestic dog (*Canis lupus familiaris*), domestic cat (*Felis catus*), California ground squirrel (*Otospermophilus beecheyi*), and desert cottontail (*Sylvilagus audubonii*). The project site and surrounding area provide suitable habitat for additional mammalian species adapted to living in edge or urban environments. However, the routine weed abatement and surrounding development limits the potential for mammalian species to occur. Other common mammalian species that may occur within the survey area include opossum (*Didelphis virginiana*), striped skunk (*Mephitis mephitis*), and raccoon (*Procyon lotor*). Bats occur throughout most of southern California and may use the project area as foraging habitat although it is heavily disturbed. Bats have been known to occur in the area. Therefore, a bat roosting habitat suitability assessment of any vegetation that may be removed, altered, or indirectly impacted by project activities is



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required, as described in **Mitigation Measure BIO-2**. With implementation of **Mitigation Measure BIO-2**, potential impacts to bats would be reduced to a less than significant level.

##### Birds

The Migratory Bird Treaty Act (MBTA) implements international treaties between the United States and other nations devised to protect migratory birds, their parts, eggs, and nests from activities such as hunting, pursuing, capturing, killing, selling, and shipping, unless expressly authorized in the regulations or by permit. The state of California has incorporated the protection of birds of prey in California Fish and Game Code (CFG) Sections 3800, 3513, and 3503.5. All raptors and their nests are protected from take or disturbance under the MBTA (16 United States Code [USC] Section 703 et seq.) and California statute (CFG Section 3503.5).

Direct impacts to native vegetation communities and removal of trees during project construction could result in direct impacts to bird nests, which would be considered significant absent mitigation. The project site provides marginal foraging and nesting habitat for a variety of resident and migrant bird species that are adapted to a high degree of disturbance such as traffic, noise, and light pollution associated with the surrounding development. Additionally, the project site provides nesting habitat for avian species that nest on the open ground (e.g., killdeer [*Charadrius vociferus*], western meadowlark [*Sturnella neglecta*]). No nests were observed within the project site during the field survey.

Construction activities that occur during the avian nesting season (generally February 1 to August 31) could disturb nesting sites for bird species protected under the Fish and Game Code or MBTA. The removal of existing ornamental trees and bird houses during the nesting season could result in direct harm to nesting birds, while noise, light, and other man-made disturbances may cause nesting birds to abandon their nests.

Implementation of **Mitigation Measure BIO-3**, which requires a pre-construction nesting bird clearance survey to determine the presence/absence, location, and status of any active nests on or adjacent to the project site, would reduce potential impacts to nesting and migratory birds to less than significant by limiting the removal of trees, shrubs, or any other potential nesting habitat to outside the avian nesting season, which generally extends from February 1 through August 31. If the nesting bird clearance survey indicates the presence of nesting birds, **Mitigation Measure BIO-3** requires buffers to ensure that any nesting birds are protected pursuant to the MBTA. Impacts for both sensitive wildlife species and migratory birds would be reduced to a less than significant level with mitigation incorporated.

4(b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?*

##### **Determination: Less Than Significant Impact with Mitigation Incorporated.**

A jurisdictional delineation report was prepared for the project to document the results of a literature review and formal delineation of onsite State and federal jurisdictional waters,



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including wetlands; refer to **Appendix 2C**. Additionally, a DBESP report was prepared to address potential MSHCP riparian/riverine areas located onsite; refer to **Appendix 2D**. The DBESP describes the potential impacts and proposed mitigation measures to ensure the post-project functions and values are biological equivalent or superior, and in compliance with the MSHCP.

According to the Jurisdictional Delineation that was conducted for the project, two ephemeral drainage features, Aquatic Feature 1 (AF-1) and Aquatic Feature 2 (AF-2), were identified within the project site and survey area during the April 12, 2022, site visit. These drainages are described below.

##### Aquatic Feature 1 (AF-1)

AF-1 collects/transportes municipal stormwater from the adjacent residential development and surrounding foothills north of the project site, entering the project site and survey area under a large concrete retaining wall that is located along the southern project site boundary. Flows appear to be conveyed beneath the retaining wall, likely via pipe or culvert; however, a significant amount of sediment deposition has occurred in the immediate vicinity of the retaining wall resulting in reduced visibility. The on-site portions of AF-1 consist of an earthen channel which generally flows south/southwest through the project site for approximately 1,434 linear feet before draining into a roadside ditch that runs easterly along the northern side of Alessandro Boulevard (beyond the project site and within the survey area) for approximately 220 linear feet before exiting the eastern project site boundary and survey area. It then empties into a small offsite concrete culvert approximately 300 feet east of the survey area. Flows from AF-1 are then conveyed onto the property south of Alessandro Boulevard via a concrete culvert where AF-1 then transitions to discontinuous unconfined/overland sheet flow which ultimately fans out and infiltrates offsite. Within the project site and survey area, AF-1 exhibited clear evidence of hydrology and an ordinary high-water mark (OHWM) ranging from 1 to 36 feet in width was observed via a natural line impressed on the bank, change in particle size distribution, presence of a wrack line, shelving. The offsite upstream portion of the AF-1 appears to be the feature that has been mapped by both the National Wetlands Inventory (NWI) and National Hydrography Dataset (NHD). No standing or flowing water was observed in association with AF-1.

AF-1 exhibited vegetation comprised of upland disturbance-tolerant plant species consistent with the surrounding uplands; however, these species generally occurred in sparser patches within AF-1. Dominant species included cheeseweed (*Malva parviflora*, UPL), foxtail barley (*Hordeum murinum*, FACU), foxtail brome (*Bromus rubens*, UPL), red maids (*Calandrinia menziesii*, UPL), red stemmed filaree (*Erodium cicutarium*, UPL), ripgut brome (*Bromus diandrus*, UPL), stinknet (*Oncosiphon piluliferum*, FACU), summer mustard (*Hirschfeldia incana*, UPL), tocalote (*Centaurea melitensis*, UPL), and wild radish (*Raphanus sativus*, UPL). Within the project site and survey area, AF-1 measures a total of approximately 1,664 linear feet.

##### Aquatic Feature 2 (AF-2)

AF-2 begins onsite as discontinuous overland sheet flow within the southeastern portion of the project site. AF-2 flows southeast and begins to incise just before exiting the southeastern project boundary and continuing into the survey area. AF-2 flows southeast for approximately 201 linear feet through the project site and survey area before exiting the survey area and ultimately



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draining into the roadside ditch portion of AF-1 located offsite. Within the project site and survey area, AF-2 exhibited clear evidence of hydrology and an OHWM ranging from 1 to 16 feet in width was observed via a natural line impressed on the bank, change in particle size distribution, presence of a wrack line, and shelving. No standing or flowing water was observed in association with the onsite portion of AF-2.

AF-2 exhibited the same upland vegetation as AF-1 with a predominance of foxtail brome, ripgut brome, summer mustard, and occasional patches of bare sandy soil. In addition, numerous fiddleneck (*Amsinckia menziesii*, UPL) and silver puffs (*Uropappus lindleyi*, UPL) occur throughout the channel bottom.

#### Findings

AF-1 generally occurs within the central portion of the project site and survey area and does not exhibit a surface hydrologic connection to any Relatively Permanent Water (RPW) or Traditionally Navigable Water (TNW). Flows from AF-1 continue south offsite and drain into a roadside ditch which runs easterly along the northern side of Alessandro Boulevard before emptying into a small concrete culvert. Flows from AF-1 are then conveyed onto the property south of Alessandro Boulevard via a concrete culvert where AF-1 then transitions to discontinuous unconfined/overland sheet flow which ultimately fans out and infiltrates offsite. Furthermore, AF-1 appears to be an ephemeral feature which flows only in direct response to precipitation. Therefore, AF-1 would not qualify as a water of the U.S. (WoUS) and would not fall under the regulatory authority of the U.S. Army Corps of Engineers (USACE). However, based on the results of the field delineation, AF-1 does comprise approximately 0.17-acre (1,434 linear feet) of Regional Water Quality Control Board (RWQCB) non-wetland waters of the State/CDFW vegetated streambed (consisting of 0.17-acre located within the project site and an additional less than 0.01-acre located within the survey area).

AF-2 occurs within the southeastern portion of the project site and survey area and also does not exhibit a surface hydrologic connection to any RPW or TNW. Flows from AF-2 are tributary to AF-1 and appear to be ephemeral, flowing only in direct response to precipitation. Therefore, AF-2 would not qualify as a WoUS and would not fall under the regulatory authority of the USACE. However, based on the results of the field delineation, AF-2 does comprise a total of 0.05-acre (201 linear feet) of RWQCB non-wetland waters of the State/CDFW vegetated streambed. No CDFW associated riparian area occurs in association with AF-2.

Therefore, based on the findings of the Jurisdictional Delineation, the project proponent is required to obtain both a Waste Discharge Requirement (WDR) from the RWQCB prior to impacts occurring within RWQCB jurisdictional areas, and a Section 1602 Streambed Alteration Agreement (SAA) from the CDFW prior to impacts occurring within CDFW jurisdictional areas, as described in **Mitigation Measure BIO-4**.

#### DBESP

Additionally, based on the DBESP Report, the two ephemeral drainage features AF-1 and AF-2 qualify as riparian/riverine resources associated with Section 6.1.2 of the MSHCP. Table 4



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summarizes the total amount of existing and impacted riparian/riverine resources within the project site.

**Table 4: Summary of Impacts to Riparian/Riverine Resources within the Survey Area**

Riparian/Riverine Resource	Total within the Project Site	Impact Type (acre)	
		Permanent Impact	Temporary Impact
<b>Riverine</b>			
AF-1	0.21	0.17	0.03
AF-2	0.01	<0.001	0.01
<i>Riverine (Subtotal)</i>	<i>0.22</i>	<i>0.17</i>	<i>0.04</i>
<b>Riparian</b>			
AF-1	0.00	0.00	0.00
AF-2	0.00	0.00	0.00
<i>Riparian (Subtotal)</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>
<b>TOTAL IMPACTS</b>	<b>0.22</b>	<b>0.17</b>	<b>0.04</b>
Refer to <a href="#">Appendix 2D</a> .			

As identified in Table 4, a total of 0.22-acre of riparian/riverine resources pursuant to Section 6.1.2 of the MSHCP occur within the project site. Of this, permanent impacts would occur on 0.17-acre riverine habitat, whereas temporary impacts would occur on 0.04-acre riverine habitat. Riparian/riverine resources within the survey area do not provide suitable habitat for listed riparian-associated species in Section 6.1.2, or for riparian-associated species that would benefit from preservation of the onsite riparian habitat. A draft DBESP report (Appendix 2D) was provided to the RCA for review and comment. The comment letter received from the RCA, dated May 19, 2023, indicates that the RCA and Wildlife Agencies (CDFW and USFWS) concurred with the limits of riverine/riparian resources that were mapped within the project site and agreed that purchase of mitigation credits from Riverpark Mitigation Bank is acceptable. In the event that credits from another bank or in-lieu fee program is purchased due to lack of available credits at Riverpark Mitigation Bank, additional analysis and approvals from the RCA and Wildlife Agencies would be required.

Implementation of compensatory mitigation at no less than 3:1 for direct effects on riparian/riverine resources would provide equivalent preservation. **Mitigation Measure BIO-5** would require purchase of credits for at a 3:1 ratio from Riverpark Mitigation Bank or other mitigation bank, in lieu fee program, or mechanism approved by the resource agencies and RCA. Payment of compensatory mitigation would ensure the project would be biologically equivalent or superior to existing conditions and the functions and values of the replacement would be biologically equivalent or superior.

With implementation of **Mitigation Measure BIO-4** and **BIO-5**, potential impacts to riparian



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habitat or other sensitive natural communities would be reduced to a less than significant level.

4(c) *Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

**Determination: No Impact.**

Based on the Jurisdictional Delineation that was conducted for the project, no State or federally protected wetlands are located within the project site. No impact would occur in this regard.

4(d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

**Determination: Less Than Significant Impact.**

The project site is located within a moderately developed area of Moreno Valley. The site has undeveloped, vacant land around it, particularly to the north and south, that could function as something of a movement corridor for mammals. However, surrounding roads and development have fragmented the connection between the project area and surrounding open space and naturally occurring vegetation communities. The disturbed landscape of the project area and absence of vegetation for cover most likely precludes the movement of wildlife through the survey area. Further, elevated noise levels, vehicle traffic, lighting, and human presence associated with Nason Street, Alessandro Boulevard, Cottonwood Avenue, and surrounding residential development all decrease the suitability of the project site to be used as a wildlife movement corridor or linkage. Therefore, a less than significant impact relative to migratory wildlife corridors would occur.

4(e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

**Determination: No Impact.**

The Moreno Valley Municipal Code addresses requirements for preservation and protection of heritage trees within the City located on both private and public property. Under Title 9 Chapter 9.17 of the Moreno Valley Municipal Code, the City has identified two tree species as “heritage trees.” Specifically, the definition in Chapter 9.17.030, *Landscape and Irrigation Design Standards*, states that heritage trees include any tree which “defines the historical and cultural character of the city including older Palm and Olive trees, and/or any tree designated as such by official action” and include any tree which “is fifteen (15) inch diameter measured twenty-four (24) inches above ground level or that have reached a height of fifteen (15) feet or greater.” Under Chapter 9.17.030 of the Moreno Valley Municipal Code, the removal of heritage trees requires the review of the ecological historical preservation board. However, there are no heritage trees located on the project site. Therefore, no impact would occur.

4(f) *Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan?*



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**Determination: Less Than Significant Impact with Mitigation Incorporated.**

The project site is located within the boundaries of the MSHCP. According to the RCA’s online MSHCP Information Application, the project site is not located within any Subunits, Criteria Cells, Conservation Areas, Cores/Linkages, or Public/Quasi-Public (P/QP) Lands identified by the MSHCP. However, the project site is located within a designated survey area for BUOW and narrow endemic plants and is subject to the procedures outlined in the *Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area*.

An MSHCP consistency analysis was conducted as part of the Habitat Assessment that was prepared for the project. Based on the Habitat Assessment, no narrow endemic plant species were found on the project site, and such plant species are not expected to have the potential to occur on the project site. Based on the Focused Burrowing Owl Surveys conducted for the project, no BUOWs, BUOW sign, occupied BUOW burrows, or remnant BUOW burrows were observed on or within the vicinity of the survey area. Therefore, project-related activities are not expected to result in any direct or indirect impacts to BUOWs or occupied BUOW burrows on or within the vicinity of the survey area. However, as discussed in Response 4.4(a) above, it is recommended that pre-construction surveys be conducted prior to any ground disturbance to avoid direct take of burrowing owls, as described in **Mitigation Measure BIO-1**.

In addition, two drainage features were recorded within the survey area (AF-1 and AF-2). These drainage features qualify as riparian/riverine resources pursuant to Section 6.1.2 of the MSHCP and total approximately 0.22 acre of riverine habitat within the project site. As discussed in Response 4.4(b) above, the project proponent is required to obtain both a WDR from the RWQCB prior to impacts occurring within RWQCB jurisdictional areas, and a Section 1602 Streambed Alteration Agreement (SAA) from the CDFW prior to impacts occurring within CDFW jurisdictional areas, as described in **Mitigation Measure BIO-4**. To reduce impacts to riparian/riverine resources pursuant to Section 6.1.2 of the MSHCP, **Mitigation Measure BIO-5** would require purchase of credits for at a 3:1 ratio from Riverpark Mitigation Bank other mitigation bank, in lieu fee program, or mechanism approved by the resource agencies and RCA. Payment of compensatory mitigation would ensure the project would be biologically equivalent or superior to existing conditions and the functions and values of the replacement would be biologically equivalent or superior.

With implementation of **Mitigation Measure BIO-1**, **Mitigation Measure BIO-4**, and **Mitigation Measure BIO-5**, the project would not conflict with the provisions of the MSHCP, and potential impacts would be reduced to a less than significant level.

**MITIGATION MEASURES**

**BIO-1** A pre-construction clearance survey shall be conducted to reconfirm the absence of burrowing owl (BUOW) within the project impact area and maintain compliance with the Multiple Species Habitat Conservation Plan (MSHCP), Migratory Bird Treaty Act (MBTA), and California Fish and Game Code (CFGC). In accordance with the MSHCP, the pre-construction clearance survey shall be conducted by a qualified biologist no more than 30 days prior to initiating any ground disturbing activities to avoid direct take of BUOWs. Once the survey is completed, the qualified biologist shall prepare





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and submit a final report documenting the results of the clearance survey to the City of Moreno Valley for review and file. If no BUOWs or occupied burrows are detected, project activities may begin, and no additional avoidance or minimization measures would be required.

- BIO-2** No less than 60 days prior to initiating project activities, a qualified bat biologist shall conduct a bat roosting habitat suitability assessment of any vegetation that may be removed, altered, or indirectly impacted by the project activities. Any locations identified as having potentially suitable bat roosting habitat by the qualified approved bat biologist shall be subject to additional nighttime surveys (bat surveys) during the summer months (i.e., June through August) to determine the numbers and bat species using the roost(s). The information collected during these additional bat surveys shall be used by the qualified bat biologist to develop species-specific measures to minimize impacts to roosting bats should bats be detected using the site. The bat surveys shall be conducted by the qualified bat biologist using an appropriate combination of visual inspection, sampling, exit counts, and acoustic surveys. The results of the pre-construction bat surveys shall be submitted to CDFW for review no less than 30 days prior to the initiation of project activities.

If the presence of bats within the project is confirmed, avoidance and minimization measures, including the designation of buffers based upon the particular bat species found and phased removal of trees, shall be developed and submitted to CDFW for review and approval. If the site supports maternity roosts, the Project Applicant shall avoid disturbing those areas during the breeding season.

If the site supports a maternity roost(s) or special-status species, the Project Applicant shall contact CDFW and conduct an impact assessment prior to commencing project activities to assist in the development of minimization and mitigation measures. The Project Applicant shall compensate for impacts and losses to maternity roosts and/or special-status bat habitat through a mitigation strategy approved by CDFW.

- BIO-3** If project-related activities are to be initiated during the nesting season (February 1 to August 31), a pre-construction nesting bird clearance survey shall be conducted by a qualified biologist no more than three (3) days prior to the start of any vegetation removal or ground disturbing activities. The qualified biologist shall survey all suitable nesting habitat within the project impact area, and areas within a biologically defensible buffer zone surrounding the project impact area. If no active bird nests are detected during the clearance survey, project activities may begin, and no additional avoidance and minimization measures shall be required. If an active bird nest is found, the species shall be identified, and a “no-disturbance” buffer shall be established around the active nest. The size of the “no-disturbance” buffer shall be increased or decreased based on the judgment of the qualified biologist and level of activity and sensitivity of the species. The qualified biologist shall periodically monitor any active bird nests to determine if project-related activities occurring outside the “no-disturbance” buffer disturb the birds and if the buffer shall be increased. Once the



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young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, project activities within the “no-disturbance” buffer may occur following an additional survey by the qualified biologist to search for any new bird nests in the restricted area.

**BIO-4** Prior to initiation of construction, the Project Applicant shall obtain all necessary permits for impacts to Regional Water Quality Control Board (RWQCB) and California Department of Fish and Wildlife (CDFW) jurisdictional areas. Mitigation for the loss of jurisdictional resources shall be negotiated with the resource agencies during the regulatory permitting process and shall ensure that mitigation to compensate for permanent impacts on jurisdictional resources is equivalent or superior to biological functions and values impacted by the proposed project.

**BIO-5** Prior to initiation of construction, the Project Applicant shall purchase of re-establishment or establishment credits within the Santa Jacinto Watershed through the Riverpark Mitigation Bank at a 3:1 ratio. Other offsite options for mitigation include the Riverside-Corona Regional Conservation District (RCRCD) In Lieu Fee (ILF) program, the Barry Jones mitigation bank, permittee-responsible mitigation, or other agency-approved mitigation provider. If the Santa Ana River Watershed In-Lieu Fee Program (RCRCD ILF Program) is selected, the Project Applicant shall retain a qualified biologist to prepare an equivalency analysis report and habitat monitoring and management plan (HMMP) for submittal to the Wildlife Agencies prior to construction activities. The equivalency analysis shall document the biological lift and the functions and values provided by the mitigation site and the HMMP shall describe the offsite compensatory mitigation and identifies the establishment and reestablishment performance criteria for the proposed mitigation. The long-term funding mechanism for post-restoration habitat maintenance and land management entity shall also be identified and approved by the Wildlife Agencies prior to the start of construction.

#### SIGNIFICANCE OF IMPACT AFTER MITIGATION

With implementation of **Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4, and BIO-5**, as well as adherence to the standard conditions and requirements, the project would comply with the requirements of the MSHCP, MBTA and Moreno Valley Municipal Code. Compliance would reduce impacts to less than significant levels.



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4.5 CULTURAL RESOURCES

Would the proposed project:		Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?			X	
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		X		
c)	Disturb any human remains, including those interred outside of dedicated cemeteries?		X		

The analysis and findings throughout this section are based on the *Cultural Resources Identification Report for the TTM 38442 Residential Homes Project, City of Moreno Valley, Riverside County, California* (Cultural Resources Assessment) prepared by Michael Baker International, dated December 2, 2022, and provided as **Appendix 3** of this IS/MND.

**DISCUSSION**

5(a) *Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?*

**Determination: Less Than Significant Impact.**

The Cultural Resources Assessment conducted for the proposed project included an archaeological field survey, archaeological sensitivity analysis, and a records search to identify previously recorded prehistoric and historic cultural resources and cultural resource surveys within a 0.5-mile radius of the project area. The records search was conducted by the Eastern Information Center (EIC) of the California Historical Resources Information System at the California State University, Fullerton.

*Eastern Information Center Results*

No cultural resources are located within the project area. A total of nine resources are documented within the 0.5-mile search radius, including five prehistoric sites consisting of bedrock milling features. The resources also include two buildings or building complexes and two asphalt paved streets. In addition, the records search found that 19 cultural resources studies have been conducted within a 0.5-mile radius of the project area, three of which included the project area. No resources were identified as part of these studies.

*Historical Maps and Photographs Review*

The project site remained undeveloped until it was cultivated with citrus trees in 1938. A review



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of historical maps identified one small, rectangular building at the south end of the project site in 1963. By 1968, two buildings are depicted along Cottonwood Avenue and less than 10 percent of the project site is used for agricultural practices. By 1980, the two buildings continue to be depicted within the project site along Cottonwood Avenue, however, the citrus trees have been removed. By 2012, the buildings have also been removed. Aerial photographs show that after 2012, modern residential subdivisions began to infill the land west of the project site.

##### *Pedestrian Survey Results*

The project area consisted of a dirt lot with approximately 70 percent ground visibility. Soil consisted of light brown colored sandy clay loam with 5 percent gravel inclusions at the surface. Observed vegetation throughout the project area included tobacco trees, sunflowers, datura, and chinaberry. Slope throughout most of the project area was flat and the aspect was open. However, low hills with a westerly aspect are located in the eastern portion of the project area. Disturbances in the project area included evidence of soil tilling and animal burrowing.

Two archaeological resources, a refuse deposit and an irrigation feature, were recorded during the site visit. Both are historic in age, and date to approximately the middle to late twentieth century. Detailed descriptions of the resources are provided in the Cultural Resources Assessment.

##### *Sacred Lands File Results*

A Sacred Lands File search was sent to the Native American Heritage Commission (NAHC) for any Native American cultural resources that may be affected by the project. In addition, the names of Native Americans who may have information or concerns about the project was also requested. The NAHC responded via email and stated that a search of the Sacred Lands File provided negative results. The NAHC also provided a list of Native American contacts and the City conducted Tribal consultation with the listed Tribes, which is discussed in Section 4.18, *Tribal Cultural Resources*, of this IS/MND.

##### *Conclusion*

Based on the Cultural Resources Assessment, both of the above-referenced historic resources were evaluated against the eligibility criteria for listing resources in the California Register of Historic Resources (CRHR) as defined by CEQA Section 15064.5(a) within the project site. However, both of the resources lack sufficient significance to meet any of the criteria for listing in the CRHR. To be eligible for listing in the CRHR, a resource must first meet one or more of the significance criteria outlined in the Cultural Resources Assessment before a determination can be made as to whether the resource retains its historic character and is able to convey its significance. In the specific case of these resources, an integrity analysis was considered immaterial because the evaluation found that the property lacked the necessary significance to warrant further analysis of its physical and historic integrity. Consequently, the evaluation determined that the resources within the project area are not eligible for listing in the CRHR, either individually or as a contributor to an existing or potential historic district, nor is it considered a historical resource for the purposes of CEQA as defined under 14 CCR Section 15064.5(a). Therefore, a less than significant impact relative to historical resources would occur.



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*5(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?*

**Determination: Less Than Significant Impact with Mitigation Incorporated.**

Based on the Cultural Resources Assessment, prehistoric and historic-period archaeological sensitivity is low. There are no reliable sources of natural surface water within close proximity to the project. The closest water sources appearing on USGS topographic maps are ephemeral washes. Ethnographic documentation indicates that the project area is within Cahuilla territory but identified no villages or place names within or adjacent to the project area itself. In addition, the project site has been previously disturbed by building construction, utility installations, and farming. As a result of the Cultural Resources Assessment, the project site has been thoroughly surveyed, and no surface indications of sites, including bedrock milling features that may indicate the presence of subsurface archaeological deposits, were observed.

The project site is highly disturbed and unlikely to yield any significant buried archaeological resources. Nonetheless, there is a potential for disturbing previously unknown archaeological resources during excavation into native soil. As such, in accordance with the Cultural Resources Assessment, potential impacts would be avoided through the implementation of **Mitigation Measure CUL-1** below, which requires that, in the event of unanticipated subsurface discoveries, all work within 50 feet shall be halted until an archaeologist can evaluate the findings and make recommendations.

*5(c) Disturb any human remains, including those interred outside of formal cemeteries?*

**Determination: Less Than Significant Impact with Mitigation Incorporated.**

No conditions exist that suggest human remains are likely to be found on the project site. However, construction activities, particularly grading, could potentially disturb human remains interred outside of a formal cemetery. Thus, the potential exists that human remains may be unearthed during grading and excavation activities associated with project construction. In the event that human remains are discovered during grading or other ground-disturbing activities associated with the proposed project, those remains shall receive proper treatment in accordance with State of California Health and Safety Code Sections 7050.5-7055, as described in **Mitigation Measure CUL-2** below. Therefore, impacts would be reduced to a less than significant level.

#### MITIGATION MEASURES

**CUL-1** In the event that any subsurface cultural resources are encountered during earth-moving activities, all work within 50 feet shall be halted until an archaeologist can evaluate the findings and make recommendations. Prehistoric materials can include flaked-stone tools (e.g., projectile points, knives, choppers) or obsidian, chert, or quartzite toolmaking debris; culturally darkened soil (i.e., midden soil often containing heat-affected rock, ash, and charcoal, shellfish remains, and cultural materials); and stone milling equipment (e.g., mortars, pestles, handstones). Historical materials might include wood, stone, or concrete footings, walls, and other structural remains; debris-filled wells or privies; and deposits of wood, metal, glass, ceramics, and other



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refuse. The archaeologist may evaluate the find in accordance with federal, State, and local guidelines, including those set forth in the California Public Resources Code Section 21083.2, to assess the significance of the find and identify avoidance or other measures as appropriate. A qualified archaeologist must meet the Secretary of the Interior’s Professional Qualifications Standards for archaeology.

**CUL-2** If human remains are found during project construction, those remains shall receive proper treatment in accordance with State of California Health and Safety Code Sections 7050.5-7055. Specifically, Health and Safety Code Section 7050.5 describes the requirements if any human remains are discovered during excavation of a site. As required by state law, the requirements and procedures set forth in Section 5097.98 of the California Public Resources Code shall be implemented, including notification of the County Coroner, notification of the Native American Heritage Commission, and consultation with the individual identified by the Native American Heritage Commission to be the “most likely descendant.” If human remains are found during excavation, excavation shall stop in the vicinity of the find and any area that is reasonably suspected to overlie adjacent remains until the County Coroner has been called out, and the remains have been investigated and appropriate recommendations have been made for the treatment and disposition of the remains.

**SIGNIFICANCE OF IMPACT AFTER MITIGATION**

Implementation of **Mitigation Measure CUL-1** would ensure that any archaeological resources inadvertently discovered during project grading or construction activities would be protected consistent with the recommendations of a qualified archaeologist, thereby reducing impacts to a less than significant level.

Implementation of **Mitigation Measure CUL-2** would ensure that any human remains inadvertently discovered during project grading or construction activities would be protected consistent with the investigation and recommendations of the County Coroner, thereby reducing impacts to a less than significant level.

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



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4.6 ENERGY

Would the proposed project:					
Issues		Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b)	Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?			X	

The analysis and findings throughout this section are based on the *Air Quality, Energy and Greenhouse Gas Emissions Impact Modeling Data* (Air Quality, Energy and Greenhouse Gas Data) prepared by Michael Baker International, dated January 11, 2023, provided as **Appendix 1** of this IS/MND.

**REGULATORY FRAMEWORK**

**State**

California Building Energy Efficiency Standards (Title 24)

The 2022 California Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6), commonly referred to as “Title 24,” became effective on January 1, 2023. In general, Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The 2022 Title 24 standards encourage efficient electric heat pumps, establish electric-ready requirements for new homes, expand solar photovoltaic and battery storage standards, strengthen ventilation standards, and more. Buildings whose permit applications are applied for on or after January 1, 2023, must comply with the 2022 Title 24 standards.

California Green Building Standards

The 2022 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), commonly referred to as CALGreen, went into effect on January 1, 2023. CALGreen is the first-in-the-nation mandatory green buildings standards code. The California Building Standards Commission developed CALGreen in an effort to meet the State’s landmark initiative Assembly Bill (AB) 32 goals, which established a comprehensive program of cost-effective reductions of greenhouse gas (GHG) emissions to 1990 levels by 2020. CALGreen was developed to (1) reduce GHG emissions from buildings; (2) promote environmentally responsible, cost-effective, and healthier places to live and work; (3) reduce energy and water consumption; and (4) respond to



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the environmental directives of the administration. CALGreen requires that new buildings employ water efficiency and conservation, increase building system efficiencies (e.g., lighting, heating/ventilation and air conditioning [HVAC], and plumbing fixtures), divert construction waste from landfills, and incorporate electric vehicles charging infrastructure. There is growing recognition among developers and retailers that sustainable construction is not prohibitively expensive, and that there is a significant cost-savings potential in green building practices and materials.

##### Senate Bill 100

Senate Bill (SB) 100 (Chapter 312, Statutes of 2018) requires that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt-hours (kWh) of those products sold to their retail end-use customers achieve 44 percent of retail sales by December 31, 2024; 52 percent by December 31, 2027; 60 percent by December 31, 2030; and 100 percent by December 31, 2045. The bill requires the California Public Utilities Commission (CPUC), California Energy Commission (CEC), State board or the California Air Resources Board (CARB), and all other State agencies to incorporate the policy into all relevant planning. In addition, SB 100 requires the CPUC, CEC, and CARB to utilize programs authorized under existing statutes to achieve that policy and, as part of a public process, issue a joint report to the Legislature by January 1, 2021, and every four years thereafter, that includes specified information relating to the implementation of SB 100.

##### California Energy Commission Integrated Energy Policy Report

In 2002, the California State Legislature adopted Senate Bill (SB) 1389, which requires the California Energy Commission (CEC) to develop an Integrated Energy Policy Report (IEPR) every two years. SB 1389 requires the CEC to conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand, and prices, and use these assessments and forecasts to develop energy policies that conserve resources, protect the environment, ensure energy reliability, enhance the State's economy, and protect public health and safety.

The CEC adopted the 2021 integrated energy policy report (2021 IEPR) Volume I, Volume II, and Volume IV on February 1, 2022 and Volume III on February 24, 2022.<sup>12</sup> The 2021 IEPR provides information and policy recommendations on advancing a clean, reliable, and affordable energy system for all Californian.<sup>13</sup> Volume I of the 2021 IEPR addresses actions needed to reduce the GHG emissions related to the buildings in which California live and work, with an emphasis on energy efficiency; Volume II examines actions needed to increase the reliability and resiliency of California's energy system; Volume III looks at the evolving role of gas in California's energy system; and Volume IV reports on California's energy demand outlook, including a forecast to 2035 and long-term energy demand scenarios of 2050. The 2021 IEPR builds on the goals and

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<sup>12</sup> California Energy Commissions, *2021 Integrated Energy Policy Report*, <https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2021-integrated-energy-policy-report>, accessed January 4, 2023.

<sup>13</sup> California Energy Commissions, *Final 2021 Integrated Energy Policy Report Volume I Building Decarbonization*, February 2022.





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work in response to AB 758 (Energy: energy audit), SB 350 (Clean Energy and Pollution Reduction Act), AB 3232 (Zero-emissions buildings and sources of heat energy), and the 2019 IEPR to further a comprehensive approach toward decarbonizing buildings in a cost-effective and equitable manner. For the 2021 IEPR, the CEC extends the forecast timeframe to 15 years to coincide with several state goals that are planned for 2035 and improves methodologies to better quantify and predict the likelihood, severity, and duration of future extreme heat events.

**Local**

The City of Moreno Valley General Plan

The applicable energy plan for the proposed project is the City of Moreno Valley General Plan 2040 (General Plan), adopted on June 15, 2021. The applicable energy related goals and policies in the General Plan for the proposed project are shown below:

*Goal OSRC-3: Use energy and water wisely and promote reduced consumption.*

Policies:

- OSRC 3.1: Promote energy conservation throughout the community and encourage the use of renewable energy systems and technologies to supplement or replace traditional building energy systems.
- OSRC 3.5: Promote the retention and reuse of rainwater onsite and promote the use of rain barrels or other rainwater reuse systems throughout the community.
- OSRC 3.6: Encourage new development to incorporate as many water-wise practices as feasible in their design and construction.
- OSRC 3.8: Conserve water through the planting and maintenance of trees, which will provide for the capture of precipitation and runoff to recharge groundwater, in addition to providing shading for other landscaping to reduce irrigation requirements. Ensure that any ‘community greening’ projects utilize water-efficient landscape.

**CEQA GUIDELINES APPENDIX F**

CEQA Guidelines Appendix F is an advisory document that assists in determining whether a project will result in the inefficient, wasteful, and unnecessary consumption of energy. The analysis on Response 4.6(a) relies on Appendix F of the CEQA Guidelines, which includes the following criteria to determine whether this threshold of significance is met:

- Criterion 1: The project energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project including construction, operation, maintenance and/or removal. If appropriate, the energy intensiveness of materials maybe discussed.
- Criterion 2: The effects of the project on local and regional energy supplies and on requirements for additional capacity.
- Criterion 3: The effects of the project on peak and base period demands for electricity and other forms of energy.



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- Criterion 4: The degree to which the project complies with existing energy standards.
- Criterion 5: The effects of the project on energy resources.
- Criterion 6: The project’s projected transportation energy use requirements and its overall use of efficient transportation alternatives.

Quantification of the project’s energy usage is presented and addresses Criterion 1. The discussion on construction-related energy use focuses on Criteria 2, 4, and 5. The discussion on operational energy use is divided into transportation energy demand and building energy demand. The transportation energy demand analysis discusses Criteria 2, 4, and 6, and the building energy demand analysis discusses Criteria 2, 3, 4, and 5.

**a) *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?***

**Determination: Less Than Significant Impact.**

**PROJECT-RELATED SOURCES OF ENERGY CONSUMPTION**

This analysis focuses on three sources of energy that are relevant to the proposed project: electricity, natural gas, and transportation fuel for vehicle trips and off-road equipment associated with project construction and operations. The analysis of the operational electricity/natural gas usage is based on the California Emissions Estimator Model version 2020.4.0 (CalEEMod) modeling results for the project. The project’s estimated electricity/natural gas consumption is based primarily on CalEEMod’s default settings for Riverside County, and consumption factors provided by the Southern California Edison (SCE) and the Southern California Gas Company (SoCalGas), the electricity and natural gas providers for the City and project site. The results of the CalEEMod modeling are included in **Appendix 1, Air Quality, Energy and Greenhouse Gas Data**. The amount of operational fuel consumption was estimated using the California Air Resources Board’s (CARB) Emission FACtor 2021 (EMFAC2021) computer program which provides projections for typical daily fuel usage in Riverside County, and the project’s annual vehicle miles traveled (VMT) outputs from CalEEMod. The estimated construction fuel consumption is based on EMFAC2021 model and the project’s construction equipment list, timing/phasing, and house of duration for construction equipment, as well as vendor, hauling, and construction worker trips.

The project’s estimated energy consumption is summarized in **Table 4, Project and Countywide Energy Consumption**. As shown in **Table 4**, the project’s energy usage would constitute an approximate 0.0101 percent increase over Riverside County’s typical annual electricity consumption and an approximate 0.0462 percent increase over Riverside County’s typical annual natural gas consumption. The project’s construction and operational vehicle fuel consumption would increase Riverside County’s consumption by 0.2349 percent and 0.0267 percent, respectively (**Criterion 1**).



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Table 5: Project and Countywide Energy Consumption

Energy Type	Project Annual Energy Consumption <sup>1</sup>	Riverside County Annual Energy Consumption <sup>2</sup>	Percentage Increase Countywide <sup>2</sup>
Electricity Consumption	860 MWh	8,510,527 MWh	0.0101%
Natural Gas Consumption	30,550 therms	66,164,358 therms	0.0462%
Fuel Consumption			
• Construction Fuel Consumption <sup>3</sup>	86,425 gallons	36,798,212 gallons	0.2349%
• Operational Automotive Fuel Consumption <sup>3</sup>	189,360 gallons	710,266,011 gallons	0.0267%
<p>Notes:</p> <p>1. As modeled in CalEEMod version 2020.4.0.</p> <p>2. The project increases in electricity and natural gas consumption are compared to the total consumption in Riverside County in 2021. The project increases in construction and automotive fuel consumption are compared with the projected Countywide fuel consumption in 2023 and 2025, respectively.</p> <p>Riverside County electricity consumption data source: California Energy Commission, <i>Electricity Consumption by County</i>, <a href="http://www.ecdms.energy.ca.gov/elecbycounty.aspx">http://www.ecdms.energy.ca.gov/elecbycounty.aspx</a>, accessed January 4, 2023.</p> <p>Riverside County natural gas consumption data source: California Energy Commission, <i>Gas Consumption by County</i>, <a href="http://www.ecdms.energy.ca.gov/gasbycounty.aspx">http://www.ecdms.energy.ca.gov/gasbycounty.aspx</a>, accessed January 4, 2023.</p> <p>3. Project fuel consumption calculated based on CalEEMod results. Countywide fuel consumption is from the California Air Resources Board EMFAC2021 model.</p>			
Refer to <u>Appendix 1</u> for assumptions used in this analysis.			

CONSTRUCTION-RELATED ENERGY CONSUMPTION

During construction, the project would consume energy in two general forms: (1) the fuel energy consumed by construction vehicles and equipment; and (2) bound energy in construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass.

Fossil fuels used for construction vehicles and other energy-consuming equipment would be used during grading, paving, building construction, and architectural coatings. Fuel energy consumed during construction would be temporary and would not represent a significant demand on energy resources. In addition, some incidental energy conservation would occur during construction through compliance with State requirements that heavy-diesel equipment not in use for more than five minutes be turned off. Project construction equipment would also be required to comply with latest U.S. Environmental Protect Agency (EPA) and CARB engine emissions standards. These emissions standards require highly efficient combustion systems that maximize fuel efficiency and reduce unnecessary fuel consumption. Due to increasing transportation costs and fuel prices, contractors and owners have a strong financial incentive to avoid wasteful, inefficient, and unnecessary consumption of energy during construction (Criterion 4).

Substantial reduction in energy inputs for construction materials can be achieved by selecting green building materials composed of recycled materials that require less energy to produce than



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non-recycled materials.<sup>14</sup> The integration of green building materials can help reduce environmental impacts associated with the extraction, transport, processing, fabrication, installation, reuse, recycling, and disposal of these building industry source material.<sup>15</sup> The project-related incremental increase in the use of energy bound in construction materials such as asphalt, steel, concrete, pipes and manufactured or processed materials (e.g., lumber and gas) would not substantially increase demand for energy compared to overall local and regional demand for construction materials. As indicated in **Table 4**, the project’s fuel consumption from construction would be approximately 86,425 gallons, which would increase construction off-road fuel use in the County by approximately 0.2349 percent. As such, construction would have a nominal effect on the local and regional energy supplies (**Criterion 2**). It is noted that construction fuel use is temporary and would cease upon completion of construction activities. There are no unusual project characteristics that would necessitate the use of construction equipment that would be less energy efficient than at comparable construction sites in the region or State (**Criterion 5**). Therefore, construction fuel consumption would not be any more inefficient, wasteful, or unnecessary than other similar development projects of this nature. As such, a less than significant impact would occur in this regard.

#### OPERATIONAL ENERGY CONSUMPTION

##### Transportation Energy Demand

Pursuant to the Federal Energy Policy and Conservation Act of 1975, the National Highway Traffic and Safety Administration is responsible for establishing additional vehicle standards and for revising existing standards. Compliance with Federal fuel economy standards is not determined for each individual vehicle model. Rather, compliance is determined based on each manufacturer’s average fuel economy for the portion of their vehicles produced for sale in the United States. **Table 4** provides an estimate of the daily fuel consumed by vehicle traveling to and from the project site. Based on the *Moreno Valley TTM 38442 Residential Traffic Impact Analysis* (Transportation Analysis) developed by Translutions, Inc., dated August 5, 2022, the proposed project would generate approximately 1,019 average daily trips. As indicated in **Table 4**, project operational daily trips are estimated to consume approximately 189,360 gallons of fuel per year, which would increase the County’s automotive fuel consumption by 0.0267 percent. The project does not propose any unusual features that would result in excessive long-term operational fuel consumption (**Criterion 2**).

The key drivers of transportation-related fuel consumption are job locations/commuting distance and many personal choices on when and where to drive for various purposes. Those factors are outside of the scope of the design of the proposed project. However, the project would be located within half a mile of an existing bus stop, and provide bicycle parking spaces on-site, which would promote alternative modes of transportation (**Criterion 4** and **Criterion 6**).

Therefore, fuel consumption associated with vehicle trips generated by the project would not be

<sup>14</sup> California Department of Resources Recycling and Recovery, *Green Building Materials*, <https://www.calrecycle.ca.gov/greenbuilding/materials#Material>, accessed January 4, 2023.

<sup>15</sup> Ibid.



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considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region. A less than significant impact would occur in this regard.

##### **Building Energy Demand**

The CEC developed 2020 to 2035 forecasts for energy consumption and peak demand in support of the 2021 IEPR for each of the major electricity and natural gas planning areas and the State based on the economic and demographic growth projections.<sup>16</sup> CEC forecasts that the Statewide annual average growth rates of energy demand between 2021 and 2030 would be 1.3 percent to 2.3 percent for electricity and less than 0.1 percent to 0.8 percent increase for natural gas.<sup>17</sup> As shown in **Table 4**, operational energy consumption of the project would represent approximately 0.0101 percent increase in electricity consumption and 0.0462 percent increase in natural gas consumption over the current Countywide usage, which would be significantly below CEC's forecasts and the current Countywide usage. Therefore, the project would be consistent with the CEC's energy consumption forecasts. As such, the project would not require additional energy capacity or supplies (**Criterion 2**). Additionally, the proposed project would be a residential development and the energy consumption would peak in the evening, similar to other residential developments. As a result, the project would not result in unique or more intensive peak or base period electricity demand (**Criterion 3**).

The proposed residential building would be required to comply with 2022 Title 24 Building Energy Efficiency Standards, which provides minimum efficiency standards related to various building features, including appliances, space heating and cooling equipment, building insulation and roofing, and lighting. Implementation of the 2022 Title 24 standards significantly reduces energy usage. The Title 24 Building Energy Efficiency Standards are updated every three years and become more stringent between each update, as such, complying with the latest 2022 Title 24 standards would make the proposed project more energy efficient than existing buildings built under the earlier versions of the Title 24 standards. In addition, the project would use energy efficient appliances, which have been accounted for in **Table 4 (Criterion 4)**.

Furthermore, the electricity provider, SCE, is subject to California's Renewables Portfolio Standard (RPS). The RPS requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 33 percent of total procurement by 2020 to 60 percent of total procurement by 2030. Renewable energy is generally defined as energy that comes from resources which are naturally replenished within a human timescale such as sunlight, wind, tides, waves, and geothermal heat. The increase in reliance of such energy resources further ensures that new development projects will not result in the waste of the finite energy resources (**Criterion 5**).

Therefore, the project would not cause wasteful, inefficient, and unnecessary consumption of building energy during project operation, or preempt future energy development or future

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<sup>16</sup> California Energy Commission, *Final 2021 Integrated Energy Policy Report Volume IV California Energy Demand Forecast*, February 2022. Annual average growth rates of electricity demand and natural gas per capita demand are shown in Figure 10 and Figure 14, respectively.

<sup>17</sup> Ibid.



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energy conservation. A less than significant impact would occur in this regard.

**b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

**Determination: Less Than Significant Impact.**

The proposed project’s consistency with the applicable measures in the City’s General Plan for a new single-family home development are shown in *Table 5, Consistency with General Plan Policies*. Furthermore, the project would be required to comply with 2022 Title 24 standards and 2022 CALGreen Code. Therefore, by complying with General Plan goals and policies, the project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency and impacts will be less than significant.

**Table 6: Project Consistency with General Plan Policies**

Goals and Policies	Project Consistency Analysis
<b>Goal OSRC-3: Use energy and water wisely and promote reduced consumption.</b>	
OSRC 3.1: Promote energy conservation throughout the community and encourage the use of renewable energy systems and technologies to supplement or replace traditional building energy systems.	<b>Consistent.</b> The project would be required to comply with 2022 Title 24 standards and 2022 CALGreen Code. Further, in compliance with CALGreen Code, all single-family residential units of the project would install solar ready roofs and be electric vehicle (EV) charging capable by including a listed raceway within each dwelling unit to accommodate EV charging stations. As such, the project would be consistent with this measure.
OSRC 3.5: Promote the retention and reuse of rainwater onsite and promote the use of rain barrels or other rainwater reuse systems throughout the community.	<b>Consistent.</b> The project would provide approximately 0.52 acre of water detention basin and storm drainage system, which would provide rainwater retention. As such, the project would be consistent with this measure.
OSRC 3.6: Encourage new development to incorporate as many water-wise practices as feasible in their design and construction.	<b>Consistent.</b> As previously stated, the project would install low-flow water features, water-efficient irrigation, and drought-tolerant landscaping. As such, the project would the retain and reuse of rainwater throughout the community and would be consistent with this measure.
OSRC 3.8: Conserve water through the planting and maintenance of trees, which will provide for the capture of precipitation and runoff to recharge groundwater, in addition to providing shading for other landscaping to reduce irrigation requirements. Ensure that any ‘community greening’ projects utilize water-efficient landscape.	<b>Consistent.</b> The project would provide approximately 1.38 acre of park use and approximately 0.52 acre of water basin. As a result, the project would conserve water through the planting and maintenance of trees, which will help in the capture of precipitation and runoff to recharge groundwater. Furthermore, the project would use water efficient irrigation, and drought-tolerant landscaping. As such, the project would be consistent with this measure.

Source: City of Moreno Valley General Plan. June 15, 2021.

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



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IV. ENVIRONMENTAL ANALYSIS

**MITIGATION MEASURES**

None required.

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



IV. ENVIRONMENTAL ANALYSIS

4.7 GEOLOGY AND SOILS

Would the proposed project:		Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map, issued by the State Geologist for the area or based on other substantial evidence of a known fault?			X	
ii)	Strong seismic ground shaking?			X	
iii)	Seismic-related ground failure, including liquefaction?			X	
iv)	Landslides?				X
b)	Result in substantial soil erosion or the loss of topsoil?			X	
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?			X	
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		

The analysis and findings throughout this section are based on the *Design-Level Geotechnical Exploration Proposed 50-Acre Residential Development South of Cottonwood Avenue, North of Alessandro Boulevard Moreno Valley, California* (Geotechnical Evaluation), prepared by Leighton and Associates, Inc., dated May 19, 2022, and provided as **Appendix 4** of this IS/MND.





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#### IV. ENVIRONMENTAL ANALYSIS

##### DISCUSSION

7(a) *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*

- i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map, issued by the State Geologist for the area or based on other substantial evidence of a known fault?*

**Determination: Less Than Significant Impact.**

According to the Geotechnical Evaluation, there are no known active faults traversing the site. The project site is also not located in an Earthquake Fault Zone as mapped by the California Geological Survey.<sup>18</sup> The closest mapped active fault that could affect the project site is the Claremont fault, which is located approximately 2.9 miles to the northeast. Therefore, the potential for fault rupture at the site is considered low. Although no active faults traverse the project site, as a condition of issuance of building and grading permits, the project would be required to comply with the requirements of the Alquist-Priolo Earthquake Fault Zoning Act, as well as with the 2022 California Building Code (CBC), which includes specific design measures intended to maximize structural stability in the event of an earthquake. Construction of the project would also be required to comply with current seismic design parameters and all other recommendations as contained in the Geotechnical Evaluation to ensure structural integrity in the event of an earthquake. Impacts would be less than significant.

- ii) *Strong seismic ground shaking?*

**Determination: Less Than Significant Impact.**

The project site is located in seismically active Southern California with numerous fault systems in the region. As such, it should be anticipated that the project site will experience moderate to strong ground shaking in the near future. However, as a condition of issuance of grading and building permits, the project would be required to comply with current CBC seismic design parameters and all other recommendations as contained in the Geotechnical Evaluation. Compliance with these parameters would require proposed residential homes to be designed and constructed to withstand expected seismic activity and associated potential hazards, thereby minimizing risk to the public and property. The project would be designed and developed consistent with the CBC and standard engineering practices and reviewed in conjunction with the City Engineer. Therefore, impacts would be less than significant.

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<sup>18</sup> California Geological Survey *Earthquake Zones of Required Investigation* interactive web map, <https://maps.conservation.ca.gov/cgs/EQZApp/> accessed January 23, 2023.



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#### IV. ENVIRONMENTAL ANALYSIS

##### *iii) Seismic-related ground failure, including liquefaction?*

##### **Determination: Less Than Significant Impact.**

##### Liquefaction

Liquefaction is the loss of soil strength or stiffness due to a buildup of pore-water pressure during severe ground shaking. Liquefaction is associated primarily with loose (low density), saturated, fine-to-medium grained, cohesionless soils. As the shaking action of an earthquake progresses, the soil grains are rearranged, and the soil densifies within a short period of time. Rapid densification of the soil results in a buildup of pore-water pressure. When the pore-water pressure approaches the total overburden pressure, the soil reduces greatly in strength and temporarily behaves similarly to a fluid. Effects of liquefaction can include sand boils, settlement, and bearing capacity failures below structural foundations.

Groundwater was not encountered within the exploratory borings performed for the Geotechnical Evaluation at a depth of 51.5 feet below ground surface (bgs). According to published groundwater studies encompassing the project site area, the depth to groundwater beneath the site in circa 1971 was approximately 190 feet bgs.

Based on the Geotechnical Evaluation, the site's near surface soils consist of silty sand of low plasticity. The southern areas of the site correspond to mapped areas of Quaternary Young Alluvial Fan deposits. This unit is defined as having a moderate susceptibility to liquefaction. These younger alluvial fan deposits are underlain by Pleistocene age very old fan deposits that are generally not susceptible to liquefaction. Given an absence of groundwater encountered beneath the site at or above a depth of 50 feet bgs, the potential constraint to the proposed development due to liquefaction and related seismic-induced settlement is considered very low. In addition, the Riverside County "Map My County" interactive mapping website has mapped portions of the site as having a low liquefaction potential and portions of the site as having a moderate liquefaction potential.<sup>19</sup> The State of California has not prepared liquefaction hazard maps for this area.

During a strong seismic event, and in the absence of groundwater, seismically induced settlement can still occur within loose to medium dense and dry or moist granular soils. Settlement caused by ground shaking is often non-uniformly distributed, which can result in differential settlement. Based on the design earthquake and a Peak Ground Acceleration (PGA) of 0.89g, the magnitude of dynamic dry settlement is estimated to be on the order of approximately 4.0 inches, assuming remedial grading is performed in compliance with the Geotechnical Evaluation. Given the similar lithology of the onsite soil units and implementation of proposed remedial grading, anticipated dynamic settlement is expected to occur over a widespread area of the site. As such, the differential settlement is not expected to exceed 1-inch in a 30-foot horizontal distance.

Therefore, impacts relative to seismic-related ground failure including liquefaction would be less than significant.

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<sup>19</sup> Riverside County Map My County interactive mapping website; accessed January 23, 2023; [https://gis1.countyofriverside.us/Html5Viewer/index.html?viewer=MMC\\_Public](https://gis1.countyofriverside.us/Html5Viewer/index.html?viewer=MMC_Public)



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##### *iv) Landslides?*

##### **Determination: No Impact.**

The proposed project is not expected to expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death from landslides. Although the project site is in an area of high seismic activity, because of the relatively flat terrain on the site and the surrounding properties, the site is at little risk for landslides. No impact would occur.

##### *7(b) Result in substantial soil erosion or the loss of topsoil?*

##### **Determination: Less Than Significant Impact.**

Proposed construction activities would include clearing the site of debris and/or vegetation, soil excavation, grading, asphalt paving, residential home building construction, and landscaping. Such activities would disturb site soils, exposing them to the erosive effects of wind and water. However, all construction activities related to the proposed project would be subject to implementation of BMPs for erosion control, as required under National Pollutant Discharge Elimination System (NPDES) regulations pursuant to the federal Clean Water Act. NPDES requirements for construction projects of one acre or more in area are set forth in the Construction General Permit issued by the State Water Resources Control Board (State Water Board Order No. 2009-0009-DWQ). Furthermore, the project's land clearing, grading, and construction activities would be required to comply with SCAQMD Rules 403 and 403.2 regulating fugitive dust emissions, thus minimizing wind erosion from such ground-disturbing activities. Therefore, the proposed project would not generate substantial erosion. Soil erosion impacts would be less than significant.

##### *7(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?*

##### **Determination: Less Than Significant Impact.**

Refer to Discussion 7a)iii and 7a)iv, above. Based on the low liquefaction and landslide potential, depth to groundwater, and flat topography, the project site is not considered to be located on a geologic unit or soil that is unstable or could become unstable as a result of the project. A less than significant impact would occur.

##### *7(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?*

##### **Determination: Less Than Significant Impact.**

Expansion Index (EI) testing performed on representative samples collected from the project site and has indicated that the site near surface soils consist of silty sand of low plasticity and are expected to possess very low expansion potential (EI<21). The expansion potential of the very old alluvial fan deposits may be higher where containing locally greater concentrations of clay (EI<51). The Geotechnical Evaluation recommended that foundation elements for the proposed residential homes be composed of entirely engineered fill soils and should be designed in



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accordance with the CBC. Therefore, with the project conditioned to adhere to this recommendation, impacts in regard to expansive soils would be reduced to less than significant.

7(e) *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

**Determination: No Impact.**

The proposed project would be served by the municipal sewer system of the Eastern Municipal Water District (EMWD) and would therefore have no need for a septic system or other alternative wastewater disposal system. There would be no impact.

7(f) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

**Determination: Less Than Significant Impact With Mitigation Incorporated.**

The project is underlain by Young alluvial fan deposits (Qyf) and Very old alluvial fan deposits (Qvof). Young alluvial fan deposits, from the late Pleistocene (129,000 years ago to 11,700 years ago) and Holocene (11,700 years ago to present) epochs are predominantly composed of gray sand, cobble, and gravel deposits derived from sedimentary sources. In eastern Moreno Valley, where the project is located, these deposits are well developed and consist mostly of sand and gravel-sand. Very old alluvial fan deposits from the early Pleistocene (2.5 million years ago to 773,000 years ago) consist of well-dissected, well-indurated, reddish-brown sand deposits, containing minor gravel.

According to the Paleontological Resources portion of the Cultural Resources Assessment that was prepared for the project, a paleontology collection records search was conducted for locality and specimen data on October 13, 2022. The records search did not find previously known fossil localities within the project area. However, multiple localities were identified bearing vertebrate fossils within 1.5 miles of the project area from similar sedimentary deposits as found on the project area, including Pleistocene fossil specimens associated with ancient horse (*Equus* sp.) and giant ground sloth (*Megalonyx jeffersoni*). Additionally, Pleistocene units in the region are known to contain Pacific mastodon (*Mammuthus pacificus*), Columbian mammoth (*Mammuthus columbi*), ancient bison (*Bison* sp.), and many others. Supplemental searches were also conducted with a 5-mile search radius of the project area, which identified two additional localities that have been reported within five miles of the project site.

Paleontological records search and fossil locality searches indicate that potentially fossil-bearing units are present in the project area since the same Pleistocene-age deposits outside of the project area have contained fossils. The Holocene-age deposits in the project area have a low sensitivity, but Pleistocene-age alluvial sediments may underlie these younger sediments at a relatively shallow depth. Per mitigation impact guidelines set forth by the Society of Vertebrate Paleontology, due to the fossil sensitivity of the rock formations present within the project area (paralic deposits of middle to late Pleistocene), the project area has a high potential to disturb paleontological resources within undisturbed bedrock. Therefore, full-time paleontological monitoring would be required during ground disturbing activities, as described in **Mitigation**



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**Measure GEO-1.** With implementation of **Mitigation Measure GEO-1**, potential impacts to undiscovered paleontological resources would be reduced to a less than significant level.

#### MITIGATION MEASURES

**GEO-1** Full-time paleontological monitoring shall be conducted during ground disturbance in undisturbed geologic contexts (i.e., bedrock and outcrops below existing asphalt and base) which have the potential to contain significant paleontological resources. Ground disturbance refers to activities that impact subsurface geologic deposits, such as grading, excavation, boring, etc. Activities taking place in current topsoil or within previously disturbed fill sediments, e.g., clearing, grubbing, pavement rehabilitation, do not require paleontological monitoring. Bedrock can occur at varying depths depending on the portion of the project area.

Prior to grading or excavation in sedimentary rock material other than topsoil, the applicant shall retain a Society of Vertebrate Paleontology (SVP) qualified paleontologist. The qualified paleontologist shall monitor, or supervise the monitoring being performed by a paleontological monitor, of earth-moving activities. If any paleontological resources are discovered at the project area during construction or during any ground-disturbance activities at any depth, the paleontological monitor, in discussion with the qualified paleontologist, shall notify the on-site construction supervisor, who shall temporarily halt work or redirect all such activities within 100 feet of the discovery.

At this time, the Project Applicant shall consult with the qualified paleontologist to assess the significance of the find to determine the appropriate treatment. The assessment shall follow SVP (2010) standards for identification, evaluation, disclosure, avoidance, recovery, and/or curation, as appropriate. If any find is determined to be significant, appropriate avoidance measures recommended by the qualified paleontologist shall be followed unless avoidance is determined to be unnecessary or infeasible. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. The recommendations of the qualified paleontologist shall be implemented with respect to the evaluation and recovery of fossils, after which the on-site construction supervisor shall be notified and shall direct work to continue in the location of the fossil discovery. Any fossils recovered during mitigation shall be cleaned, identified, catalogued, and permanently curated with an accredited and permanent scientific institution with a research interest in the materials.

If no fossils have been recovered after 50 percent of excavation has been completed, full-time monitoring may be modified to weekly spot-check monitoring at the discretion of the qualified paleontologist. The qualified paleontologist may recommend to the client to reduce paleontological monitoring based on observations of specific site conditions during initial monitoring (e.g., if the geologic setting precludes the occurrence of fossils). The recommendation to reduce or discontinue paleontological monitoring in the project area shall be based on the professional



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opinion of the qualified paleontologist regarding the potential for fossils to be present after a reasonable extent of the geology and stratigraphy has been evaluated.

A qualified professional paleontologist is a professional with a graduate degree in paleontology, geology, or related field, with demonstrated experience in the vertebrate, invertebrate, or botanical paleontology of California, as well as at least one year of full-time professional experience or equivalent specialized training in paleontological research (i.e., the identification of fossil deposits, application of paleontological field and laboratory procedures and techniques, and curation of fossil specimens), and at least four months of supervised field and analytic experience in general North American paleontology.

#### SIGNIFICANCE OF IMPACT AFTER MITIGATION

With implementation of **Mitigation Measure GEO-1**, as well as adherence to the standard conditions and requirements, potential impacts regarding geology and soils would be reduced to a less than significant level.



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4.8 GREENHOUSE GAS EMISSIONS

Would the proposed project:		Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b)	Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

DISCUSSION

The analysis and findings throughout this section are based on the *Air Quality, Energy and Greenhouse Gas Emissions Impact Modeling Data* (Air Quality, Energy and Greenhouse Gas Data) prepared by Michael Baker International, dated January 11, 2023, provided as **Appendix 1** of this IS/MND.

Background

Global Climate Change

California is a substantial contributor of global greenhouse gases (GHGs), emitting over 431 million tons of carbon dioxide (CO<sub>2</sub>) per year.<sup>20</sup> Climate studies indicate that California is likely to see an increase of three to four degrees Fahrenheit over the next century. Methane (CH<sub>4</sub>) is also an important GHG that potentially contributes to global climate change. GHGs are global in their effect, which is to increase the earth’s ability to absorb heat in the atmosphere. As primary GHGs have a long lifetime in the atmosphere, accumulate over time, and are generally well-mixed, their impact on the atmosphere is mostly independent of the point of emission.

The impact of human activities on global climate change is apparent in the observational record. Air trapped by ice has been extracted from core samples taken from polar ice sheets to determine the global atmospheric variation of CO<sub>2</sub>, CH<sub>4</sub>, and nitrous oxide (N<sub>2</sub>O) from before the start of industrialization (approximately 1750), to over 650,000 years ago. For that period, it was found that CO<sub>2</sub> concentrations ranged from 180 to 300 parts per million (ppm). For the period from approximately 1750 to the present, global CO<sub>2</sub> concentrations increased from a pre-industrialization period concentration of 280 to 379 ppm in 2005, with the 2005 value far exceeding the upper end of the pre-industrial period range. As of January 2023, the highest

<sup>20</sup> California Environmental Protection Agency, *California Greenhouse Gas Emissions for 2000 to 2020*, [https://ww2.arb.ca.gov/sites/default/files/classic/cc/inventory/2000-2020\\_ghg\\_inventory\\_trends.pdf](https://ww2.arb.ca.gov/sites/default/files/classic/cc/inventory/2000-2020_ghg_inventory_trends.pdf), accessed January 3, 2023



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monthly average concentration of CO<sub>2</sub> in the atmosphere was recorded at 419 ppm.<sup>21</sup>

The Intergovernmental Panel on Climate Change (IPCC) constructed several emission trajectories of GHGs needed to stabilize global temperatures and climate change impacts. It concluded that a stabilization of GHGs at 400 to 450 ppm carbon dioxide equivalent (CO<sub>2</sub>e)<sup>22</sup> concentration is required to keep global mean warming below 2 degrees Celsius (°C), which in turn is assumed to be necessary to avoid dangerous climate change.

**Regulatory Framework**

Various Statewide and local initiatives to reduce the State’s contribution to GHG emissions have raised awareness that, even though the various contributors to and consequences of global climate change are not yet fully understood, global climate change is under way, and there is a real potential for severe adverse environmental, social, and economic effects in the long term. Every nation emits GHGs and as a result makes an incremental cumulative contribution to global climate change; therefore, global cooperation is necessary to reduce the rate of GHG emissions enough to slow or stop the human-caused increase in average global temperatures and associated changes in climatic conditions.

**State**

Assembly Bill 32 (California Global Warming Solutions Act of 2006)

California passed the California Global Warming Solutions Act of 2006 (AB 32; California Health and Safety Code Division 25.5, Sections 38500-38599). AB 32 establishes regulatory, reporting, and market mechanisms to achieve quantifiable reductions in GHG emissions and establishes a cap on Statewide GHG emissions. AB 32 requires that Statewide GHG emissions be reduced to 1990 levels by 2020. AB 32 specifies that regulations adopted in response to AB 1493 (Pavley Bill) should be used to address GHG emissions from vehicles. However, AB 32 also includes language stating that if the AB 1493 regulations cannot be implemented, then the California Air Resources Board (CARB) should develop new regulations to control vehicle GHG emissions under the authorization of AB 32.

Senate Bill 375

Senate Bill (SB) 375, signed in September 2008 (Chapter 728, Statutes of 2008), aligns regional transportation planning efforts, regional GHG reduction targets, and land use and housing allocations. SB 375 requires Metropolitan Planning Organizations (MPOs) to adopt a sustainable communities’ strategy (SCS) or alternative planning strategy (APS) that will prescribe land use allocation in that MPOs regional transportation plan. CARB, in consultation with MPOs, is required to provide each affected region with GHG reduction targets emitted by passenger cars and light trucks in the region for the years 2020 and 2035. These reduction targets are to be

<sup>21</sup> Scripps Institution of Oceanography, Carbon Dioxide Concentration at Mauna Loa Observatory <https://scripps.ucsd.edu/programs/keelingcurve/> accessed January 3, 2023

<sup>22</sup> Carbon Dioxide Equivalent (CO<sub>2</sub>e) – A metric measure used to compare the emissions from various greenhouse gases based upon their global warming potential.





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updated every eight years but can be updated every four years if advancements in emissions technologies affect the reduction strategies to achieve the targets. CARB is also charged with reviewing each MPO's SCS or APS for consistency with its assigned targets. If MPOs do not meet the GHG reduction targets, transportation projects may not be eligible for funding.

##### Executive Order S-3-05

Executive Order S-3-05 set forth a series of target dates by which Statewide emissions of GHGs would be progressively reduced, as follows:

- By 2010, reduce GHG emissions to 2000 levels;
- By 2020, reduce GHG emissions to 1990 levels; and
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

The Executive Order directed the California Environmental Protection Agency (Cal/EPA) Secretary to coordinate a multi-agency effort to reduce GHG emissions to the target levels. The Secretary is required to submit biannual reports to the Governor and California Legislature describing the progress made toward the emissions targets, the impacts of global climate change on California's resources, and mitigation and adaptation plans to combat these impacts. To comply with Executive Order S-3-05, the Cal/EPA Secretary created the California Climate Action Team, made up of members from various State agencies and commissions. The Climate Action Team released its first report in March 2006, which proposed to achieve the targets by building on the voluntary actions of California businesses, local governments, and communities and through State incentive and regulatory programs.

##### Title 24, Part 6

The California Energy Efficiency Standards for Residential and Nonresidential Buildings, Title 24, Part 6 of the California Code of Regulations (CCR) and commonly referred to as "Title 24," were established in 1978 in response to a legislative mandate to reduce California's energy consumption. Part 6 of Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The 2022 Title 24 standards was adopted in August 2021. The 2022 Title 24 standards encourage efficient electric heat pumps, establish electric-ready requirements for new homes, expand solar photovoltaic and battery storage standards, strengthen ventilation standards, and more. Buildings whose permit applications are applied for on or after January 1, 2023, would be required to comply with the 2022 Title 24.

##### Title 24, Part 11

The California Green Building Standards Code (CCR Title 24, Part 11), commonly referred to as CALGreen, is a Statewide mandatory construction code developed and adopted by the California Building Standards Commission and the Department of Housing and Community Development. CALGreen also provides voluntary tiers and measures that local governments may adopt that encourage or require additional measures in five green building topical areas. The current version of the CALGreen Code went into effect on January 1, 2023. Buildings whose permit applications



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are applied for on or after January 1, 2023, would be required to comply with the 2022 CALGreen Code.

##### Senate Bill 32

Signed into law on September 2016, SB 32 codifies the 2030 GHG reduction target in Executive Order B-30-15 (40 percent below 1990 levels by 2030). SB 32 authorizes CARB to adopt an interim GHG emissions level target to be achieved by 2030. CARB also must adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective GHG reductions.

##### CARB Scoping Plan

On December 11, 2008, CARB adopted its Scoping Plan, which functions as a roadmap to achieve the California GHG reductions required by AB 32 through subsequently enacted regulations. CARB's Scoping Plan contains the main strategies California would implement to reduce the projected 2020 "Business-as-Usual" (BAU) emissions to 1990 levels, as required by AB 32. These strategies are intended to reduce carbon dioxide equivalent (CO<sub>2</sub>e) emissions by 174 million metric tons. This reduction of 42 million metric tons carbon dioxide equivalent (MTCO<sub>2</sub>e), or almost ten percent from 2002 to 2004 average emissions, would be required despite the population and economic growth forecasted through 2020. CARB's Scoping Plan calculates 2020 BAU emissions as those expected to occur in the absence of any GHG reduction measures. The 2020 BAU emissions estimate was derived by projecting emissions from a past baseline year using growth factors specific to each of the different economic sectors (e.g., transportation, commercial and residential, industrial, etc.). CARB used three-year average emissions, by sector, for 2002 to 2004 to forecast emissions to 2020. When CARB's Scoping Plan process was initiated, 2004 was the most recent year for which actual data was available. The measures described in CARB's Scoping Plan are intended to reduce the projected 2020 BAU to 1990 levels, as required by AB 32.

AB 32 requires CARB to update the Scoping Plan at least once every five years. CARB adopted the first major update to the Scoping Plan on May 22, 2014. The updated Scoping Plan identifies the actions California has already taken to reduce GHG emissions and focuses on areas where further reductions could be achieved to help meet the 2020 target established by AB 32. The Scoping Plan update also looks beyond 2020 toward the 2050 goal, established in Executive Order S-3-05, and observes that "a mid-term Statewide emission limit will ensure that the State stays on course to meet our long-term goal." On January 20, 2017, CARB released the proposed Second Update to the Scoping Plan, which identifies the State's post-2020 reduction strategy. The Second Update reflects the 2030 target of a 40 percent reduction below 1990 levels, set by Executive Order B-30-15 and codified by SB 32. The 2017 Scoping Plan Update establishes a new Statewide emissions limit of 260 million MTCO<sub>2</sub>e for the year 2030, which corresponds to a 40 percent decrease in 1990 levels by 2030.

On December 15, 2022, CARB released the *2022 Scoping Plan for Achieving Carbon Neutrality* (2022 Scoping Plan), which identifies the strategies achieving carbon neutrality by 2045 or earlier. The 2022 Scoping Plan contains the GHG reductions, technology, and clean energy mandated by statutes. The 2022 Scoping Plan was developed to achieve carbon neutrality by 2045 through a



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substantial reduction in fossil fuel dependence, while at the same time increasing deployment of efficient non-combustion technologies and distribution of clean energy. The plan would also reduce emissions of short-lived climate pollutants (SLCPs) and would include mechanical CO<sub>2</sub> capture and sequestration actions, as well as emissions and sequestration from natural and working lands and nature-based strategies. Under 2022 Scoping Plan, by 2045, California aims to cut GHG emissions by 85 percent below 1990 levels, reduce smog-forming air pollution by 71 percent, reduce the demand for liquid petroleum by 94 percent compared to current usage, improve health and welfare, and create millions of new jobs. This plan also builds upon current and previous environmental justice efforts to integrate environmental justice directly into the plan, to ensure that all communities can reap the benefits of this transformational plan.

### Regional

#### Southern California Association of Governments

On September 3, 2020, the Regional Council of SCAG formally adopted *the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments – Connect SoCal (2020–2045 RTP/SCS)*. The SCS portion of the 2020-2045 RTP/SCS highlights strategies for the region to reach the regional target of reducing GHGs from autos and light-duty trucks by 8 percent per capita by 2020, and 19 percent by 2035 (compared to 2005 levels). Specially, these strategies are:

- Focus growth near destinations and mobility options;
- Promote diverse housing choices;
- Leverage technology innovations;
- Support implementation of sustainability policies; and
- Promote a green region.

Furthermore, the 2020-2045 RTP/SCS discusses a variety of land use tools to help achieve the state-mandated reductions in GHG emissions through reduced per capita vehicle miles traveled (VMT). Some of these tools include center focused placemaking, focusing on priority growth areas, job centers, transit priority areas, as well as high quality transit areas and green regions.

### Local

#### City of Moreno Valley Climate Action Plan

The City of Moreno Valley *Climate Action Plan (CAP)* was adopted on June 15, 2021. The CAP addresses the SB 32 target that recommends local governments achieving the target of 6.0 MTCO<sub>2</sub>e per capita per year by 2030 and 2.0 MTCO<sub>2</sub>e per capita per year by 2050 in their CAPs. The CAP has adopted a proposed target of 4.0 MTCO<sub>2</sub>e per capita per year by 2040, which was determined using a linear trajectory in emissions reduction between 2030 and 2050. GHG emissions associated with the proposed project would be less than significant if the project would generate emissions below the per capita target and is consistent with the CAP policies.



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### Transportation Measures

Transportation was found to be the largest contributor to GHG emissions. The following transportation measure is applicable to the project:

TR-5: Implement trip reduction programs in new residential, commercial, and mixed-use developments.

### Residential Measures

The residential strategies identify opportunities to reduce residential emissions through energy-efficient improvements, energy audits, and citywide programs. The following residential measure is applicable to the project:

R-2: Require new construction and major remodels to install interior real-time energy smart meters in line with current utility provider (e.g., Moreno Valley Utility, SCE) efforts.

### Off-Road Equipment

The following strategies target opportunities to minimize emissions from construction and landscaping equipment, with the added benefit of improving air quality and public health:

OR-1: Encourage residents and businesses to use efficient lawn and garden maintenance equipment or to reduce the need for landscape maintenance through native planting.

- Partner with the SCAQMD to establish a voluntary exchange program for residential electric lawnmowers and backpack-style leaf blowers.
- Require new buildings to provide electrical outlets in an accessible location to facilitate use of electric-powered lawn and garden equipment.
- In project review, encourage the replacement of high maintenance landscapes (like grass turf) with native vegetation to reduce the need for gas-powered lawn and garden equipment.

OR-2: Reduce emissions from heavy-duty construction equipment by limiting idling based on South Coast Air Quality Management District (SCAQMD) requirements and utilizing cleaner fuels, equipment, and vehicles.

- Require provision of clear signage reminding construction workers to limit idling.
- Require project applicants to limit GHG emissions through one or more of the following measures: substitute electrified or hybrid equipment for diesel/gas powered, use alternative-fueled equipment on site, avoid use of on-site generators.

### **Threshold of Significance**

Amendments to CEQA Guidelines Section 15064.4 were adopted to assist lead agencies in determining the significance of the impacts of GHG emissions and gives lead agencies the discretion to determine whether to assess those emissions quantitatively or qualitatively. This section recommends certain factors to be considered in the determination of significance (i.e., the extent to which a project may increase or reduce GHG emissions compared to the existing environment; whether the project exceeds an applicable significance threshold; and the extent



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to which the project complies with regulations or requirements adopted to implement a plan for the reduction or mitigation of GHGs). The amendments do not establish a threshold of significance; rather, lead agencies are granted discretion to establish significance thresholds for their respective jurisdictions, including looking to thresholds developed by other public agencies or suggested by other experts, such as the California Air Pollution Control Officers Association (CAPCOA), so long as any threshold chosen is supported by substantial evidence (CEQA Guidelines Section 15064.7(c)). The California Natural Resources Agency has also clarified that the CEQA Guidelines amendments focus on the effects of GHG emissions as cumulative impacts, and therefore GHG emissions should be analyzed in the content of CEQA’s requirements for cumulative impact analyses (CEQA Guidelines Section 15064(h)(3)).<sup>23,24</sup> A project’s incremental contribution to a cumulative impact can be found not cumulatively considerable if the project would comply with an approved plan or mitigation program that provides specific requirements to avoid or substantially lessen the cumulative problem within the geographic area of the project.<sup>25</sup>

The CAP reflects guidelines established in the 2017 Scoping Plan prepared by the CARB. The 2017 Scoping Plan, designed to implement the State’s not-to-exceed GHG emission targets set in EO S-3-15 and SB 32, recommends that local governments target 6.0 MTCO<sub>2</sub>e per capita per year in 2030 and 2.0 MTCO<sub>2</sub>e per capita per year in 2050 in their CAPs. The proposed 2040 target of 4.0 MTCO<sub>2</sub>e per capita per year is determined using a linear trajectory in emissions reduction between 2030 and 2050. Furthermore, the methodology for evaluating the project’s impacts related to GHG emissions also focuses on its consistency with Statewide, regional, and local plans adopted for the purpose of reducing and/or mitigating GHG emissions.

**a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

**Determination: Less Than Significant Impact.**

**Project-Related Sources of Greenhouse Gases**

Project-related GHG emissions include emissions from direct and indirect sources. Project implementation would result in direct and indirect emissions of CO<sub>2</sub>, N<sub>2</sub>O, and CH<sub>4</sub>, and would not result in other GHGs that would facilitate a meaningful analysis. Therefore, this analysis focuses on these three forms of GHG emissions. Direct project-related GHG emissions include emissions from construction activities, area sources, and mobile sources, while indirect sources include emissions from energy consumption, water demand, and solid waste generation. CalEEMod version 2020.4.0 was used to calculate direct and indirect project-related GHG emissions. The project proposes to construct a 108-unit single-family housing development with park use. Based on the City’s average household size of 3.70, the 108 units would introduce up

<sup>23</sup> California Natural Resources Agency, *Final Statement of Reasons for Regulatory Action*, pp. 11-13, 14, 16, December 2009, [https://resources.ca.gov/CNRALegacyFiles/ceqa/docs/Final\\_Statement\\_of\\_Reasons.pdf](https://resources.ca.gov/CNRALegacyFiles/ceqa/docs/Final_Statement_of_Reasons.pdf), accessed September 22, 2022.

<sup>24</sup> State of California Governor’s Office of Planning and Research, *Transmittal of the Governor’s Office of Planning and Research’s Proposed SB97 CEQA Guidelines Amendments to the Natural Resources Agency*, April 13, 2009, <https://planning.lacity.org/eir/CrossroadsHwd/deir/files/references/C01.pdf>, accessed September 22, 2022.

<sup>25</sup> California Code of Regulations Section 15064(h)(3).



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to 400 additional residents within the City. **Table 6, Estimated Greenhouse Gas Emissions**, presents the estimated CO<sub>2</sub>, N<sub>2</sub>O, and CH<sub>4</sub> emissions associated with the proposed project; refer to **Appendix 1, Air Quality, Energy and Greenhouse Gas Data**, for CalEEMod outputs.

**Table 7: Estimated Greenhouse Gas Emissions**

Source	CO <sub>2</sub>	CH <sub>4</sub>		N <sub>2</sub> O		Total Metric Tons of CO <sub>2</sub> e <sup>2,3</sup>
	Metric tons/year <sup>1</sup>	Metric tons/year <sup>1</sup>	Metric tons of CO <sub>2</sub> e <sup>1,3</sup>	Metric tons/year <sup>1</sup>	Metric tons of CO <sub>2</sub> e <sup>1,3</sup>	
<b>Direct Emissions</b>						
Construction (amortized over 30 years) <sup>4</sup>	46.53	0.01	0.25	<0.01	0.23	47.01
Area Source	27.75	<0.01	0.06	<0.01	0.14	27.95
Mobile Source	1,060.77	0.05	1.30	0.05	15.50	1,077.63
<i>Total Direct Emissions</i>	<i>1,135.05</i>	<i>0.06</i>	<i>1.61</i>	<i>0.05</i>	<i>15.87</i>	<i>1,152.59</i>
<b>Indirect Emissions</b>						
Energy Consumption	315.88	0.02	0.40	<0.01	1.40	317.33
Solid Waste	6.44	0.38	9.80	0.00	0.00	15.94
Water Demand	30.46	0.23	5.80	<0.01	1.70	37.95
<i>Total Indirect Emissions</i>	<i>352.78</i>	<i>0.63</i>	<i>16.00</i>	<i>&lt;0.01</i>	<i>3.10</i>	<i>371.23</i>
<i>Total Project-Related Emissions<sup>3</sup></i>	<i>1,523.82 MTCO<sub>2</sub>e/year</i>					
<b>Total Project-Related Emissions per capita</b>	<b>3.80 MTCO<sub>2</sub>e/year per capita</b>					
<i>Moreno Valley CAP 2040 CAP Target</i>	<i>4.0 MTCO<sub>2</sub>e/year per capita</i>					
<b>Exceeds Threshold?</b>	<b>No</b>					
Notes: Carbon dioxide equivalent = CO <sub>2</sub> e; metric tons of carbon dioxide equivalent per year = MTCO <sub>2</sub> e per year 1. Project emissions were calculated using CalEEMod version 2020.4.0, as recommended by the SCAQMD. 2. Totals may be slightly off due to rounding. 3. Carbon dioxide equivalent values calculated using the U.S. Environmental Protection Agency Website, <i>Greenhouse Gas Equivalencies Calculator</i> , <a href="http://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator">http://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator</a> , accessed January 3, 2023. 4. Total project construction GHG emissions equate to 1,410.43 MTCO <sub>2</sub> e. Value shown is amortized over the lifetime of the project (assumed to be 30 years).						
Refer to <u>Appendix 1</u> , for detailed model input/output data.						

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**Direct Project-Related Sources of Greenhouse Gases**

Construction Emissions. Construction GHG emissions are typically summed and amortized over the lifetime of the project (assumed to be 30 years), then added to the operational emissions.<sup>26</sup> As shown in **Table 6**, the proposed project would result in 47.01 MTCO<sub>2</sub>e per year when amortized over 30 years (or a total of 1,410.43 MTCO<sub>2</sub>e in 30 years).

Area Source. Area source emissions were calculated using CalEEMod and project-specific land use data. Project-related area sources include exhaust emissions from landscape maintenance equipment. The project would use all electric landscape equipment. The project would directly result in 27.95 MTCO<sub>2</sub>e per year from area source emissions; refer **Table 6**.

Mobile Source. Based on *Moreno Valley TTM 38442 Residential Traffic Impact Analysis* (Transportation Analysis) developed by Translutions, Inc., dated August 5, 2022, the proposed project would generate approximately 1,018 average daily trips. The project would result in approximately 1,077.63 MTCO<sub>2</sub>e per year of mobile source generated GHG emissions; refer to **Table 6**.

**Indirect Project-Related Sources of Greenhouse Gases**

Energy Consumption. Energy consumption emissions were calculated using CalEEMod and project-specific land use data. Southern California Edison (SCE) would provide electricity to the project site. The project proposes to install high efficiency lighting and energy efficient appliances. The project would indirectly result in 317.33 MTCO<sub>2</sub>e per year due to energy consumption; refer to **Table 6**.

Water Demand. The project would install low-flow water fixtures and utilize water-efficient irrigation systems and draught-tolerant landscaping. Emissions from indirect energy impacts due to water supply would result in 37.95 MTCO<sub>2</sub>e per year; refer to **Table 6**.

Solid Waste. Solid waste associated with operations of the proposed project would result in 15.94 MTCO<sub>2</sub>e per year; refer to **Table 6**.

**Total Project-Related Sources of Greenhouse Gases**

As shown in **Table 6**, the total amount of project related GHG emissions from direct and indirect sources combined would total 1,523.82 MTCO<sub>2</sub>e per year. As the project would introduce up to 400 additional residents within the City, the project would generate approximately 3.80 MTCO<sub>2</sub>e per year per capita and would not exceed the per capita target for 2040 of 4.0 MTCO<sub>2</sub>e per year per capita.

***b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?***

**Determination: Less Than Significant Impact.**

<sup>26</sup> The project lifetime is based on the standard 30-year assumption of the South Coast Air Quality Management District (South Coast Air Quality Management District, *Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold*, October 2008).



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The GHG plan consistency for the project is based on the project’s consistency with the CARB 2022 Scoping Plan, the SCAG 2020-2045 RTP/SCS, and the City’s CAP. The 2022 Scoping Plan identifies reduction measures necessary to achieve the goal of carbon neutrality by 2045 or earlier. Actions that reduce GHG emissions are identified for each AB 32 inventory sector. The SCAG 2020-2045 RTP/SCS includes strategies for the region to reach the regional target of reducing GHG from transportation sector. The City’s CAP contains goals and policies that would help implement energy efficient measures and would subsequently reduce GHG emissions within the City.

Consistency with 2020-2045 RTP/SCS

On September 3, 2020, the Regional Council of SCAG formally adopted the 2020-2045 RTP/SCS. The 2020-2045 RTP/SCS includes performance goals that were adopted to help focus future investments on the best-performing projects, as well as different strategies to preserve, maintain, and optimize the performance of the existing transportation system. The SCAG 2020-2045 RTP/SCS is forecasted to help California reach its GHG reduction goals by reducing GHG emissions from passenger cars by eight percent below 2005 levels by 2020 and 19 percent by 2035 in accordance with the most recent CARB targets adopted in March 2018. Five key SCS strategies are included in the 2020-2045 RTP/SCS to help the region meet its regional VMT and GHG reduction goals, as required by the State. Table 7, Project Consistency with 2020-2045 RTP/SCS shows the project’s consistency with the five key SCS strategies found within the 2020-2045 RTP/SCS that help the region meet its regional VMT and GHG reduction goals, as required by the State. As shown therein, the proposed project would be consistent with the GHG emission reduction strategies contained in the 2020-2045 RTP/SCS.

Table 8: Project Consistency with 2020-2045 RTP/SCS

Reduction Strategy	Applicable Land Use Tools	Project Consistency Analysis
<b>Focus Growth Near Destinations and Mobility Options</b>		
<ul style="list-style-type: none"> <li>• Emphasize land use patterns that facilitate multimodal access to work, educational and other destinations</li> <li>• Focus on a regional jobs/housing balance to reduce commute times and distances and expand job opportunities near transit and along center-focused main streets</li> <li>• Plan for growth near transit investments and support implementation of first/last mile strategies</li> <li>• Prioritize infill and redevelopment of underutilized land to accommodate new growth, increase amenities and connectivity in existing neighborhoods</li> </ul>	<b>Center Focused Placemaking, Priority Growth Areas (PGA), Job Centers, High Quality Transit Areas (HQTAs), Transit Priority Areas (TPA), Neighborhood Mobility Areas (NMAs), Livable Corridors, Spheres of Influence (SOIs), Green Region,</b>	<b>Consistent.</b> The project consists of a 108-unit single-family development. The project site is currently vacant and would redevelop the underutilized land to accommodate new growth by increasing the housing development within the City. Also, project site is located near existing bus stops serviced by Riverside Transit Agency (RTA) located less than half a mile to the southwest of the project site. Additionally, the project would provide bicycle parking spaces, which would promote alternative modes of transportation that can reduce VMT. As such, the project would be consistent





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Reduction Strategy	Applicable Land Use Tools	Project Consistency Analysis
<ul style="list-style-type: none"> <li>Encourage design and transportation options that reduce the reliance on and number of solo car trips (this could include mixed uses or locating and orienting close to existing destinations)</li> <li>Identify ways to “right size” parking requirements and promote alternative parking strategies (e.g., shared parking or smart parking)</li> </ul>	<p><b>Urban Greening.</b></p>	<p>with this reduction strategy.</p>
<p><b>Promote Diverse Housing Choices</b></p>		
<ul style="list-style-type: none"> <li>Preserve and rehabilitate affordable housing and prevent displacement</li> <li>Identify funding opportunities for new workforce and affordable housing development</li> <li>Create incentives and reduce regulatory barriers for building context sensitive accessory dwelling units to increase housing supply</li> <li>Provide support to local jurisdictions to streamline and lessen barriers to housing development that supports reduction of greenhouse gas emissions</li> </ul>	<p><b>PGA, Job Centers, HQTAs, NMA, TPAs, Livable Corridors, Green Region, Urban Greening.</b></p>	<p><b>Consistent.</b> The project would involve development of a single-family residential community near the existing bus stops which increases housing supply and supports reduction of GHG emissions. Therefore, the project would promote diverse housing choice by increasing housing within the City and is consistent with this reduction strategy.</p>
<p><b>Leverage Technology Innovations</b></p>		
<ul style="list-style-type: none"> <li>Promote low emission technologies such as neighborhood electric vehicles, shared rides hailing, car sharing, bike sharing and scooters by providing supportive and safe infrastructure such as dedicated lanes, charging and parking/drop-off space</li> <li>Improve access to services through technology—such as telework and telemedicine as well as other incentives such as a “mobility wallet,” an app-based system for storing transit and other multi-modal payments</li> <li>Identify ways to incorporate “micro-power grids” in communities, for example solar energy, hydrogen fuel cell power storage and power generation</li> </ul>	<p><b>HQTA, TPAs, NMA, Livable Corridors.</b></p>	<p><b>Consistent.</b> The project would comply with all applicable 2022 Title 24 and CALGreen building codes at the time of construction. The project would install high efficiency lighting and use energy efficient appliances. The project would provide solar ready roofs in accordance with the 2022 Title 24 standards and CALGreen Code. Therefore, the proposed development would leverage technology innovations and help the City, County, and State meet its GHG reduction goals. The project would be consistent with this reduction strategy.</p>
<p><b>Support Implementation of Sustainability Policies</b></p>		
<ul style="list-style-type: none"> <li>Pursue funding opportunities to support local sustainable development implementation</li> </ul>	<p><b>Center Focused Placemaking,</b></p>	<p><b>Consistent.</b> As previously discussed, the project site is located near existing</p>

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Reduction Strategy	Applicable Land Use Tools	Project Consistency Analysis
<p>projects that reduce greenhouse gas emissions</p> <ul style="list-style-type: none"> <li>• Support statewide legislation that reduces barriers to new construction and that incentivizes development near transit corridors and stations</li> <li>• Support local jurisdictions in the establishment of Enhanced Infrastructure Financing Districts (EIFDs), Community Revitalization and Investment Authorities (CRIAs), or other tax increment or value capture tools to finance sustainable infrastructure and development projects, including parks and open space</li> <li>• Work with local jurisdictions/communities to identify opportunities and assess barriers to implement sustainability strategies</li> <li>• Enhance partnerships with other planning organizations to promote resources and best practices in the SCAG region</li> <li>• Continue to support long range planning efforts by local jurisdictions</li> <li>• Provide educational opportunities to local decisions makers and staff on new tools, best practices and policies related to implementing the Sustainable Communities Strategy</li> </ul>	<p><b>Priority Growth Areas (PGA), Job Centers, High Quality Transit Areas (HQTAs), Transit Priority Areas (TPA), Neighborhood Mobility Areas (NMAs), Livable Corridors, Spheres of Influence (SOIs), Green Region, Urban Greening</b></p>	<p>bus stops serviced by RTA. Further, the project would comply with sustainable practices included in the 2022 Title 24 standards and CALGreen Code, such as installation of water-efficiency irrigation, and drought-tolerant landscaping. Thus, the project would be consistent with this reduction strategy.</p>
<p><b>Promote a Green Region</b></p>		
<ul style="list-style-type: none"> <li>• Support development of local climate adaptation and hazard mitigation plans, as well as project implementation that improves community resiliency to climate change and natural hazards</li> <li>• Support local policies for renewable energy production, reduction of urban heat islands and carbon sequestration</li> <li>• Integrate local food production into the regional landscape</li> <li>• Promote more resource efficient development focused on conservation, recycling and reclamation</li> <li>• Preserve, enhance and restore regional wildlife connectivity</li> <li>• Reduce consumption of resource areas,</li> </ul>	<p><b>Green Region, Urban Greening, Greenbelts and Community Separators.</b></p>	<p><b>Consistent.</b> The proposed project is a housing development in an urbanized area and would therefore not interfere with regional wildlife connectivity or agricultural land. The project would be required to comply with sustainable practices included in 2022 Title 24 standards and CALGreen Code, which would help reduce energy consumption and reduce GHG emissions. Thus, the project would support efficient development that reduces energy consumption and GHG emissions. The project would be consistent with this reduction strategy.</p>

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Reduction Strategy	Applicable Land Use Tools	Project Consistency Analysis
including agricultural land <ul style="list-style-type: none"> <li>Identify ways to improve access to public park space</li> </ul>		
Source: Southern California Association of Governments, <i>Connect SoCal: 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy</i> , September 3, 2020.		

**Consistency with 2022 CARB Scoping Plan**

The 2022 Scoping Plan identifies reduction measures necessary to achieve the goal of carbon neutrality by 2045 or earlier. Actions that reduce GHG emissions are identified for each AB 32 inventory sector. Provided in *Table 8, Consistency with the 2022 Scoping Plan: AB 32 GHG Inventory Sectors*, is an evaluation of applicable reduction actions/strategies by emissions source category to determine how the project would be consistent with or exceed reduction actions/strategies outlined in the 2022 Scoping Plan.

**Table 9: Consistency with the 2022 Scoping Plan: AB 32 GHG Inventory Sectors**

Actions and Strategies	Project Consistency Analysis
<b>Smart Growth / Vehicles Miles Traveled (VMT)</b>	
Reduce VMT per capita to 25% below 2019 levels by 2030, and 30% below 2019 levels by 2045.	<b>Consistent.</b> The project proposes to build a single-family residential development with park use. Based on the <i>TTM 38442 Residential VMT Analysis</i> , prepared by Translutions, dated August 5, 2023, the project generated VMT under Baseline Year and Year 2040 with project conditions does not exceed the City’s per capita VMT. Additionally, the project would provide bicycle parking spaces, which would promote alternative modes of transportation that can reduce VMT. As such, the project would be consistent with this action.
<b>New Residential and Commercial Buildings</b>	
All electric appliances beginning 2026 (residential) and 2029 (commercial), contributing to 6 million heat pumps installed statewide by 2030.	<b>Consistent.</b> The project is expected to consist of natural gas heating and/or cooking on-site. The City of Moreno Valley has not adopted an ordinance or program limiting the use of natural gas for on-site cooking and/or heating. However, if adopted, the project would comply with the applicable goals or policies limiting the use of natural gas equipment in the future. Furthermore, the project would install high efficiency lighting and appliances and is also expected to use all electric landscaping equipment. As such, the project would be consistent with this action.

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Actions and Strategies	Project Consistency Analysis
<b>Food Products</b>	
Achieve 7.5% of energy demand electrified directly and/or indirectly by 2030 and 75% by 2045.	<b>Consistent.</b> As mentioned above, the City of Moreno Valley has not adopted an ordinance or program limiting the use of natural gas for on-site cooking and/or heating. However, if adopted, the project would comply with the applicable goals or policies limiting the use of natural gas equipment in the future. As such, the project would be consistent with this action.
<b>Non-combustion Methane Emissions</b>	
Divert 75% of organic waste from landfills by 2025.	<b>Consistent.</b> The project would be complied with AB 341, which requires waste reduction target of 75 percent for residential uses. As such, the project would be consistent of this action.
Source: California Air Resources Board, 2022 Scoping Plan, November 16, 2022.	

**Consistency with City of Moreno Valley CAP**

The proposed project’s consistency with the applicable measures in the 2021 CAP for a new single-family home development are shown in **Table 9, Consistency with City’s Applicable CAP Policies.**

**Table 10: Consistency with City’s Applicable CAP Policies**

Actions and Strategies	Project Consistency Analysis
<b>Transportation Measures</b>	
TR-5: Implement trip reduction programs in new residential, commercial, and mixed-use developments.	Consistent. The project proposes to build a single-family residential development with park use. Based on the TTM 38442 Residential VMT Analysis, prepared by Translutions, dated August 5, 2023, the project generated VMT under Baseline Year and Year 2040 with project conditions does not exceed the City’s per capita VMT. Additionally, the project would provide bicycle parking spaces, which would promote alternative modes of transportation that can reduce VMT. As such, the project would be consistent with this measure.
<b>Residential Measures</b>	
R-2: Require new construction and major remodels to install interior real-time energy smart meters in line with current	<b>Consistent.</b> The project would install smart energy meters in line with current utility provider (e.g., MVU,



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Actions and Strategies	Project Consistency Analysis
utility provider (e.g., MVU, SCE) efforts.	SCE) efforts.
<b>Off-Road Equipment</b>	
<p>OR-1: Encourage residents and businesses to use efficient lawn and garden maintenance equipment or to reduce the need for landscape maintenance through native planting.</p> <ul style="list-style-type: none"> <li>○ Partner with the SCAQMD to establish a voluntary exchange program for residential electric lawnmowers and backpack-style leaf blowers.</li> <li>○ Require new buildings to provide electrical outlets in an accessible location to facilitate use of electric-powered lawn and garden equipment.</li> <li>○ In project review, encourage the replacement of high maintenance landscapes (like grass turf) with native vegetation to reduce the need for gas-powered lawn and garden equipment.</li> </ul>	<p><b>Consistent.</b> The project would be required to implement the 2022 Title 24 Part 11 and CalGreen building standards that require that the homes include electrical outlets on the exterior of the proposed homes to allow for plug-in electrical landscaping equipment to be used for lawn and garden maintenance. As such, the project would be consistent with this measure.</p>
<p>OR-2: Reduce emissions from heavy-duty construction equipment by limiting idling based on SCAQMD requirements and utilizing cleaner fuels, equipment, and vehicles.</p> <ul style="list-style-type: none"> <li>○ Require provision of clear signage reminding construction workers to limit idling.</li> <li>○ Require project applicants to limit GHG emissions through one or more of the following measures: substitute electrified or hybrid equipment for diesel/gas powered, use alternative-fueled equipment on site, avoid use of on-site generators.</li> </ul>	<p><b>Consistent.</b> The project would be required to comply with the California Code of Regulations, Title 13, Sections 2449(d)(3) and 2485, which minimizes the idling time of construction equipment either by requiring equipment to be shut off when not in use or limiting idling time to no more than five minutes. As such, the project would be consistent with this measure.</p>
<p>Source: The City of Moreno Valley, <i>Climate Action Plan</i>, June 15, 2021</p>	

**MITIGATION MEASURES**

None required.



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4.9 HAZARDS AND HAZARDOUS MATERIALS

<b>Would the proposed project:</b>					
<b>Issues</b>		<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area? For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?			X	
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g)	Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

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### DISCUSSION

9(a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

**Determination: Less Than Significant Impact.**

Exposure of the public or the environment to hazardous materials can occur through improper handling or use of hazardous materials or hazardous wastes particularly by untrained personnel, a transportation accident, environmentally unsound disposal methods, or fire, explosion, or other emergencies. The severity of potential effects varies with the activity conducted, the concentration and type of hazardous material or wastes present, and the proximity of sensitive receptors.

Project construction could expose construction workers and the public to temporary hazards related to the transport, use, and maintenance of construction materials (i.e., oil, diesel fuel, transmission fluid, etc.). These activities would be short-term, and the materials used would not be in such quantities or stored in such a manner as to pose a significant safety hazard. All project construction activities would demonstrate compliance with the applicable laws and regulations governing the use, storage, and transportation of hazardous materials, ensuring that all potentially hazardous materials are used and handled in an appropriate manner. Impacts concerning the routine transport, use, or disposal of hazardous materials during project construction would be less than significant.

9(b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

**Determination: Less Than Significant Impact.**

### CONSTRUCTION IMPACTS

During project construction, there is a possibility of accidental release of hazardous substances such as petroleum-based fuels or hydraulic fluid used for construction equipment. The level of risk associated with the accidental release of hazardous substances is not considered significant due to the small volume and low concentration of hazardous materials utilized during construction. The construction contractor would be required to use standard construction controls and safety procedures that would avoid and minimize the potential for accidental release of such substances into the environment. Standard construction practices would be observed such that any materials released are appropriately contained and remediated as required by local, State, and federal law. Construction impacts in this regard would be less than significant.

### OPERATIONAL IMPACTS

Hazardous materials are not typically associated with single-family residential uses. Anticipated hazardous materials use may include minor cleaning products and the occasional use of



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pesticides and herbicides for landscape maintenance. Compliance with applicable laws and regulations governing the use, storage, and transportation of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts to occur. As such, impacts concerning the significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment would not occur with project implementation. Therefore, potential hazardous materials impacts relative to operation of the project would be less than significant.

*9(c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

**Determination: Less Than Significant Impact.**

There are no existing schools within one-quarter mile of the proposed project site. There are three existing educational facilities adjacent to the project site, including Moreno Elementary School (approximately 0.5-mile west of the project site); Mountain View Middle School (approximately 0.9-mile northwest of the project site); and Valley View High School (approximately 0.6-mile northwest of the project site).

There is one proposed elementary school located at the parcel adjoining the project site to the west (APN 488-190-034, owned by the Moreno Valley Unified School District [MVUSD]). However, operation and maintenance of the proposed project would not produce hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. Therefore, the proposed project would not result in impacts related to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. A less than significant impact would occur in this regard.

*9(d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

**Determination: Less Than Significant Impact.**

Existing and past land use activities are used as potential indicators of hazardous material storage and use. For example, many historic sites, historic and current, have soil or groundwater contamination as a result of spills of hazardous substances and petroleum products. Other hazardous materials sources include leaking underground storage tanks in commercial and rural areas. Government Code Section 65962.5 requires the Department of Toxic Substances Control (DTSC) and State Water Resources Control Board (SWRCB) to compile and update a regulatory sites listing (per the criteria of the Section).





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Based upon a review of the EnviroStor database managed by the DTSC,<sup>27</sup> no records of federal Superfund, State Response, Voluntary Cleanup, Corrective Action or Evaluation occur within one mile of the project site; however, one record of a School Cleanup was reported at the parcel directly adjacent to the project site’s northwestern boundary (APN 488-190-034, owned by the MVUSD) on which an elementary school is proposed, as noted above. This record indicates that there was former agriculture land onsite that was used as a citrus orchard from at least 1938 to 2004, as well as a 500-gallon diesel Above Storage Tank (AST) that was removed on July 11, 2017, by the former landowner. A gasoline powered windmill, located in the center of the field, was also removed in early 2018. Correspondence from the DTSC to the MVUSC dated August 29, 2019, acknowledges that MVUSD was conducting an environmental analysis to evaluate the impact from residual agricultural chemicals and the above ground storage tank. The site was investigated for arsenic, lead, organochlorine pesticides (OCPs) and petroleum hydrocarbons. Lead and dieldrin were detected above screening levels. Additional investigation was conducted to define the extent of contamination and identified near surface soil impacted with hazardous constituents in small, isolated areas. The human health risk screening evaluation that was performed to evaluate the risk posed by detected lead and OCPs indicated that these detections were below the level of concern for protection of public health and the site is adequate for unrestricted land use. The DTSC concurred with the conclusion that further environmental investigation of the site was not required and approved the site’s environmental assessment.

In addition, one record of a School Investigation was reported at the La Jolla Elementary School located at 14745 Willow Grove Place, approximately 0.75-mile southeast of the project site. A Phase I Environmental Site Assessment (ESA) was conducted for the school site on August 26, 2003, in order to assess for pesticides and contaminants due to past agricultural use of the property. Correspondence from the DTSC to the MVUSC dated September 8, 2003, concurred that, based on the information presented in the Phase I ESA and a site visit conducted on July 21, 2003, neither a release of hazardous material or the presence of a naturally occurring hazardous material, which would pose a threat to human health or the environment under unrestricted land use, was indicated at the subject site. Therefore, DTSC concurred with the conclusion of the Phase I that further environmental investigation is not required and approved the site’s Phase I ESA.

Based upon a review of the SWRCB Geotracker website,<sup>28</sup> no records of LUST Cleanup Sites, Cleanup Program Sites, or Military Cleanup, Privatized, or UST Sites occur within one mile of the project site.

No work is proposed within the vicinity of the former school cleanup site and no contaminated soils are expected to be present in the project area. Since the project site is not listed as a hazardous materials site and there are no known active hazardous materials sites within one mile of the site, implementation of the project would not create a significant hazard to the public or

1 Department of Toxic Substances Control, EnviroStor Website. <https://www.envirostor.dtsc.ca.gov/public/> Accessed January 24, 2023.

<sup>28</sup> State Water Resources Control Board, Geotracker website, <https://geotracker.waterboards.ca.gov/map/?myaddress=California&from=header&cqid=3152875602> Accessed January 24, 2023.



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the environment. Therefore, a less than significant impact would occur in this regard.

9(e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area? For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?*

**Determination: Less Than Significant Impact.**

The project site is not located within two miles of an airport. The nearest airport is the March Air Reserve Base that is located approximately 3.8 miles southwest of the project site.<sup>29</sup> According to the March Air Reserve Base Land Use Compatibility Plan, the proposed project is not located in a compatibility zone. Additionally, the residential development would not be of a sufficient height to require modifications to the existing air traffic patterns at the airport and, therefore, would not affect aviation traffic levels or otherwise result in substantial aviation-related safety risks. Therefore, a less than significant impact would occur relative to airport safety hazards.

9(f) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

**Determination: Less Than Significant Impact.**

Activities associated with the proposed project would not impede existing emergency response plans for the project site and/or other land uses in the project vicinity. The project does not propose changes to the City’s circulation system, such as sharp curves or dangerous intersections, and would not introduce incompatible uses to area roadways. Furthermore, should partial lane closures be required as part of project construction activities, implementation of a traffic management plan would minimize congestion and ensure safe travel, including emergency access in the project vicinity. Therefore, impacts would be less than significant.

9(g) *Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

**Determination: No Impact.**

As discussed in Section 4.20, *Wildfire*, the project site is located in a moderately developed area surrounded by residential and commercial uses and is not located in a zone designated as Very High Fire Hazard by the California Department of Forestry and Fire Protection (CalFire). Urban levels of fire protection would be provided to the project area. In addition, the project would adhere to building codes and any conditions included through review by the Moreno Valley Fire Department (MVFD). No impact would occur in this regard.

<sup>29</sup> Riverside County Airport Land Use Commission, March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, November 13, 2014.



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**MITIGATION MEASURES**

None required.

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



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4.10 HYDROLOGY AND WATER QUALITY

Would the proposed project:					
Issues		Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?			X	
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
	i) Result in substantial erosion or siltation on- or off-site?			X	
	ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
	iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
	iv) Impede or redirect flood flows?			X	
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

The analysis and findings throughout this section are based on the following technical studies:

- *Preliminary Drainage Report to Support Tract No. 38442 and 38443* (Drainage Report), prepared by Proactive Engineering Consultants, dated August 30, 2022, and as provided as **Appendix 5A** of this IS/MND; and



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- *Project Specific Water Quality Management Plan (WQMP Report)*, prepared by prepared by Proactive Engineering Consultants, dated August 30, 2022, and as provided as **Appendix 5B** of this IS/MND.

#### DISCUSSION

10(a) *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?*

#### **Determination: Less Than Significant Impact.**

As part of Section 402 of the Clean Water Act, the USEPA has established regulations under the NPDES program to control direct stormwater discharges. In California, the State Water Resources Control Board (SWRCB) administers the NPDES permitting program and is responsible for developing NPDES permitting requirements. The NPDES program regulates industrial pollutant discharges, which include construction activities. The SWRCB works in coordination with the Regional Water Quality Control Boards (RWQCB) to preserve, protect, enhance, and restore water quality. The project site is located within the jurisdiction of the Santa Ana RWQCB.

Impacts related to water quality typically range over three different periods: 1) during the earthwork and construction phase, when the potential for erosion, siltation, and sedimentation would be the greatest; 2) following construction, prior to the establishment of ground cover, when the erosion potential may remain relatively high; and 3) following completion of the project, when impacts related to sedimentation would decrease markedly, but those associated with urban runoff would increase.

Project construction could result in short-term impacts to water quality due to the handling, storage, and disposal of construction materials, maintenance and operation of construction equipment, and earthmoving activities. These potential pollutants could damage downstream waterbodies. Dischargers whose projects disturb one or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the SWRCB's General Permit for Discharges of Stormwater Associated with Construction Activity Construction General Permit Order 2009-0009-DWQ (Construction General Permit). The Construction General Permit requires the Project Applicant to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP would specify BMPs to be used during project construction to minimize or avoid water pollution, thereby reducing potential short-term impacts to water quality. Upon completion of the project, the Project Applicant would be required to submit a Notice of Termination to the SWRCB to indicate that construction has been completed.

To further minimize the potential for accidental release of pollutants during project construction, the routine transport, use, and disposal of construction materials would be required to adhere to applicable State and local standards and regulations for handling, storage, and disposal of hazardous substances; refer to Section 4.9, *Hazards and Hazardous Materials*, of this IS/MND. Compliance with such measures would prevent such substances from entering downstream water bodies via stormwater runoff and adversely affect existing water quality. Following



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conformance with the Construction General Permit, SWPPP, and implementation of BMPs, the project's short-term impacts to water quality and waste discharge requirements would be less than significant.

The project would be required to implement BMPs to minimize operational impacts to water quality. As detailed in the project's WQMP Report, potential sources of runoff pollutants include landscaping/outdoor pesticide use, nutrients, oil and grease and runoff from impervious surfaces. As a result, the WQMP includes permanent and operational source control BMPs pursuant to the construction of on-site storm drain inlets, drain lines, a catch basin and BMP management of landscape planning, efficient irrigation, roof runoff controls, storm drain signage and private street sweeping. With implementation of these BMPs, the project's impacts to water quality would be less than significant.

*10(b) Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level, which would not support existing land uses or planned uses for which permits have been granted)?*

**Determination: Less Than Significant Impact.**

Project development would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management. The project site is not currently used for groundwater recharge purposes. Water for the project would be provided by EMWD and the project would connect to the existing water system. Thus, project implementation would not substantially decrease groundwater supplies nor interfere substantially with groundwater recharge. Impacts would be less than significant in this regard.

*10(c)(i) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?*

**Determination: Less Than Significant Impact.**

According to the project's WQMP Report, approximately 525,022 SF of impervious surfaces and approximately 346,434 SF of pervious surfaces would be created as a result of project development.

In its current condition, stormwater runoff from the project site sheet flows south towards Alessandro Boulevard. There are currently no impervious concrete surfaces on the project site. Although the project would result in an increase in impervious surfaces, the proposed project overall would not substantially alter the existing drainage pattern of the site. As shown in the project's WQMP Site Plan, a new storm drain system would be built in accordance with the Moreno Master Drainage Plan. A new storm drain, Line H, would extend from Cottonwood Avenue through proposed Street A and connect to an existing 90-inch RCP in Alessandro Boulevard. The proposed Line H section would capture drainage areas upstream of the project



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site, offsite runoff and project flows. A new detention/extended detention basin would convey project stormwater runoff to the proposed Line H.

As discussed in Response 4.10(a) above, the project would comply with the requirements of the Construction General Permit under the NPDES program, which would result in preparation of an SWPPP that outlines necessary BMPs to minimize erosion and water quality impacts during construction. In addition, as discussed in Response 4.4(b) in Section 4.4, *Biological Resources*, the project would be required to obtain both a Waste Discharge Requirement (WDR) from the RWQCB prior to impacts occurring within RWQCB jurisdictional areas, and a Section 1602 Streambed Alteration Agreement (SAA) from the CDFW prior to impacts occurring within CDFW jurisdictional areas, as described in **Mitigation Measure BIO-4**. Therefore, project development would not result in significant erosion or siltation impacts due to changes in drainage patterns and impacts would be less than significant.

*10(c)(ii) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*

**Determination: Less Than Significant Impact.**

Refer to Responses 4.4(b) and 4.10(c)(i) above. The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Impacts would be less than significant.

*10(c)(iii) Would the project create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?*

**Determination: Less Than Significant Impact.**

Refer to Responses 4.10(c)(i), 4.10(c)(ii) and 4.10(c)(iii), above. On-site stormwater runoff associated with the project would be engineered to be conveyed through public street improvements and on-site infiltration to dispose of stormwater. Additionally, with required implementation of a SWPPP and WQMP as discussed above, the proposed project would not generate a substantial source of polluted runoff. The project would not create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems. A less than significant impact would occur.

*10(c)(iv) Would the project impede or redirect flood flows?*

**Determination: Less Than Significant Impact.**

The project site is relatively flat. The proposed project would include the development of a storm drainage system consistent with City requirements to convey stormwater runoff to a 90-inch RCP in Alessandro Boulevard. Stormwater management practices as required under Moreno Valley Municipal Code Chapter 8.10, *Stormwater/Urban Runoff Management and Discharge Controls*,



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would further reduce any impacts to a less than significant level. In addition, proposed on-site storm drain inlets, drain lines, catch basins, underground infiltration/retention chambers, front yard typical/onsite landscaping and streetscape landscaping to Alessandro Boulevard would assist in minimizing the potential for impediment or redirect flood flows. Therefore, impacts would be less than significant.

*10(d) In flood hazard, tsunami, or seiche zones, would the project result in a risk release of pollutants due to project inundation?*

**Determination: No Impact.**

Based on a review of the Federal Emergency Management Agency’s (FEMA) National Flood Hazard Layer Viewer, the project site is located within Flood Insurance Rate Map (FIRM) Panel Number 06065C0770G.<sup>30</sup> Specifically, the project site is located in Zone X and described as an area of minimal flood hazard. Therefore, no impact would occur in this regard.

A tsunami is a series of ocean waves generated in the ocean by an impulsive disturbance. The proposed project site is located approximately 42 miles inland from the Pacific Ocean. Due to this location, tsunamis are not considered a threat. No impact would occur in this regard.

A seiche is an oscillating surface wave in a restricted or enclosed body of water generated by ground motion, usually during an earthquake. Inundation from a seiche can occur if the wave overflows a containment wall or the banks of a water body. The nearest water body to the project site is Lake Perris located approximately 3.4 miles to the south. Therefore, because the proposed project is not adjacent to any marine or inland water bodies, impacts from seiche are not expected to occur. No impact would occur in this regard.

*10(e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

**Determination: Less Than Significant Impact.**

The project site is located in the Santa Ana River Hydrologic Unit in the South Coast Hydrologic Region. The Santa Ana RWQCB oversees basin planning and water quality in the Santa Ana River Hydrologic Unit. The Santa Ana RWQCB prepares the Water Quality Control Plan for the Santa Ana River Basin (Basin Plan) to protect local surface waters and groundwater basins. The Basin Plan designates beneficial uses of waters in the region and provides objectives to maintain or improve water quality in the region.

The California Department of Water Resources (DWR) has initiated a technical process called Basin Prioritization, which utilizes the best available data and information to classify California’s 515 groundwater basins into one of four categories high-, medium-, low-, or very low-priority, based on eight components that are identified in the California Water Code Section 10933(b).

<sup>30</sup> Federal Emergency Management Agency. n.d. National Flood Hazard Layer Viewer. Accessed January 24, 2023. <https://www.fema.gov/national-flood-hazard-layer-nfhl>.





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Each basin’s priority determines which provisions of California Statewide Groundwater Elevation Monitoring (CASGEM) and the Sustainable Groundwater Management Act (SGMA) apply. SGMA requires medium- and high-priority basins to develop groundwater sustainability agencies (GSAs), develop groundwater sustainability plans (GSPs) and manage groundwater for long-term sustainability. Based on a search of the DWR’s online SGMA Basin Prioritization Dashboard, the project site is located in a groundwater basin area (San Jacinto Groundwater Basin) designated as “high priority.”<sup>31</sup>

While the San Jacinto Groundwater Basin is deemed a high priority basin, it is not deemed critically overdrafted, by DWR, and the Groundwater Sustainability Plan (GSP) is required to be developed by 2022 and implemented by 2042. The GSP will document basin conditions and basin management will be based on measurable objectives and minimum thresholds defined to prevent significant and unreasonable impacts to the sustainability indicators defined in the GSP.

As described in Response 4.10(c)(i) above, the project would install an underground infiltration/retention chamber to satisfy the requirements of the NPDES permit. Since the NPDES permit is intended to protect water quality, compliance with the permit would ensure that the project would not impair existing or potential beneficial uses of nearby or downstream water bodies and would not conflict with or obstruct implementation of the Basin Plan. The proposed project does not propose the drilling of a well to obtain groundwater for consumption. The project would not conflict with a groundwater management plan. Impacts would be less than significant.

#### MITIGATION MEASURES

None required.

<sup>31</sup> California Department of Water Resources SGMA Basin Prioritization Dashboard. Nd. <https://gis.water.ca.gov/app/bp-dashboard/final/> Accessed January 24, 2023.



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4.11 LAND USE AND PLANNING

Would the proposed project:					
Issues		Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Physically divide an established community?				X
b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X	

DISCUSSION

11(a) *Physically divide an established community?*

**Determination: No Impact.**

The physical division of an established community is typically associated with construction of a linear feature, such as a major highway or railroad tracks, or removal of a means of access, such as a local road or bridge, which would impair mobility within an existing community or between a community and an outlying area.

None of the proposed project components would constitute a barrier that would physically divide an established community. No new linear features are included in the project. The project site is currently vacant. Access to and movement throughout the project area and the City would not be physically impaired due to the project.

Therefore, the proposed project would not physically divide an established community and no impact would occur.

11(b) *Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

**Determination: Less Than Significant Impact.**

As discussed above, the proposed project seeks to develop 108 single-family detached residential units on the project site. In order to develop the site as a residential community, the project would require the approval of the following:

- Tentative Tract Map No. 38442 is a request to subdivide 19.1 gross acres (15.1 net acres) into 108 single-family residential lots with private internal streets, street lighting, sewer, water, and perimeter block wall.
- Design Review. The project is required to submit plans to the City to determine that the project meets the City’s design guidelines.



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The proposed residential development is consistent with the proposed General Plan Designation and Zoning. Furthermore, the project-level review of the project includes a site design review for compliance with site-specific development standards, as outlined in the Moreno Valley Municipal Code, Title 9, *Planning and Zoning*, and other applicable ordinances. Following the approval of the above actions, the proposed project would not conflict with any land use plan, policy, or regulation, nor would it result in negative environmental effects as a result as evidenced by policy reviews assessed throughout this Initial Study. Impacts would be less than significant.

#### MITIGATION MEASURES

None required.



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4.12 MINERAL RESOURCES

Would the proposed project:		Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the State?				X
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated in a local general plan, specific plan, or other land use plan?				X

DISCUSSION

12(a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?

Determination: No Impact.

According to Figure 4.12-1, Mineral Resource Zones, of the City’s General Plan EIR, the majority of the City, as well as the project site, is located within an area classified by the State Mining and Geology Board as Mineral Resource Zone 3 (MRZ-3), which are areas containing known or inferred mineral occurrences of undetermined mineral resource significance. However, as the site is surrounded by urban areas, including existing residences, any potential mining activities on the site would be limited by the surrounding land uses. In addition, the project site has no history of use as a mineral resource recovery operation. As such, the project site is not considered a source for mineral resources, and project development would not result in the loss of availability of known mineral resources. No impacts would occur in this regard.

12(b) Result in the loss of availability of a locally important mineral resource recovery site delineated in a local general plan, specific plan, or other land use plan?

Determination: No Impact.

Refer to Response 4.12(a), above. No mineral resources are anticipated within the project area. No impact would occur.

MITIGATION MEASURES

None required.

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



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4.13 NOISE

Would the proposed project result in:					
Issues		Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b)	Generation of excessive groundborne vibration or groundborne noise levels?			X	
c)	For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

The analysis and findings throughout this section are based on the *Noise Impact Modeling Data* (Noise Data) prepared by Michael Baker International, dated December 14, 2023, provided as **Appendix 6** of this IS/MND.

**DISCUSSION**

Sound is mechanical energy transmitted by pressure waves in a compressible medium such as air and is characterized by both its amplitude and frequency (or pitch). The human ear does not hear all frequencies equally. In particular, the ear de-emphasizes low and very high frequencies. To better approximate the sensitivity of human hearing, the A-weighted decibel scale (dBA) has been developed. On this scale, the human range of hearing extends from approximately 3 dBA to around 140 dBA.

Noise is generally defined as unwanted or excessive sound, which can vary in intensity by over one million times within the range of human hearing; therefore, a logarithmic scale, known as the decibel scale (dB), is used to quantify sound intensity. Noise can be generated by a number of sources, including mobile sources such as automobiles, trucks, and airplanes, and stationary sources such as construction sites, machinery, and industrial operations. Noise generated by mobile sources typically attenuates (is reduced) at a rate between 3 dBA and 4.5 dBA per doubling of distance. The rate depends on the ground surface and the number or type of objects between the noise source and the receiver. Hard and flat surfaces, such as concrete or asphalt, have an attenuation rate of 3 dBA per doubling of distance. Soft surfaces, such as uneven or



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vegetated terrain, have an attenuation rate of about 4.5 dBA per doubling of distance. Noise generated by stationary sources typically attenuates at a rate between 6 dBA and about 7.5 dBA per doubling of distance.

There are a number of metrics used to characterize community noise exposure, which fluctuate constantly over time. One such metric, the equivalent sound level ( $L_{eq}$ ), represents a constant sound that, over the specified period, has the same sound energy as the time-varying sound. Noise exposure over a longer period of time is often evaluated based on the Day-Night Sound Level ( $L_{dn}$ ). This is a measure of 24-hour noise levels that incorporates a 10-dBA penalty for sounds occurring between 10 p.m. and 7 a.m. The penalty is intended to reflect the increased human sensitivity to noises occurring during nighttime hours, particularly at times when people are sleeping and there are lower ambient noise conditions. Typical  $L_{dn}$  noise levels for light and medium density residential areas range from 55 dBA to 65 dBA.

Two of the primary factors that reduce levels of environmental sounds are increasing the distance between the sound source to the receiver and having intervening obstacles such as walls, buildings, or terrain features between the sound source and the receiver. Factors that act to increase the loudness of environmental sounds include moving the sound source closer to the receiver, sound enhancements caused by reflections, and focusing caused by various meteorological conditions.

#### REGULATORY FRAMEWORK

##### State

The State Office of Planning and Research (OPR) Noise Element Guidelines include recommended exterior and interior noise level standards for local jurisdictions to identify and prevent the creation of incompatible land uses due to noise. The OPR Noise Element Guidelines contain a land use compatibility table that describes the compatibility of various land uses with a range of environmental noise levels in terms of the community noise equivalent level (CNEL). **Table 10, Land Use Compatibility for Community Noise Environments**, presents guidelines for determining acceptable and unacceptable community noise exposure limits for various land use categories. The guidelines also present adjustment factors that may be used to arrive at noise acceptability standards that reflect the noise control goals of the community, the particular community’s sensitivity to noise, and the community’s assessment of the relative importance of noise pollution.

**Table 11: Land Use Compatibility for Community Noise Environments**

Land Use Category	Community Noise Exposure ( $L_{dn}$ or CNEL, dBA)			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Residential – Low Density, Single-Family, Duplex, Mobile Homes	50 – 60	55 – 70	70 – 75	75 – 85
Residential – Multiple Family	50 – 65	60 – 70	70 – 75	70 – 85
Transient Lodging – Motel, Hotels	50 – 65	60 – 70	70 – 80	80 – 85



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Land Use Category	Community Noise Exposure (L <sub>dn</sub> or CNEL, dBA)			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Schools, Libraries, Churches, Hospitals, Nursing Homes	50 – 70	60 – 70	70 – 80	80 – 85
Auditoriums, Concert Halls, Amphitheaters	NA	50 – 70	NA	65 – 85
Sports Arenas, Outdoor Spectator Sports	NA	50 – 75	NA	70 – 85
Playgrounds, Neighborhood Parks	50 – 70	NA	67.5 – 75	72.5 – 85
Golf Courses, Riding Stables, Water Recreation, Cemeteries	50 – 70	NA	70 – 80	80 – 85
Office Buildings, Business Commercial, Professional	50 – 70	67.5 – 77.5	75 – 85	NA
Industrial, Manufacturing, Utilities, Agriculture	50 – 75	70 – 80	75 – 85	NA

Notes: NA = Not Applicable; L<sub>dn</sub> = Day/Night Average; CNEL = community noise equivalent level; dBA = A-weighted decibels  
Normally Acceptable - Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.  
Conditionally Acceptable - New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.  
Normally Unacceptable - New Construction or development should be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.  
Clearly Unacceptable - New construction or development should generally not be undertaken.  
 Source: State of California Governor’s Office of Planning and Research, *General Plan Guidelines*, July 2017.

Local

Moreno Valley General Plan

The Noise Element of the City of Moreno Valley General Plan 2040 includes goals and policies seeking to promote the use of thoughtful planning and design to minimize unwanted noise in the community and promote a pleasant, healthy noise environment. The General Plan Noise Element contains the following goals and policies related to the project:

*Goal N-1:* Design for a pleasant healthy sound environment conducive to living and working.

- Policy N.1-1: Protect occupants of existing and new buildings from exposure to excessive noise, particularly adjacent to freeways, major roadways, the railroad, and within areas of aircraft overflight.
- Policy N.1-2: Guide the location and design of transportation facilities, industrial uses, and other potential noise generators to minimize the effects of noise on adjacent land uses.
- Policy N.1-3: Apply the community noise compatibility standards (**Table 10**) to all new development and major redevelopment projects outside the noise and safety compatibility zones established in the March Air Reserve Base/ Inland Port Airport Land Use Compatibility (ALUC) Plan in order to protect against the adverse effects of noise exposure. Projects within the noise and



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safety compatibility zones are subject to the standards contained in the ALUC Plan.

Policy N.1-4: Require a noise study and/or mitigation measures if applicable for all projects that would expose people to noise levels greater than the “normally acceptable” standard and for any other projects that are likely to generate noise in excess of these standards.

Policy N.1-5: Noise impacts should be controlled at the noise source where feasible, as opposed to at receptor end with measures to buffer, dampen, or actively cancel noise sources. Site design, building orientation, building design, hours of operation, and other techniques, for new developments deemed to be noise generators shall be used to control noise sources.

Policy N.1-6: Require noise buffering, dampening, or active cancellation, on rooftop or other outdoor mechanical equipment located near residences, parks, and other noise sensitive land uses.

Policy N.1-7: Developers shall reduce the noise impacts on new development through appropriate means (e.g., double-paned or soundproof windows, setbacks, berming, and screening). Noise attenuation methods should avoid the use of visible sound walls where possible.

Goal N-2: Ensure that noise does not have a substantial, adverse effect on the quality of life in the community.

Policy N.2-3: Limit the potential noise impacts of construction activities on surrounding land uses through noise regulations in the Municipal Code that address allowed days and hours of construction, types of work, construction equipment, and sound attenuation devices.

**Moreno Valley Municipal Code**

The City’s noise regulation is contained within the Moreno Valley Municipal Code. The following sections of the Municipal Code are applicable to the proposed project:

8.21.050 Grading Permit Requirements.

2.O. Time of Grading Operations. Grading and equipment operations 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. The city engineer may, however, permit grading or equipment operations before or after the allowable hours of operation if he or she determines that such operations are not detrimental to the health, safety, or welfare of residents or the general public. Permitted hours of operations may be shortened by the city engineer’s finding of a previously unforeseen effect on the health, safety, or welfare of the surrounding community.





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11.80.030 Prohibited Acts.

2.C. Non-impulsive Sound Decibel Limits. No person shall maintain, create, operate or cause to be operated on private property any source of sound in such a manner as to create any non-impulsive sound which exceeds the limits set forth for the source land use category in **Table 11, Operational Noise Standards at 200 Feet from the Source**, when measured at a distance of two hundred (200) feet or more from the real property line of the source of the sound, if the sound occurs on privately owned property, or from the source of the sound, if the sound occurs on public right-of-way, public space or other publicly owned property. Any source of sound in violation of this subsection shall be deemed prima facie to be a noise disturbance.

**Table 12: Operational Noise Standards at 200 Feet from the Source**

Source Land Use	Noise Level Standards (dBA Leq)	
	Daytime (8:00 a.m. to 10:00 p.m.)	Nighttime (10:01 p.m. to 7:59 a.m.)
Residential	60	55

Notes:  
1. City of Moreno Valley Municipal Code, Chapter 11.80 Noise Regulation, Table 11.80.030-2 Maximum Sound Levels (in dB(A)) for Source Land Uses when measured at a distance of 200 feet from the property line of the source land use. Leq represents a steady state sound level containing the same total energy as a time varying signal over a given period.

2.D.7 Construction and Demolition. No person shall operate or cause the operation of any tools or equipment used in construction, drilling, repair, alteration or demolition work between the hours of eight p.m. and seven a.m. the following day such that the sound there from creates a noise disturbance, except for emergency work by public service utilities or for other work approved by the city manager or designee. This section shall not apply to the use of power tools as provided below.

2.D.9 Power Tools. No person shall operate or permit the operation of any mechanical, electrically or gasoline motor-driven tool during nighttime hours so as to cause a noise disturbance across a residential real property boundary.

**Significance of Changes in Traffic Noise Levels**

An off-site traffic noise impact typically occurs when there is a discernable increase in traffic and the resulting noise level exceeds an established noise standard. In community noise considerations, changes in noise levels greater than 3.0 dB are often identified as substantial, while changes less than 1 dB will not be discernible to local residents. A 5-dB change is generally recognized as a clearly discernable difference.

As traffic noise levels at sensitive uses likely approach or exceed the City’s 65 dBA CNEL maximum noise standard at sensitive uses (e.g., residential uses), a 3.0 dB increase as a result of the project is used as the increase threshold for the project. Thus, the project would result in a significant noise impact if a permanent increase in ambient noise levels of 3.0 dB occurs upon project implementation and the resulting noise level exceeds the applicable exterior standard at a noise sensitive use.



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EXISTING CONDITIONS

The project site is located in an urban area. Noise sources in the project area include the use of mechanical equipment (e.g., heating, ventilation, and air conditioning [HVAC] units) and parking lot noise (e.g., cars parking, open and closing doors, and truck back-up beepers) associated with institutional and residential land uses surrounding the project site. The noise associated with these sources may represent a single-event noise occurrence, short-term, or long-term/continuous noise.

Existing Roadway Noise Levels

The majority of the existing mobile source noise in the project area is generated from vehicles traveling along Cottonwood Avenue, Alessandro Boulevard, and Nason Street. Mobile source noise was modeled using the Federal Highway Administration’s Highway Noise Prediction Model (FHWA RD-77-108), which incorporates several roadway and site parameters. The model does not account for ambient noise levels. Noise projections are based on modeled vehicular traffic as derived from the *Moreno Valley TTM 38442 Residential Traffic Impact Analysis* (Transportation Analysis) prepared by Translutions, Inc. (dated August 5, 2022); refer to **Appendix 6, Noise Data**. Existing modeled traffic noise levels are detailed in **Table 12, Existing Traffic Noise Levels**. As shown in **Table 12**, noise within the area from mobile noise ranges from 57.1 dBA to 66.6 dBA at 100 feet from roadway centerline.

Table 13: Existing Traffic Noise Levels

Roadway Segment	Existing Conditions				
	ADT	dBA @ 100 Feet from Roadway Centerline	Distance from Roadway Centerline to: (Feet)		
			70 CNEL Noise Contour	65 CNEL Noise Contour	60 CNEL Noise Contour
<b>Cottonwood Avenue</b>					
Nason Street to Project's Western Boundary	4,874	57.1	-	-	64
<b>Alessandro Boulevard</b>					
Lasselle Street to Morrison Street	25,835	66.6	59	128	275
Morrison Street to Nason Street	22,373	66.0	54	116	250
Nason to Project's Western Boundary	23,948	66.1	55	118	254
Notes: ADT = average daily traffic; dBA = A-weighted decibels; CNEL = Community Noise Equivalent Level, - = contour is located within the roadway right-of-way.					
Source: Based on traffic data within the <i>TTM 38442 Residential Traffic Impact Analysis</i> prepared by Translutions, Inc., dated August 5, 2022.					

Existing Ambient Noise Levels

In order to quantify existing ambient noise levels in the vicinity of the project site, six noise measurements were taken on December 14, 2022; refer to **Table 13, Noise Measurements**. The noise measurement sites were representative of typical existing noise exposure within and immediately adjacent to the project site. Ten-minute measurements were taken between 10:00



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a.m. and 12:00 p.m. Short-term (Leq) measurements are considered representative of the noise levels throughout the day. As shown in Table 13, the ambient recorded noise level in the project vicinity ranged between 46.6 dBA and 67.0 dBA Leq. The results of the field measurements are included in Appendix 6.

Table 14: Noise Measurements

Site No.	Location	Leq (dBA)	Lmin (dBA)	Lmax (dBA)	Peak (dBA)	Time
1	On the sidewalk of Martha Crawford Street	46.6	43.6	64.0	71.2	10:02 a.m.
2	On the sidewalk in front of 27258 Cedar Street residence	48.7	42.3	65.7	70.1	10:15 a.m.
3	Along the northern property line of 27132 Cottonwood Avenue	62.2	41.4	79.4	74.5	10:30 a.m.
4	Along the sidewalk of Nason Street, in front of Lord of Life Lutheran Church	67.0	45.7	78.4	78.0	10:46 a.m.
5	On the sidewalk of Larkmead Court	47.1	37.9	57.9	69.8	11:38 a.m.
6	At the intersection of Marion Road and Alessandro Boulevard	64.0	33.5	83.6	67.5	11:21 a.m.

Notes: dBA = A-weighted decibels, Leq = Equivalent Sound Level; Lmin = Minimum Sound Level; Lmax = Maximum Sound Level, Peak = Highest Instantaneous Sound Level  
Source: Michael Baker International, December 14, 2022.

NOISE SENSITIVE RECEPTORS

Sensitive populations are more susceptible to the effects of noise than are the general population. Land uses considered sensitive by the State of California include schools, playgrounds, athletic facilities, hospitals, rest homes, rehabilitation centers, long-term care and mental care facilities. Generally, a sensitive receptor is identified as a location where human populations (especially children, senior citizens, and sick persons) are present. Land uses less sensitive to noise are business, commercial, and professional developments. Noise receptors categorized as being least sensitive to noise include industrial, manufacturing, utilities, agriculture, natural open space, undeveloped land, parking lots, warehousing, and transit terminals. These types of land use often generate high noise levels. Moderately sensitive land uses typically include multi-family dwellings, hotels, motels, dormitories, and outpatient clinics. The closest sensitive receptors are single-family residences adjoining to the west of the project site.

IMPACT ANALYSIS

- a) **Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

**Determination: Less Than Significant Impact.**

It is difficult to specify noise levels that are generally acceptable to everyone; noise that is considered a nuisance to one person may be unnoticed by another. Standards may be based on



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documented complaints in response to documented noise levels or based on studies of the ability of people to sleep, talk, or work under various noise conditions.

SHORT-TERM CONSTRUCTION IMPACTS

Construction activities generally are temporary and have a short duration, resulting in periodic increases in the ambient noise environment. Construction activities would occur over approximately 38 months and would include the following phases: grading, building construction, paving, and architectural coating. The project would also involve approximately 335,000 cubic yards of cut and 325,000 cubic yards of fill resulting in approximately 10,000 cubic yards of net soil export. Ground-borne noise and other types of construction-related noise impacts would typically occur during the initial earthwork phases. This phase of construction has the potential to create the highest levels of noise. Typical noise levels generated by construction equipment are shown in Table 14, Maximum Noise Levels Generated by Typical Construction Equipment. Operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Other primary sources of acoustical disturbance would be due to random incidents, which would last less than one minute (such as dropping large pieces of equipment or the hydraulic movement of machinery lifts).

Table 15: Maximum Noise Levels Generated by Typical Construction Equipment

Type of Equipment	Acoustical Use Factor <sup>1</sup>	L <sub>max</sub> at 50 Feet (dBA)	L <sub>max</sub> at 10 Feet (dBA)
Compressor	40	78	92
Concrete Mixer Truck	40	79	93
Dozer	40	82	96
Dump Truck	40	76	90
Excavator	40	81	95
Grader	40	85	99
Loader	40	79	93
Paver	50	77	94
Roller	20	80	98
Scraper	40	85	99
Tractor	40	84	98
Water Truck	40	80	89
Note: 1.Acoustical Use Factor (percent): Estimates the fraction of time each piece of construction equipment is operating at full power (i.e., its loudest condition) during a construction operation.			
Source:Federal Highway Administration, Roadway Construction Noise Model (FHWA-HEP-05-054), January 2006.			

Construction noise levels in the project vicinity would fluctuate depending on the particular type, number, and duration of usage for the varying equipment. The effects of construction noise largely depend on the type of construction activities occurring on any given day, noise levels generated by those activities, distances to noise-sensitive receptors, and the existing ambient noise environment in the receptor’s vicinity. Construction generally occurs in several discrete phases, with each phase requiring different equipment with varying noise characteristics. These



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phases alter the characteristics of the noise environment generated on the proposed project site and in the surrounding community for the duration of the construction process.

Noise levels depicted in **Table 14** represent maximum sound levels ( $L_{max}$ ), which are the highest individual sound occurring at an individual time period. The closest sensitive receptors to the project site are single-family residences located immediately adjacent to the project site to the west. At the distance of 10 feet, construction noise levels could range between approximately 89 dBA and 99 dBA; refer to **Table 14**. Although sensitive receptors may be exposed to increased noise levels during project construction, construction activities are a normal part of urban life. However, the project would be required to comply with the City's allowable construction hours (Moreno Valley Municipal Code Section 11.80.030[D][7]). Moreno Valley Municipal Code Section 11.80.030[D][7], *Construction and Demolition*, permits construction activities between 7:00 a.m. to 8:00 p.m. Monday through Sunday. Furthermore, grading operations shall be limited to the hours identified in Moreno Valley Municipal Code Section 8.21.050 (O) of 7:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 4:00 p.m. on Saturday. No grading operations are allowed on holidays. Compliance with the Moreno Valley Municipal Code would minimize impacts from construction noise, as construction would be limited to the permitted times. By following Moreno Valley Municipal Code standards, project construction activities would result in a less than significant noise impact.

### LONG-TERM OPERATIONAL IMPACT

#### Mobile Noise

The proposed project would include 108 single-family residential units and park uses. Future buildout of the project could result in increased traffic and thus, increased traffic noise levels on-site and on adjacent roadways. According to the *Highway Traffic Noise Analysis and Abatement Policy and Guidance*, a doubling of traffic volumes would result in a 3.0 dB increase in traffic noise levels, which is barely detectable by the human ear.<sup>32</sup> As noted above, the project would result in a significant noise impact if a permanent increase in ambient noise levels of 3.0 dB occurs upon project implementation and the resulting noise level exceeds the applicable exterior standard at a noise sensitive use (65 dBA CNEL).

#### Existing Conditions

Roadway segment noise levels for the "Existing" and "Existing with Project" scenarios were compared to evaluate project-related operational noise impacts. According to **Table 15, Existing and Existing With Project Traffic Noise Levels**, under the "Existing" scenario, noise levels at a distance of 100 feet from the roadway centerline would range from 57.0 dBA to 66.6 dBA. Under the "Existing with Project" scenario, noise levels at a distance of 100 feet from the roadway

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<sup>32</sup> U.S. Department of Transportation, *Highway Traffic Noise Analysis and Abatement Policy and Guidance*, updated August 24, 2017, [https://www.fhwa.dot.gov/environMent/noise/regulations\\_and\\_guidance/polguide/polguide02.cfm](https://www.fhwa.dot.gov/environMent/noise/regulations_and_guidance/polguide/polguide02.cfm), accessed on December 27, 2022.



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centerline would range from 57.2 dBA to 66.6 dBA. The increase in ambient noise between the two scenarios would range from 0.0 dBA to 0.3 dBA. As these noise level increases are below 3.0 dBA, a less than significant impact would occur in this regard.

**Table 16: Existing and Existing Plus Project Traffic Noise Levels**

	Existing					Existing With Project					Difference in dBA @ 100 Feet from Roadway
	ADT	dBA @ 100 Feet from Roadway Centerline	Distance from Roadway Centerline to: (Feet)			ADT	dBA @ 100 Feet from Roadway Centerline	Distance from Roadway Centerline to: (Feet)			
			70 CNEL Noise Contour	65 CNEL Noise Contour	60 CNEL Noise Contour			70 CNEL Noise Contour	65 CNEL Noise Contour	60 CNEL Noise Contour	
<b>Cottonwood Avenue</b>											
Nason Street to Project's Western Boundary	4,874	57.0	-	-	64	5,066	57.2	-	-	65	0.2
<b>Alessandro Boulevard</b>											
Lasselle Street to Morrison Street	25,835	66.6	59	128	275	26,089	66.6	60	129	277	0.0
Morrison Street to Nason Street	22,373	66.0	54	116	250	22,647	66.0	54	117	252	0.0
Nason to Project's Western Boundary	22,948	66.1	55	118	254	24,546	66.4	57	124	266	0.3
Notes: ADT = average daily trips; dBA = A-weighted decibels; CNEL = community noise equivalent level; - = Contour located within the roadway right of way.											
Source: Based on traffic data within the <i>TTM 38442 Residential Traffic Impact Analysis</i> prepared by Translutions, Inc., dated August 5, 2022.											

Future Conditions

The “Future Year 2040 without Project” and “Future Year 2040 with Project” scenarios were compared to evaluate mobile source project impacts. According to **Table 16, Future Traffic Noise Levels**, under the “Future Year 2040 without Project” scenario, the noise level would range from 59.7 dBA to 67.3 dBA. Under the “Future Year 2040 with Project” scenario, the noise level would range from 59.9 dBA to 67.3 dBA. The increase in ambient noise between the two scenarios would range from 0.0 dBA to 0.2 dBA. As these noise level increases are below 3.0 dBA, a less than significant impact would occur in this regard.

**Table 17: Future Traffic Noise Levels**

	Buildout Year 2040					Buildout Year 2040 With Project					Difference in dBA @ 100 Feet from Roadway
	ADT	dBA @ 100 Feet from Roadway Centerline	Distance from Roadway Centerline to: (Feet)			ADT	dBA @ 100 Feet from Roadway Centerline	Distance from Roadway Centerline to: (Feet)			
			70 CNEL Noise Contour	65 CNEL Noise Contour	60 CNEL Noise Contour			70 CNEL Noise Contour	65 CNEL Noise Contour	60 CNEL Noise Contour	
<b>Cottonwood Avenue</b>											
Nason Street to Project's	5,117	59.7	-	-	96	5,309	59.9	-	-	99	0.2



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	Buildout Year 2040					Buildout Year 2040 With Project					Difference in dBA @ 100 Feet from Roadway
	ADT	dBA @ 100 Feet from Roadway Centerline	Distance from Roadway Centerline to: (Feet)			ADT	dBA @ 100 Feet from Roadway Centerline	Distance from Roadway Centerline to: (Feet)			
			70 CNEL Noise Contour	65 CNEL Noise Contour	60 CNEL Noise Contour			70 CNEL Noise Contour	65 CNEL Noise Contour	60 CNEL Noise Contour	
Western Boundary											
<b>Alessandro Boulevard</b>											
Lasselle Street to Morrison Street	27,126	67.3	66	142	306	27,380	67.3	66	143	308	0.0
Morrison Street to Nason Street	23,099	66.6	-	127	275	23,373	66.6	-	128	277	0.0
Nason to Project's Western Boundary	25,145	66.9	-	135	291	25,743	67.1	64	137	295	0.2
Notes: ADT = average daily trips; dBA = A-weighted decibels; CNEL = community noise equivalent level; - = Contour located within the roadway right of way.											
Source: Based on traffic data within the TTM 38442 Residential Traffic Impact Analysis prepared by Translutions, Inc., dated August 5, 2022.											

**Stationary Noise**

The project proposes to construct a 108-unit single-family residential development and park uses. Stationary noise sources associated with the project would include the operation of mechanical equipment, parking activities, and outdoor gathering area activities. Based on Moreno Valley Municipal Code, Chapter 11.80, *Noise Regulations*, the project shall not exceed noise levels greater than 60 dBA Leq during daytime (8:00 a.m. to 10:00 p.m.) and 55 dBA Leq during nighttime hours (10:00 p.m. to 8:00 a.m.) when measured at 200 feet from a noise source; refer to **Table 10**. As such, stationary noise impacts have been analyzed at 200 feet.

Mechanical Equipment

Heating Ventilation and Air Conditioning (HVAC) units typically generate noise levels of approximately 60 dBA Leq at 20 feet from the source.<sup>33</sup> The closest sensitive receptor to a proposed HVAC unit are the single-family residential uses located immediately adjacent to the west of the project site. At the distance of 200 feet, HVAC noise levels would attenuate to approximately 40 dBA, which is below City’s exterior daytime and nighttime standards of 60 dBA and 55 dBA, respectively. Therefore, the nearest sensitive receptors would not be directly exposed to substantial noise from on-site mechanical equipment and impacts would be less than significant.

Parking Lot Activities

The proposed project would include a surface parking lot. Traffic associated with parking lots is

<sup>33</sup> Berger, Elliott H., et al., *Noise Navigator Sound Level Database with Over 1700 Measurement Values*, June 26, 2015.



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typically not of sufficient volume to exceed community noise standards, which are based on a time-averaged scale such as the CNEL scale. However, the instantaneous maximum sound levels generated by a car door slamming, engine starting up and car pass-by may be an annoyance to adjacent noise-sensitive receptors. Estimates of the maximum noise levels associated with the parking lot activities attributed to the project are presented in **Table 17, Maximum Noise Levels Generated by Parking Lots.**

**Table 18: Maximum Noise Levels Generated by Parking Lots**

Noise Source	Maximum Noise Levels at 50 Feet from Source
Automobile, door slamming	61 dBA Leq
Automobile, warming up	36 dBA Leq
Automobile, engine Idling	53 dBA Leq

Source: Elliott H. Berger, Rick Neitzel, and Cynthia A. Kladden, *Noise Navigator Sound Level Database with Over 1700 Measurement Values*, June 26, 2015.

As shown in **Table 17**, parking lot activities can result in noise levels up to 61 dBA at a distance of 50 feet. It is noted that parking lot noises are instantaneous noise levels compared to noise standards in the CNEL scale, which are averaged over time. As a result, actual noise levels over time resulting from parking lot activities would be far lower than the ambient noise levels identified in **Table 13**. The proposed parking lot would have intermittent parking lot noise due to the movement of vehicles. The nearest sensitive receptors would be located immediately adjacent to the west of the project site. However, at the distance of 200 feet, noise levels from parking activities would range from 24 to 49 dBA and would be below City’s exterior daytime and nighttime standards of 60 dBA and 55 dBA, respectively. Therefore, noise associated with parking activities would not be audible to nearest sensitive receptors. Impacts would be less than significant in this regard.

Outdoor Gathering Areas

Noise generated by groups of people (i.e., crowds) is dependent on several factors including vocal effort, impulsiveness, and the random orientation of the crowd members. According to the U.S. Environmental Protection Agency, crowd noise is approximately 60 dBA at one meter (i.e., 3.28 feet) from the source.<sup>34</sup> Noise has a decay rate due to distance attenuation, which is calculated based on the Inverse Square Law. Based upon the Inverse Square Law, sound levels decrease by 6 dBA for each doubling of distance from the source. Within the proposed project boundaries, crowds have the potential to gather at proposed park use along the eastern property line. The nearest sensitive receptor is the existing single-family residences located approximately 600 feet east of the proposed park use. At the distance of 200 feet, crowd noise would be approximately 26 dBA and would not exceed the City’s exterior daytime and nighttime noise standards of 60 dBA and 55 dBA, respectively. Impacts would be less than significant in this regard.

<sup>34</sup> U.S. Environmental Protection Agency, *Community Noise*, 1971.





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**b) Generation of excessive groundborne vibration or groundborne noise levels?**

**Determination: Less Than Significant Impact.**

Project construction can generate varying degrees of groundborne vibration, depending on the construction procedure and the construction equipment used. Operation of construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. The effect on buildings located in the vicinity of the construction site often varies depending on soil type, ground strata, and construction characteristics of the receiver building(s). The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage at the highest levels. Groundborne vibrations from construction activities rarely reach levels that damage structures.

The Caltrans *Transportation and Construction Vibration Manual* identifies various vibration damage criteria for different building classes. This evaluation uses the Caltrans architectural damage criterion for continuous vibrations at new residential structures and modern industrial/commercial buildings of 0.5 inch-per-second (inch/second) PPV. The types of construction vibration impacts include human annoyance and building damage. Annoyance is assessed based on levels of perception, with a PPV of 0.01 inch/second being considered “barely perceptible,” 0.04 inch/second as “distinctly perceptible,” 0.1 inch/second as “strongly perceptible,” and 0.4 inch/second as “severe.” Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time.

Construction of the proposed project would occur over approximately 38 months and would include grading, paving, building construction, and architectural coatings. The highest degree of groundborne vibration would be generated during the grading phase due to the operation of bulldozers. The project is also expected to use vibratory rollers during the paving phase. However, the project would not require pavement within 80 feet of the closest sensitive receptors. As a result, vibratory rollers are not expected to operate within 80 feet from the nearest residential building to the west. Groundborne vibration levels associated with representative construction equipment are summarized in **Table 18, Typical Vibration Levels for Construction Equipment.**

**Table 19: Typical Vibration Levels for Construction Equipment**

Equipment	Approximate peak particle velocity at 10 feet (inches/second)	Approximate peak particle velocity at 25 feet (inches/second)	Approximate peak particle velocity at 80 feet (inches/second)
Loaded Trucks	0.208	0.076	0.0133
Large Bulldozers	0.244	0.089	0.0155
Small Bulldozer/Tractors	0.008	0.002	0.0005
Vibratory Rollers	NA	0.210	0.0367

Notes: NA = Not Applicable  
 Calculated using the following formula:  
 $PPV_{equip} = PPV_{ref} \times (25/D)^{1.1}$



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<p>where:PPV (equip) = the peak particle velocity in in/sec of the equipment adjusted for the distance  PPV (ref) = the reference vibration level in in/sec from Table 12-2 of the FTA Transit Noise and Vibration Impact Assessment Guidelines  D = the distance from the equipment to the receiver</p> <p>Source: California Department of Transportation, <i>Transportation and Construction Vibration Guidance Manual</i>, April 2020.</p>
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As indicated in **Table 18**, vibration velocities from typical heavy construction equipment operation would range from 0.002 to 0.089 inch/second PPV at 25 feet from the source of activity. The nearest structures to the project site are single-family residential buildings located immediately to the west of the project site. However, construction activities are expected to occur as close as 10 feet from the nearest sensitive receptor building. Groundborne vibration decreases rapidly with distance. As such, vibration velocities from typical heavy construction equipment operation would range from 0.008 to 0.244 inch/second PPV at 10 feet from the source of activity the construction activities. As previously noted, vibratory rollers are not expected to operate within 80 feet from the nearest residential building to the west. As such, the vibration level during the operation of vibratory rollers would be 0.0367 inch/second PPV at 80 feet. As a result, construction groundborne vibration would not be capable of exceeding the 0.50 inch/second PPV significance threshold for vibration to the nearest structures and a less than significant impact would occur in this regard.

**c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

**Determination: No Impact.**

The closest public use airport to the project site is the March Air Reserve Base, located approximately 3.8 miles southwest of the project site. The project site is located outside of the March Air Reserve Base Airport Influence Area and is not located within the vicinity of a private airstrip or any airport land use plan, or within two miles of a public airport.<sup>35</sup> As such, no impacts would occur in this regard.

**MITIGATION MEASURES**

None required.

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<sup>35</sup> Air Force Reserve Command, *Final Installations Compatible Use Zones Study March Air Reserve Base Riverside*, 2018, [https://www.marchjpa.com/documents/docs\\_forms/AICUZ\\_2018.pdf](https://www.marchjpa.com/documents/docs_forms/AICUZ_2018.pdf), accessed on January 3, 2023.



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4.14 POPULATION AND HOUSING

Would the proposed project:		Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?			X	

DISCUSSION

14(a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Determination: Less Than Significant Impact.

A project could induce population growth in an area either directly, through the development of new residences or businesses, or indirectly, through the extension of roads or other infrastructure. In 2022, the California Department of Finance estimated that Moreno Valley had an average household size of 3.70 persons per household.<sup>36</sup>

The most recent Regional Housing Needs Assessment (RHNA) allocation released by the Southern California Association of Governments (SCAG) for the City identifies the need for an additional 13,627 housing units in the City over the next eight years.<sup>37</sup> With 108 residential units as part of the proposed project, the project would generate approximately 400 residents and would accommodate approximately 1.0 percent of the City’s RHNA allocation. Therefore, the project as proposed is consistent with the anticipated population growth that the City is required to plan for under its’ 6<sup>th</sup> Cycle Housing Element. Impacts would be less than significant.

The City’s current population is 209,407 persons as of January 1, 2022.<sup>38</sup> The forecast population

<sup>36</sup> California Department of Finance. 2022. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2021-2022 with 2020 Census Benchmark. <https://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/>. Accessed January 23, 2023.

<sup>37</sup> Southern California Association of Governments. 2022. 6<sup>th</sup> Cycle Final RHNA Allocation Plan. <https://scag.ca.gov/sites/main/files/file-attachments/6th-cycle-rhna-final-allocation-plan.pdf?1616462966>. Accessed January 23, 2023.

<sup>38</sup> Ibid.



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in 2045 is 266,800 persons.<sup>39</sup> The project’s potential growth-inducing impacts would be considered less than significant since the 496 additional residents represents only a 0.24 percent increase from the City’s current population and 0.84 percent of the City’s population increase between 2022 and 2045. Thus, the project would be consistent with the types, intensity, and patterns of land use envisioned for the site vicinity and with growth projections. Impacts would be less than significant.

*14(b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

**Determination: No Impact.**

The project site is currently vacant. There are no existing residences on-site. As such, project implementation would not displace existing people or housing. No impacts would occur in this regard.

**MITIGATION MEASURES**

None required.

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<sup>39</sup> Southern California Association of Governments, *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy Demographics & Growth Forecast*, September 3, 2020.



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4.15 PUBLIC SERVICES

Would the proposed project:				
Issues	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public series:				
i) Fire protection?			X	
ii) Police protection?			X	
iii) Schools?			X	
iv) Parks?			X	
v) Other public facilities?			X	

**DISCUSSION**

15(a) *Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public series:*

i) *Fire protection?*

**Determination: Less Than Significant Impact.**

Fire and emergency medical services are provided by MVFD, under contracts with the Riverside County Fire Department (RCFD) and the California Department of Forestry and Fire Protection (CAL FIRE) for provision of services as part of an integrated regional fire protection system. The MVFD operates seven fire stations in Moreno Valley. The nearest fire station to the project site is the Morrison Park Fire Station located approximately 0.8-mile northwest of the project site at 10800 Morrison Street.

The proposed project would create an increased demand for fire protection services as a result of the addition of new residents. However, the project would not induce

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significant or unplanned population growth; refer to Section 4.14, *Population and Housing*. Further, the proposed project would be conditioned to comply with the requirements of the MVFD for emergency access, fire flow, fire protection standards, fire lanes, and other site design/building standards. The project would also be subject to the project design requirements set forth in the 2019 California Fire Code and the 2019 California Building Standards Code. The Project Applicant is required to comply with the provisions of the City of Moreno Valley's Development Impact Fee (DIF) Ordinance (Ordinance No. 695), which requires a fee payment that the City applies to the funding of public facilities, including fire protection facilities. Payment of these fees would offset the project's impacts to the acquisition, design, and construction of new fire facilities. Following collection of development impact fees and compliance with MVFD, California Fire Code (included in the Moreno Valley Municipal Code Chapter 8.36, *California Fire Code*), and CBC requirements, impacts to fire protection facilities would be less than significant.

ii) *Police protection?*

**Determination: Less Than Significant Impact.**

The Moreno Valley Police Department (MVPD) provides law enforcement services through a contract with the Riverside County Sheriff's Department (RCSD) for police protection services. Specifically, police protection services for the project area are provided by the MVPD located at 22850 Calle San Juan De Los Lagos in Moreno Valley, approximately 4.3 miles west of the project site.

The proposed project would create an increased demand for police protection services. However, the project would not induce significant or unplanned population growth; refer to Section 4.14, *Population and Housing*. The Project Applicant is required to comply with the provisions of the City of Moreno Valley's Development Impact Fee (DIF) Ordinance (Ordinance No. 695), which requires a fee payment that the City applies to the funding of public facilities, including police protection facilities. Payment of these fees would offset the project's impacts to the acquisition, design, and construction of new police facilities. The MVPD would have the opportunity to review the project design plans and include conditions that would be required in order for the applicant to be issued development permits. As a 108-unit residential development project, the proposed project is not expected to result in any unusual circumstances that may generate high demand for police protection services. Therefore, payment of the City's development impact fees would fully mitigate any potential impact on MVPD facilities. A less than significant impact would occur.

iii) *Schools?*

**Determination: Less Than Significant Impact.**

The proposed project site is located within the boundaries of the MVUSD. The nearest elementary school is Moreno Elementary School at 26700 Cottonwood Avenue,



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located approximately 0.5-mile west of the project site. The nearest middle school is Mountain View Middle School at 13130 Morrison Street, located approximately 0.9-mile northwest of the project site. The nearest high school is Valley View High School at 13135 Nason Street, approximately 0.6-mile northwest of the project site.

The project would not induce significant or unplanned population growth; refer to Section 4.14, *Population and Housing*. In addition, the project would be required to comply with Senate Bill (SB) 50 requirements, which allow school districts to collect impact fees from developers of new projects. According to Section 65997 of the California Government Code, payment of statutory fees is the exclusive method of mitigating environmental effects related to the adequacy of school facilities when considering the approval or the establishment of conditions for the approval of a development project. Thus, upon payment of required fees by the Project Applicant consistent with existing State requirements, impacts would be less than significant.

#### iv) *Parks?*

##### **Determination: Less Than Significant Impact.**

The City's Parks and Community Services Department maintains approximately 482 acres of parkland within the Planning Area, which consists of seven community parks, 24 neighborhood parks, four specialty parks and 15 miles of trails/greenways existing and proposed park and recreational facilities. Additionally, the City maintains joint use agreements with the MVUSD for off-hour use of some school facilities, including gymnasiums and swimming pools. The nearest park, Morrison Park, is approximately 0.55-mile northwest of the project site. In addition, according to Figure 4.15-2, *Existing and Planned Parks and Recreation Facilities*, of the City's General Plan EIR, there is a potential planned park site located approximately 0.25-mile northeast of the project site along Cottonwood Avenue. These facilities may be utilized by residents of the project.

The project would not induce significant or unplanned population growth; refer to Section 4.14, *Population and Housing*. As described previously, the project contains an outdoor open space for use by the residents comprised of one onsite park totaling 1.45 acres. In addition, Section 3.38.080, *Park Improvements Residential Development Impact Fees*, and Chapter 3.40, *Dedication of Land for Park Facilities and Payment of In-Lieu Fees*, of the Moreno Valley Municipal Code include requirements for mitigation fees in favor of park improvements and/or parkland dedication; where applicable, these fees would be included as a condition of the approval of the residential development. Therefore, this impact would be less than significant.

#### v) *Other public facilities?*

##### **Determination: Less Than Significant Impact.**



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The project would not induce significant or unplanned population growth; refer to Section 4.14, *Population and Housing*. The project involves the development of a 108-unit single-family residential development and does not propose new or physically altered public facilities. Thus, the proposed project would not result in an increase in the demand for other governmental services such as the economic development and other community support services commonly provided by the City. This impact would be less than significant.

#### MITIGATION MEASURES

None required.





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4.16 RECREATION

Would the proposed project:		Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b)	Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

DISCUSSION

16(a) *Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

**Determination: Less Than Significant Impact.**

Refer to Response 4.15(a)(iv). It is not anticipated that the proposed project would generate a substantial number of new jobs or induce substantial unplanned population growth in the City. Additionally, the project would also be required to pay requisite development impact fees in accordance with Section 3.38.080, *Park Improvements Residential Development Impact Fees*, and Chapter 3.40, *Dedication of Land for Park Facilities and Payment of In-Lieu Fees*, of the Moreno Valley Municipal Code. Impacts would be less than significant in this regard.

16(b) *Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

**Determination: Less Than Significant Impact.**

Refer to Response 4.15(a)(iv). The proposed project includes recreational amenities for use by residents but would not include the construction or expansion of any public parks or recreational facilities. As described previously, the proposed project would not increase the demand for parks or other recreational facilities and would not require the construction or expansion of any such facilities. This impact would be less than significant.

MITIGATION MEASURES

None required.



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4.17 TRANSPORTATION

Would the proposed project:		Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?		X		
b)	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			X	
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d)	Result in inadequate emergency access?		X		

The analysis and findings throughout this section are based on the *Moreno Valley TTM 38442 Residential Traffic Impact Analysis* (Traffic Analysis) prepared by Translutions, Inc., dated August 5, 2022, and the *TTM 38442 and TTM 38443 Residential – VMT Analysis* (VMT Analysis) prepared by Translutions, Inc., dated August 5, 2022, provided as **Appendix 7A** and **7B**, respectively, of this IS/MND.

**DISCUSSION**

*17(a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

**Determination: Less Than Significant Impact With Mitigation Incorporated.**

Methodology

State CEQA Guidelines Section 15064.3 was released on December 28, 2018, to address the determination of significance for transportation impacts. The new guideline requires that the analysis is based on vehicle miles traveled (VMT) instead of congestion (such as level of service, or LOS). The change in the focus of transportation analysis is the result of legislation (SB 743) and is intended to shift the emphasis from congestion to, among other things, reducing GHG emissions, promoting a diversity of land uses, and developing multimodal transportation networks. Pursuant to CEQA Guidelines Section 15064.3(c), this change in analysis is mandated to be used beginning July 1, 2020. Refer to Response 4.17(b) below for the project impacts relative to VMT.

However, as the City has maintained its requirement to utilize LOS as the mechanism for



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quantifying transportation and circulation impacts of planned projects, the LOS analysis for the proposed project is presented below. LOS is used to qualitatively describe the performance of a roadway facility, ranging from LOS A (free-flow conditions) to LOS F (extreme congestion and system failure).

##### Study Area

Based on the trip generation and trip distribution of the proposed project, and based on discussion with City staff, the Traffic Analysis analyzed the following intersections and roadway segments for traffic operations:

##### *Study Intersections*

1. Lasselle Street and Alessandro Boulevard
2. Morrison Street and Alessandro Boulevard
3. Nason Street and Eucalyptus Avenue
4. Nason Street and Dracaea Avenue
5. Nason Street and Cottonwood Avenue
6. Nason Street and Alessandro Boulevard
7. Street A and Cottonwood Avenue
8. Street A and Alessandro Boulevard

##### *Study Roadway Segments*

1. Cottonwood Avenue from Nason Street to the project's western boundary
2. Alessandro Boulevard from Lasselle Street to Morrison Street
3. Alessandro Boulevard from Morrison Street to Nason Street
4. Alessandro Boulevard from Nason Street to the project's western boundary.

##### Existing Conditions

Roadways. Regional access to the project site is provided by SR-60 to the north and I-215 to the west. Local access to the project is provided by the following roadways:

- **Nason Street** is oriented in the north-south direction and is a four-lane roadway within the project study area. The City's circulation element designates Nason Street as a "Modified Divided Major Arterial." The speed limit on Nason Street is 40 miles per hour. On-street parking is prohibited.
- **Cottonwood Avenue** is oriented in the east-west direction and is a two-lane roadway within the project study area. The City's circulation element designates Cottonwood Avenue as a "Minor Arterial" roadway. The speed limit on Cottonwood Avenue is 40 miles per hour. On-street parking is prohibited.
- **Alessandro Boulevard** is oriented in the east-west direction and is a two-lane roadway within the project study area. The City's circulation element designates Alessandro



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Boulevard as an “Arterial” roadway. The speed limit on Alessandro Boulevard is 50 miles per hour. On-street parking is prohibited.

- **Lasselle Street** is oriented in the north-south direction and is a two-lane roadway within the project study area. The City’s circulation element designates Lasselle Street as an “Arterial” roadway. The speed limit on Lasselle Street is 40 miles per hour. On-street parking is prohibited.
- **Morrison Street** is oriented in the north-south direction and is a four-lane roadway. The City’s circulation element designates Morrison Street as a “Minor Arterial” roadway. The speed limit on Morrison Street is 35 miles per hour. On-street parking is prohibited.

Transit. Public transportation services within the project area includes bus transit service provided by the Riverside Transit Agency (RTA). The closest transit route to the project is located on Nason Street via Route 31. Route 31 provides transit service on Nason Street within the project area. Route 31 has a major stop at the Riverside University Medical Center on the northwest corner of Nason Street and Cactus Avenue. Route 31 operates at 60 to 90-minute headways on weekdays.

Pedestrian/Bicycle Facilities. The City uses three types of bike path classifications including Class I multi-use paths, Class II bicycle lanes, and Class III bicycle routes. There are existing bike lanes on Nason Street within the project area. Pedestrian circulation within the City is primarily provided via sidewalks. There are existing sidewalks on Nason street, no sidewalks on Alessandro Boulevard, and limited sidewalks on Cottonwood Avenue adjacent to the project site. It should be noted that the City is proposing a Class II Bike Lane on Alessandro Boulevard from Kitching Street to Moreno Beach Drive, as well as a Class III Bike Route on Cottonwood Avenue from Nason Street to Moreno Beach Drive.

Project Trip Generation

The trip generation for the project is based on trip generation rates from the Institute of Transportation Engineers' (ITE) Trip Generation (11th Edition) and are based on Land Use 210 “Single-Family Detached Housing.” Based on the trip generation calculation provided in the Traffic Analysis, the project is anticipated to generate 76 trips during the a.m. peak hour, 102 trips during the p.m. peak hour, and 1,018 daily trips.

Project Traffic Analysis

The City General Plan has established minimum target Levels of Services for study area intersections and roadways. LOS D is applicable to intersections that are adjacent to freeway on/off ramps, and adjacent to employment generating land uses. LOS C is applicable to all other intersections. For boundary intersections, LOS D is assumed to be acceptable. Consistent with the acceptable LOS in the City’s General Plan, the City considers the following criteria for application in a traffic study to identify infrastructure improvements required to provide acceptable operations. For signalized intersections, the City has established the following operating requirements:

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- Any signalized study intersection operating at acceptable LOS without project traffic in which the addition of project traffic causes the intersection to degrade to unacceptable LOS shall identify improvements to provide acceptable LOS.
- Any signalized study intersection that is operating at unacceptable LOS without project traffic where the project increases delay by 5.0 or more seconds shall identify improvements to offset the increase in delay. For unsignalized intersections, the City has established that an operational improvement would be required if the study determines that either section a) or both sections b) and c) occur:
  - a) The addition of project related traffic causes the intersection to degrade from an acceptable LOS to unacceptable LOS.
  - OR
  - b) The project adds 5.0 seconds or more of delay to an intersection that is already projected to operate without project traffic at unacceptable LOS,
  - AND
  - a) The intersection meets the peak hour traffic signal warrant after the addition of project traffic.

If the conditions above are satisfied, improvements should be identified that achieve the following:

- LOS D or better for case a) above or to pre-project LOS and delay for case b) above.

The Traffic Analysis prepared for the project concluded that under both Project Completion Year (2024) and General Plan Buildout (2040) conditions, multiple intersections and roadway segments within the project area would operate at a deficient level of service (LOS) both with and without the project. However, the project adds less than 5.0 seconds of additional delay and therefore falls below the thresholds set in the City’s guidelines.

The City requires that circulation improvements be recommended if the study area intersections and roadway segments don’t meet the City’s General Plan Consistency requirements, as described in the Traffic Analysis. These improvements can include conversion of stop control, signalization, changes to signal phasing, and/or addition of lanes as appropriate. Although the project adds less than 5.0 seconds of additional delay, as described in **Mitigation Measure TRA-1**, the following project-specific improvements shall be constructed as design features in conjunction with development of the site to reduce transportation impacts relative to the City’s traffic guidelines:

- Project Completion Year 2024 and General Plan Buildout Year 2040: Street A and Alessandro Boulevard: Modify the southbound approach by restricting outbound traffic to right-out access only.

Since the project adds less than 5.0 seconds of additional delay and therefore falls below the thresholds set in the City’s guidelines, the project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and



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pedestrian facilities. In addition, the project site has been designed to construct onsite roadway improvements consistent with City guidelines for private streets. In addition, the project would pay Development Impact Fees as conditioned by the City. The fees shall be collected and utilized as needed by the City to construct the improvements necessary to maintain the required LOS and build or improve roads to their build-out level. Therefore, for the reasons stated above and with implementation of **Mitigation Measure TRA-1**, this impact would be reduced to a less than significant level.

*17(b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?*

**Determination: Less Than Significant Impact.**

Changes to the CEQA Guidelines Section 15064.3 became effective July 1, 2020, which require all lead agencies to adopt VMT as a replacement for automobile delay-based LOS as the new measure for identifying transportation impacts for land use projects. The City of Moreno Valley has prepared and adopted the *City of Moreno Valley Transportation Impact Analysis Preparation Guide for Vehicle Miles Traveled and Level of Service Assessment* in June 2020 to address changes to CEQA pursuant to SB 743 to include VMT analysis methodology, screening tools, and VMT thresholds.

For projects that require a VMT analysis and do not screen out, the guidelines recommend using home-based VMT/Capita (HB-VMT/Capita) for residential projects. The VMT analysis has been conducted using the RivTAM with City’s General Plan. Based on the City guidelines, this analysis includes the project-generated VMT and project effect on VMT for the following scenarios:

- Notice of Preparation (NOP) Baseline conditions;
- NOP Baseline plus project conditions;
- Year 2040 without project conditions; and
- Year 2040 plus project conditions.

The City guidelines have established thresholds of significance for project-generated VMT for use as part of the environmental review process under CEQA. The following would result in a significant project generated VMT:

1. A project would have a significant VMT impact if, in the NOP baseline plus project scenario, its net VMT per capita exceeds the per capita VMT for Moreno Valley.
  - a. If a project is consistent with regional RTP/SCS, then the cumulative impacts shall be considered less than significant subject to consideration of other substantial evidence. If is not consistent with the RTP/SCS, then it would have a significant VMT impact if it’s net VMT per capita exceeds the average VMT per capita for Moreno Valley for residential projects.

The project’s effect on VMT compares how the project changes VMT on the network looking at Citywide VMT and comparing it to the no project condition. Based on data extracted from the



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model, the City's VMT are the following:

- Base Year Model:
  - VMT/Capita: 13.2
- Future Year Model:
  - VMT/Capita: 13.6

##### Project-Generated VMT Analysis

NOP Year (2022) Conditions. The NOP Year VMT/Capita for the project is 13.2 miles, while the City average is 13.4 miles. The project-generated VMT does not exceed the City's VMT per capita. Therefore, the project does not have a significant VMT impact based on the City's thresholds.

Year 2040 Conditions. The Year 2040 VMT/Capita for the project is 11.2 miles, while the City average is 13.6 miles. The project generated VMT does not exceed the City's VMT per capita. Therefore, the project does not have a significant VMT impact based on the City's thresholds.

##### Project Effect on VMT

NOP Year (2022) Conditions. The NOP Year VMT/Capita for the project is 26.24 miles, while the City average is 26.25 miles. The project effect on VMT does not increase when compared to the no project condition, therefore, the project does not have a significant VMT impact based on the City's thresholds.

Year 2040 Conditions. The Year 2040 VMT/Capita for the project is 30.96 miles, while the City average is 31.00 miles. The project effect on VMT does not increase when compared to the no project condition, therefore, the project does not have a significant VMT impact based on the City's thresholds.

##### Conclusion

The project generated VMT under NOP Year and Year 2040 with project conditions does not exceed the City's VMT per capita. In addition, the project effect on VMT under NOP Year and Year 2040 with project conditions does not increase when compared to the "no project" conditions, Therefore, based on the City's VMT thresholds, impacts would be less than significant in this regard.

*17(c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

##### **Determination: Less Than Significant Impact.**

The project does not involve any unusual conditions, or hazardous design features, such as sharp curves or dangerous intersections, or incompatible uses. The Traffic Analysis recommended roadway improvements (**Appendix 7**) that would be constructed to be consistent with the identified roadway classifications and respective cross-sections in City's General Plan Circulation Element. The project access and project improvements (i.e., signage, buildings, and landscaping)



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would be designed in accordance with City standards so that adequate sight distance for drivers entering and exiting the site is maintained. On-site traffic signing and striping would be implemented in conjunction with detailed construction plans for the project site. With implementation of the recommended configuration of the driveways and frontage improvements as part of the project design, a less than significant impact would occur.

17(d) *Result in inadequate emergency access?*

**Determination: Less Than Significant Impact With Mitigation Incorporated.**

The access and circulation features on the project site would accommodate emergency ingress and egress. Access to the project site would be provided by a full access intersection located along Alessandro Boulevard. The proposed site access improvements would ensure that access is maintained for fire trucks, police units, and ambulance/paramedic vehicles.

The project is subject to the City’s design review to ensure that the project as designed does not temporarily or permanently interfere with the provision of emergency access or with evacuation routes. All emergency access features are subject to and must satisfy the City of Moreno Valley design requirements and be approved by the Fire Department. To reduce potentially significant construction-related traffic impacts and as provided for in **Mitigation Measure TRA-2**, during periods when partial road closures are required, the Project Applicant would be required to implement a temporary Traffic Management Plan (TMP) to minimize temporary impacts to emergency access and evacuation routes during the construction process. Therefore, the project would not result in inadequate emergency access and impacts would be reduced to a less than significant level.

**MITIGATION MEASURES**

**TRA-1** The following project-specific improvements shall be constructed as design features in conjunction with development of the site:

- Project Completion Year 2024 and General Plan Buildout Year 2040: Street A and Alessandro Boulevard: Modify the southbound approach by restricting outbound traffic to right-out access only.

**TRA-2** A construction work zone Traffic Management Plan (TMP) that complies with State/federal standards as prescribed in the California Manual on Uniform Traffic Control Devices (CA MUTCD) shall be submitted to the City for review and approval prior to the issuance of a grading permit or start of construction. The plan shall identify any roadway, sidewalk, bicycle route, or bus stop closures and detours as well as haul routes and hours of operation. All construction-related trips shall be restricted to off-peak hours to the extent possible.

**SIGNIFICANCE OF IMPACT AFTER MITIGATION**

With implementation of **Mitigation Measures TRA-1** and **TRA-2**, impacts relative to traffic and transportation would be reduced to a less than significant level.





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4.18 TRIBAL CULTURAL RESOURCES

<b>Would the proposed project:</b>				
<b>Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?		X		
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		X		

**DISCUSSION**

18(a)(i) *Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)? A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?*

18(a)(ii) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*



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**Determination: Less than Significant Impact with Mitigation Incorporated**

In compliance with AB 52, the City distributed letters notifying the Native American Tribes that requested to be on the City’s list for the purposes of AB 52 (Agua Caliente Band of Cahuilla Indians, Morongo Band of Mission Indians, San Manuel Band of Mission Indians, Rincon Band of Luiseno Indians, Pechanga Band of Indians and Soboba Band of Luiseno Indians) of the opportunity to consult with the City regarding the proposed project. Per AB 52, tribal governments have 30 days to respond to the City’s request for consultation.

Tribal representatives from the Pechanga Band of Indians, Agua Caliente Band of Cahuilla Indians, San Manuel Band of Mission Indians, Rincon Band of Luiseno Indians, and the Morongo Band of Mission Indians requested consultation with the City. No response was received from the Soboba Band of Luiseno Indians. The indicated during consultation that the site is located within the Pechanga and Morongo traditional use areas. However, no specific known tribal cultural resources were identified at the project site All tribes who participated in the AB 52 consultation will be notified of any finds during construction and grading/ground disturbing activities will be halted until the resource is evaluated. The monitoring tribes are identified as the Morongo and Pechanga tribes, with Agua Caliente acting as monitoring tribe if Morongo and Pechanga decide not to monitor earthwork for the project.

To avoid impacting or destroying tribal cultural resources that may be inadvertently unearthed during the project's ground disturbing activities, **Mitigation Measures TCR-1** through **TCR-8** would be required. Implementation of **Mitigation Measures TCR-1** through **TCR-8** would reduce potentially significant impacts to tribal cultural resources to a less than significant level.

**MITIGATION MEASURES**

**TCR-1 Archaeological Monitoring.** Prior to the issuance of a grading permit, the Project Applicant shall retain a professional archaeologist to conduct monitoring of all ground-disturbing activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s) including the Pechanga Band of Indians and the Morongo Band of Indians, the contractor, and the City, shall develop a CRMP as defined in TCR-3. The Project archeologist shall attend the pre-grading meeting with the City, the construction manager, and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The archaeological monitor shall have the authority to temporarily halt and redirect earth-moving activities in the affected area in the event that suspected archaeological resources are unearthed.

**TCR-2 Native American Monitoring.** Prior to the issuance of a grading permit, the Project Applicant shall secure agreements with the Pechanga Band of Indians and the Morongo Band of Mission Indians, for tribal monitoring. The Project Applicant is also required to provide a minimum of 30 days advance notice to the tribes of all ground-disturbing activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth-moving activities in the affected area



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in the event that suspected archaeological resources are unearthed. The Native American Monitor(s) shall attend the pre-grading meeting with the Project Archaeologist, City, the construction manager, and any contractors and will conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.

**TCR-3 Cultural Resource Monitoring Plan (CRMP).** The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a CRMP in consultation pursuant to the definition in AB 52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting Tribe is defined as a Tribe that initiated the AB 52 tribal consultation process for the project, has not opted out of the AB 52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB 52. Details in the Plan shall include:

- a. Project description and location
- b. Project grading and development scheduling;
- c. Roles and responsibilities of individuals on the project;
- d. The pre-grading meeting and Cultural Resources Worker Sensitivity Training details;
- e. The protocols and stipulations that the contractor, City, Consulting Tribe (s) and project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.
- f. The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items.
- g. Contact information of relevant individuals for the project;

**TCR-4 Cultural Resource Disposition.** In the event that Native American cultural resources are discovered during the course of ground-disturbing activities (inadvertent discoveries), one or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Department:

- a. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources.
- b. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure TCR-1. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in TCR-



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3 The location for the future reburial area shall be identified on a confidential exhibit on file with the City, and concurred to by the Consulting Native American Tribal Governments prior to certification of the environmental document.

The City shall verify that the following note is included on the Grading Plan:

“If any suspected archaeological resources are discovered during ground–disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find.”

**TCR-5 Inadvertent Finds.** If potential historic or cultural resources are uncovered during excavation or construction activities at the project site that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to project approval, all ground-disturbing activities in the affected area within 100 feet of the uncovered resource must cease immediately and a qualified person meeting the Secretary of the Interior's standards (Code of Federal Regulations, Title 36, Section 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional archeologist and Tribal Monitors if needed. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all Consulting Native American Tribes as defined in TCR-2 before any further work commences in the affected area. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the Project Archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.

**TCR-6 Human Remains.** If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the “most likely descendant”. The “most likely descendant” shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). No photographs are to be taken except by the coroner, with written approval by the consulting Tribe[s].

**TCR-7 Non-Disclosure of Reburial Locations.** It is understood by all parties that unless



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otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r), parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).

**TCR-8 Archeology Report - Phase III and IV.** Prior to final inspection, the Project Applicant /permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).

**SIGNIFICANCE OF IMPACT AFTER MITIGATION**

Implementation of **Mitigation Measures TCR-1** through **TCR-8** would reduce the potential for impacts to tribal cultural resources to less than significant.

Attachment: Exhibit A to Resolution 2023-49 - Initial Study/Mitigated Negative Declaration [Revision 1] (6425 : Tentative Tract Map 38442



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4.19 UTILITIES AND SERVICE SYSTEMS

<b>Would the proposed project:</b>				
<b>Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Require or result in the relocation or construction of new or expanded water, or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?			X	

**DISCUSSION**

19(a) *Require or result in the relocation or construction of new or expanded water, or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

**Determination: Less Than Significant Impact.**

The project site is served by the following utilities:

- Electricity – Southern California Edison (SCE)
- Water – Eastern Municipal Water District (EMWD)
- Sewer – EMWD
- Storm Drain – Riverside County Flood Control and Water Conservation District (RCFCWCD)



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- Cable – Comcast
- Telephone – Verizon
- Natural Gas – Southern California Gas Company (SoCalGas)

##### Electric Power, Natural Gas, and Telecommunications

The project site is located in a developed area of the City and is situated within close proximity to existing electric power, natural gas, and telecommunications facilities. Therefore, substantial new utility infrastructure would not be required with project implementation.

##### Water

The project would require water for the irrigation of landscaped areas. However, it is not expected that water demand would increase substantially with project implementation. Water for the project would be provided by EMWD and would connect to the existing water main located in adjacent roadways. Therefore, the expansion of off-site water facilities would not be required to serve the project.

##### Storm Drain

The project's stormwater needs are met by the City of Moreno Valley and the Riverside County Flood Control and Water Conservation District. In the developed condition, a proposed storm drain system would convey runoff from the proposed residential development to a 0.52-acre water quality detention basin located in the southeastern portion of the site; refer to **Exhibit 6, WQMP Site Plan**. The basin would control outlet flows and provide runoff treatment and would have a bottom section that will be utilized as a BMP to treat the Design Capture Volume (DCV). Stormwater runoff would pond over a sand filter section to allow runoff to receive treatment. An outlet structure would be provided within the basin with orifice openings above the water quality water surface elevation to outlet 100-year storms to the proposed Line H in Street A. The outlet structure has been designed to decrease developed flows before discharging runoff to Line H. Therefore, the expansion of off-site storm drain facilities would not be required to serve the project.

##### Wastewater Treatment

The project is located within the jurisdiction of the Santa Ana RWQCB, which applies requirements to the wastewater treatment facilities owned and operated by treatment providers. Sewer service is available from an existing sewer line in Alessandro Boulevard. A sewer line would be installed throughout the project in conveying wastewater to a point of connection with the existing sewer line on Alessandro Boulevard. Therefore, the expansion of off-site wastewater facilities would not be required to serve the project.

*19(b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

**Determination: Less Than Significant Impact.**



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The proposed project would result in an increased demand for water supplies from the 108 single-family residential units. To provide a conservative estimate of project water use, a generation rate derived from the most recent (2020) EMWD Urban Water Management Plan (UWMP) of 176 gallons per capita per day was used to estimate water demand from the project.<sup>40</sup> As described in Section 4.14, *Population and Housing*, the project would result in 400 additional residents at full occupancy. Based on EMWD’s 2020 water use target of 176 gallons per capita per day, the 400 additional residents would generate a water demand of 70,400 gallons per day. Using this water demand rate, the project would result in an increase in water demand of 70,400 gallons per day, equivalent to approximately 78.8 acre-feet per year (AFY).

Water service would be provided to the project site by EMWD. EMWD imports water from the Metropolitan Water District (MWD) that it uses to provide water supply to the city. The imported water received from MWD is treated at two treatment plants: Henry J. Mills (Mills) in Riverside and Robert A. Skinner (Skinner) in Winchester. At Mills, SWP water is treated, while at Skinner a combination of SWP water and CRA water is treated. Untreated water supplied by MWD is treated by EMWD at a microfiltration plant in Perris. An additional microfiltration plant is located in Hemet, which provides untreated MWD water directly to a number of agricultural and wholesale customers. EMWD is increasing the use of recycled water, through expansion and maximization of the four regional water reclamation facilities.

As set forth in the EMWD’s most recent UWMP, EMWD has the supply needed to meet the demand of its customers through 2040. This conclusion is based on the assurances of MWD that it would be able to supply member agency demands, the reliability of local groundwater supplies achieved through groundwater management plans and the development of recycled water resources. EMWD estimates that it, along with member agency local sources, would be able to supply 268,200 acre-feet of water in 2040. In addition, the receipt of a “will serve” letter from EMWD; payment of standard water connection fees; and payment of ongoing user fees would ensure that the project’s impacts on existing water facilities are adequately offset. Therefore, impacts would be less than significant.

*19(c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?*

**Determination: Less Than Significant Impact.**

Wastewater disposal is regulated under the federal Clean Water Act and the State Porter-Cologne Water Quality Control Act. The Santa Ana RWQCB regulates wastewater discharges in Moreno Valley, including the project site, and implements the Clean Water Act and the Porter-Cologne Act by administering the NPDES, issuing water discharge permits, and establishing BMPs. The proposed project would receive wastewater conveyance services from the EMWD. Municipal wastewater is delivered to the one of EMWD’s five regional water reclamation facilities which

<sup>40</sup> Eastern Municipal Water District, 2020 Urban Water Management Plan, Table 5-1, p. 5-2.





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treat 46 million gallons of wastewater per day (MGD), and currently treats approximately 43 MGD of wastewater at its four active regional water reclamation facilities.<sup>41</sup>

Given the available capacities at EMWD wastewater treatment plants, it is anticipated that the EMWD has available capacity to accommodate the anticipated wastewater generated from the new residences developed onsite. Based on EMWD’s 2015 Wastewater Collection System Master Plan, EMWD’s wastewater generation criteria used for regional planning is a rate of 235 gallons per day (GPD) per residential unit. Therefore, as the project would develop 108 new residential units, the project would generate approximately 25,380 GPD.<sup>42</sup>

The project, therefore, would generate about 25,380 gallons of wastewater per day (GPD) or 0.0253 MGD. Since the project would only result in an increase of wastewater flows equal to 0.06 percent of current EMWD capacity,<sup>43</sup> adequate capacity is available to serve the proposed project. In addition, the receipt of a “will serve” letter from EMWD; payment of standard wastewater connection fees; and payment of ongoing user fees would ensure that the project’s impacts on existing wastewater facilities are adequately offset. Impacts would be less than significant.

*19(d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

**Determination: Less Than Significant Impact.**

Implementation of the project is anticipated to generate additional solid waste during the temporary, short-term construction phase, as well as the operational phase, but it would not be expected to result in inadequate landfill capacity. According to the City’s General Plan EIR, the majority of solid waste generated within the City is disposed of at Badlands Sanitary Landfill, located at 31125 Ironwood Avenue in Moreno Valley. Two other landfills within the county of Riverside, El Sobrante Landfill and Lamb Canyon Landfill, also have the capacity to serve the City. According to the California Department of Resources Recycling and Recovery (CalRecycle), the combined remaining capacity of these three landfills is approximately 178.8 million cubic yards.<sup>44</sup>

CalRecycle’s residential waste generation rates estimate a generation rate for 12.23 pounds of waste per household per day. Assuming 108 households, the project would result in 1,320.8 pounds of waste daily.<sup>45</sup> Considering the capacity of the above-mentioned landfills, solid waste generated by the proposed project could be accommodated by the landfills and would not have a significant impact on local landfill capacity.

<sup>41</sup> Eastern Municipal Water District website. <https://www.emwd.org/wastewater-service> Accessed January 23, 2023.

<sup>42</sup> Based on 108 units x 235 daily gallons per unit = 25,380 gallons daily.

<sup>43</sup> Based on 25,380 gallons per day demand ÷ 43,000,000 gallons per day capacity = 0.06 percent.

<sup>44</sup> CalRecycle website. n.d. SWIS Facility Detail. <https://www2.calrecycle.ca.gov/SolidWaste/> Accessed January 23, 2023.

<sup>45</sup> CalRecycle website. n.d. Estimated Solid Waste Generation Rates – Residential Sector Generation Rates. Accessed January 23, 2023. <https://www2.calrecycle.ca.gov/wastecharacterization/general/rates>



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All construction activities would be subject to conformance with relevant federal, State, and local requirements related to solid waste disposal. Specifically, the project would be required to demonstrate compliance with the California Integrated Waste Management Act of 1989 (Assembly Bill [AB] 939), which requires all California cities to “reduce, recycle, and re-use solid waste generated in the State to the maximum extent feasible.” The California Integrated Waste Management Act of 1989 requires that at least 50 percent of waste produced is recycled, reduced, or composted. The project would also be required to demonstrate compliance with the Green Building Code, which includes design and construction measures that act to reduce construction-related waste through material conservation measures and other construction-related efficiency measures. Compliance with these programs would ensure the project’s construction-related solid waste impacts are less than significant.

*19(e) Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?*

**Determination: Less Than Significant Impact.**

Refer to Response 4.19(d). The project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure. As such, the project would comply with federal, State, and local management and reduction statutes and regulations related to solid waste. A less than significant impact would occur.

**MITIGATION MEASURES**

None required.



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4.20 WILDFIRE

<b>Would the proposed project:</b>				
<b>Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				X
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X

**DISCUSSION**

20(a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

**Determination: No Impact.**

The project site is located in a moderately developed urban area surrounded by residential and commercial uses. According to the CalFire Fire Hazard Severity Zone Viewer,<sup>46</sup> and the Adopted State Responsibility Area Fire Hazard Severity Zone Maps,<sup>47</sup> the project site is not located in a zone designated as a Very High Fire Hazard Severity Zone. The proposed project would be required to comply with the provisions of the City of Moreno Valley Emergency Operations Plan, Riverside County Multi-Jurisdictional Local Hazard Mitigation Plan, and the emergency access requirements of the California Fire Code, which include but are not limited to providing access with adjoining uses and providing suitable access for emergency vehicles. In addition, emergency access to the site would be maintained during construction. Therefore, no impact would occur.

<sup>46</sup> CalFire. nd. Fire and Resource Assessment Program: FHSZ Viewer. Accessed January 23, 2023. <https://egis.fire.ca.gov/FHSZ/>

<sup>47</sup> CalFire. 2007. Map of CalFire’s Fire Hazard Severity Zones in the Local Responsibility Area – Western Riverside County. Accessed January 23, 2023. [https://osfm.fire.ca.gov/media/6754/fhszl\\_map60.pdf](https://osfm.fire.ca.gov/media/6754/fhszl_map60.pdf)



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*20(b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

**Determination: No Impact.**

The project site is generally flat and does not support areas of steep slopes. In addition, the project site is located within an urbanized area of the city, where the risk of wildland fire is decreased. As such, the proposed project would not be located in a critical fire danger zone or adjacent to wildlands subject to wildfires. Urban levels of fire protection would be provided to the project area. In addition, the project would adhere to building codes and any conditions included through review by the MVFD. No impact would occur.

*20(c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

**Determination: No Impact.**

The project site is located in a moderately developed area of the city and is situated within close proximity to existing electric power, natural gas, and telecommunications facilities. The proposed residential uses on-site would not include any features that would have the potential to exacerbate fire risk or result in temporary or ongoing impacts to the environment. The project would provide access to adjoining uses and suitable access for emergency vehicles. Emergency access to the site would be maintained during construction. No impact would occur.

*20(d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

**Determination: No Impact.**

The project site is relatively flat with no major changes in elevation. There are no channels or creeks running through the project site. The project site is not located within a flood hazard area. In addition, there are no known landslides at the project site, nor is the site in the path of any known or potential landslides. Therefore, the project would not expose people or structures to risks involving flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes. No impact would occur.

#### **MITIGATION MEASURES**

None required.



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4.21 MANDATORY FINDINGS OF SIGNIFICANCE

<b>Would the proposed project:</b>				
<b>Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?		X		
b) Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)		X		
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

The following are mandatory findings of significance in accordance with Section 15065 of the CEQA Guidelines.

**DISCUSSION**

*21(a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?*

**Determination: Less Than Significant Impact with Mitigation Incorporated.**

As discussed in Section 4.4, *Biological Resources*, after implementation of **Mitigation Measures BIO-1** through **BIO-5**, the proposed project would result in less than significant impacts to biological resources. Similarly, as discussed in Sections 4.5, *Cultural Resources*, Section 4.7, *Geology and Soils*, and Section 4.18, *Tribal Cultural Resources*, after implementation of **Mitigation Measures CUL-1, CUL-2, GEO-1, and TCR-1** through **TCR-8**, the proposed project would result in less than significant impacts to human remains, archaeological resources, paleontological resources, and tribal cultural resources.



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21(b) *Have impacts that are individually limited, but cumulatively considerable?*

**Determination: Less Than Significant Impact with Mitigation Incorporated.**

A significant impact may occur if the project, in conjunction with related projects proposed for development in the City, would result in impacts that are less than significant when viewed separately but would be significant when viewed together. When considering the proposed project in combination with other past, present, and reasonably foreseeable future projects in the vicinity of the project site, the proposed project does not have the potential to cause impacts that are cumulatively considerable. As detailed in the above discussions, the proposed project would not result in any significant and unmitigable impacts in any environmental categories. In all cases, the impacts associated with the project are limited to the project site or are of such a negligible degree that they would not result in a significant contribution to any cumulative impacts.

21(c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

**Determination: Less Than Significant Impact with Mitigation Incorporated.**

The proposed project does not have the potential to cause substantial adverse effects to humans, either directly or indirectly, once mitigation measures are implemented. While a number of the proposed project's impacts were identified as having the potential to significantly impact humans, with implementation of the identified mitigation measures herein, and standard requirements, these impacts would be less than significant. Therefore, the proposed project would not cause significant adverse direct or indirect impacts to humans.



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#### IV. ENVIRONMENTAL ANALYSIS

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#### IV. ENVIRONMENTAL ANALYSIS

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**Exhibit B**

**MITIGATION MONITORING AND REPORTING PROGRAM**

## MITIGATION AND MONITORING PROGRAM

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
<b>4.4 Biological Resources</b>				
<b>BIO-1</b>	A pre-construction clearance survey shall be conducted to reconfirm the absence of burrowing owl (BUOW) within the project impact area and maintain compliance with the Multiple Species Habitat Conservation Plan (MSHCP), Migratory Bird Treaty Act (MBTA), and California Fish and Game Code (CFGC). In accordance with the MSHCP, the pre-construction clearance	Project Applicant and qualified Biologist	Field Verification	<ol style="list-style-type: none"> <li>1. City of Moreno Valley</li> <li>2. City of Moreno Valley</li> <li>3. Prior to Construction</li> </ol>

Attachment: Exhibit B to Resolution 2023-49 - Mitigation Monitoring and Reporting Program [Revision 1] (6425 : Tentative Tract Map 38442



# MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>survey shall be conducted by a qualified biologist no more than 30 days prior to initiating any ground disturbing activities to avoid direct take of BUOWs. Once the survey is completed, the qualified biologist shall prepare and submit a final report documenting the results of the clearance survey to the City of Moreno Valley for review and file. If no BUOWs or occupied burrows are detected, project activities may begin, and no additional avoidance or minimization measures would be required.</p>			
<b>BIO-2</b>	<p>No less than 60 days prior to initiating project activities, a qualified bat biologist shall conduct a bat roosting habitat suitability assessment of any vegetation that may be removed, altered, or indirectly impacted by the project activities. Any locations identified as having potentially suitable bat roosting habitat by the qualified approved bat biologist shall be subject to additional nighttime surveys (bat surveys) during the summer months (i.e., June through August) to determine the numbers and bat species using the roost(s). The information collected during these additional bat surveys shall be used by the qualified bat biologist to</p>	<p>Project Applicant and qualified Biologist</p>	<p>Field Verification</p>	<p>City of Moreno Valley City of Moreno Valley Prior to Construction</p>

Attachment: Exhibit B to Resolution 2023-49 - Mitigation Monitoring and Reporting Program [Revision 1] (6425 : Tentative Tract Map 38442

# MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>develop species-specific measures to minimize impacts to roosting bats should bats be detected using the site. The bat surveys shall be conducted by the qualified bat biologist using an appropriate combination of visual inspection, sampling, exit counts, and acoustic surveys. The results of the pre-construction bat surveys shall be submitted to CDFW for review no less than 30 days prior to the initiation of project activities.</p> <p>If the presence of bats within the project is confirmed, avoidance and minimization measures, including the designation of buffers based upon the particular bat species found and phased removal of trees, shall be developed and submitted to CDFW for review and approval. If the site supports maternity roosts, the Project Applicant shall avoid disturbing those areas during the breeding season.</p> <p>If the site supports a maternity roost(s) or special-status species, the Project Applicant shall contact CDFW and conduct an impact assessment prior to commencing project activities to assist in the development of minimization and mitigation measures. The Project Applicant shall compensate for impacts and losses to maternity roosts and/or special-status bat habitat through a mitigation strategy approved by CDFW.</p>			

Attachment: Exhibit B to Resolution 2023-49 - Mitigation Monitoring and Reporting Program [Revision 1] (6425 : Tentative Tract Map 38442

# MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
<b>BIO-3</b>	<p>If project-related activities are to be initiated during the nesting season (February 1 to August 31), a pre-construction nesting bird clearance survey shall be conducted by a qualified biologist no more than three (3) days prior to the start of any vegetation removal or ground disturbing activities. The qualified biologist shall survey all suitable nesting habitat within the project impact area, and areas within a biologically defensible buffer zone surrounding the project impact area. If no active bird nests are detected during the clearance survey, project activities may begin, and no additional avoidance and minimization measures shall be required. If an active bird nest is found, the species shall be identified, and a “no-disturbance” buffer shall be established around the active nest. The size of the “no-disturbance” buffer shall be increased or decreased based on the judgment of the qualified biologist and level of activity and sensitivity of the species. The qualified biologist shall periodically monitor any active bird nests to determine if project-related activities occurring outside the “no- disturbance” buffer disturb the birds and if the buffer shall be increased. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural</p>	Project Applicant and qualified Biologist	Field Verification	City of Moreno Valley City of Moreno Valley Prior to Construction

Attachment: Exhibit B to Resolution 2023-49 - Mitigation Monitoring and Reporting Program [Revision 1] (6425 : Tentative Tract Map 38442

# MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	conditions, project activities within the “no-disturbance” buffer may occur following an additional survey by the qualified biologist to search for any new bird nests in the restricted area.			
<b>BIO-4</b>	Prior to initiation of construction, the Project Applicant shall obtain all necessary permits for impacts to Regional Water Quality Control Board (RWQCB) and California Department of Fish and Wildlife (CDFW) jurisdictional areas. Mitigation for the loss of jurisdictional resources shall be negotiated with the resource agencies during the regulatory permitting process and shall ensure that mitigation to compensate for permanent impacts on jurisdictional resources is equivalent or superior to biological functions and values impacted by the proposed project.	Project Applicant	Permit issuance by CDFW and RWQCB	City of Moreno Valley City of Moreno Valley Prior to Construction
<b>BIO-5</b>	Prior to initiation of construction, the Project Applicant shall purchase of re-establishment or establishment credits within the Santa Jacinto Watershed through the Riverpark Mitigation Bank at a 3:1 ratio. Other offsite options for mitigation include the Riverside-Corona Regional Conservation District (RCRCD) In Lieu Fee (ILF) program, the Barry Jones mitigation bank, permittee-responsible mitigation, or	Project Applicant	Mitigation Bank Purchase Receipt	City of Moreno Valley City of Moreno Valley Prior to Construction

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# MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>other agency-approved mitigation provider. If the Santa Ana River Watershed In-Lieu Fee Program (RCRCD ILF Program) is selected, the Project Applicant shall retain a qualified biologist to prepare an equivalency analysis report and habitat monitoring and management plan (HMMP) for submittal to the Wildlife Agencies prior to construction activities. The equivalency analysis shall document the biological lift and the functions and values provided by the mitigation site and the HMMP shall describe the offsite compensatory mitigation and identifies the establishment and reestablishment performance criteria for the proposed mitigation. The long-term funding mechanism for post-restoration habitat maintenance and land management entity shall also be identified and approved by the Wildlife Agencies prior to the start of construction.</p>			
<b>4.5 Cultural Resources</b>				
<b>CUL-1</b>	<p>In the event that any subsurface cultural resources are encountered during earth-moving activities, all work within 50 feet shall be halted until an archaeologist can evaluate the findings and make recommendations. Prehistoric materials can include flaked-stone tools (e.g., projectile points, knives, choppers) or</p>	Project Applicant and qualified archeologist	In Field Review	<p>City of Moreno Valley City of Moreno Valley During Construction</p>

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# MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>obsidian, chert, or quartzite toolmaking debris; culturally darkened soil (i.e., midden soil often containing heat-affected rock, ash, and charcoal, shellfish remains, and cultural materials); and stone milling equipment (e.g., mortars, pestles, handstones). Historical materials might include wood, stone, or concrete footings, walls, and other structural remains; debris-filled wells or privies; and deposits of wood, metal, glass, ceramics, and other refuse. The archaeologist may evaluate the find in accordance with federal, State, and local guidelines, including those set forth in the California Public Resources Code Section 21083.2, to assess the significance of the find and identify avoidance or other measures as appropriate. A qualified archaeologist must meet the Secretary of the Interior's Professional Qualifications Standards for archaeology.</p>			
<b>CUL-2</b>	<p>If human remains are found during project construction, those remains shall receive proper treatment in accordance with State of California Health and Safety Code Sections 7050.5-7055. Specifically, Health and Safety Code Section 7050.5 describes the requirements if any human remains are discovered during excavation of a site. As required by state law, the requirements and procedures set forth in Section 5097.98 of the</p>	<p>Project Applicant and qualified archeologist</p>	<p>In Field Review</p>	<p>City of Moreno Valley City of Moreno Valley During Construction</p>

Attachment: Exhibit B to Resolution 2023-49 - Mitigation Monitoring and Reporting Program [Revision 1] (6425 : Tentative Tract Map 38442



# MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>California Public Resources Code shall be implemented, including notification of the County Coroner, notification of the Native American Heritage Commission, and consultation with the individual identified by the Native American Heritage Commission to be the "most likely descendant." If human remains are found during excavation, excavation shall stop in the vicinity of the find and any area that is reasonably suspected to overlie adjacent remains until the County Coroner has been called out, and the remains have been investigated and appropriate recommendations have been made for the treatment and disposition of the remains.</p>			
<b>4.7 Geology and Soils</b>				
<b>GEO-1</b>	<p>Full-time paleontological monitoring shall be conducted during ground disturbance in undisturbed geologic contexts (i.e., bedrock and outcrops below existing asphalt and base) which have the potential to contain significant paleontological resources. Ground disturbance refers to activities that impact subsurface geologic deposits, such as grading, excavation, boring, etc. Activities taking place in current topsoil or within previously disturbed fill sediments, e.g., clearing,</p>	<p>Project Applicant and qualified paleontologist</p>	<p>In Review Field</p>	<p>City of Moreno Valley City of Moreno Valley During Construction</p>

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# MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>grubbing, pavement rehabilitation, do not require paleontological monitoring. Bedrock can occur at varying depths depending on the portion of the project area.</p> <p>Prior to grading or excavation in sedimentary rock material other than topsoil, the applicant shall retain a Society of Vertebrate Paleontology (SVP) qualified paleontologist. The qualified paleontologist shall monitor, or supervise the monitoring being performed by a paleontological monitor, of earth-moving activities. If any paleontological resources are discovered at the project area during construction or during any ground-disturbance activities at any depth, the paleontological monitor, in discussion with the qualified paleontologist, shall notify the on-site construction supervisor, who shall temporarily halt work or redirect all such activities within 100 feet of the discovery.</p> <p>At this time, the Project Applicant shall consult with the qualified paleontologist to assess the significance of the find to determine the appropriate treatment. The assessment shall follow SVP (2010) standards for identification, evaluation, disclosure, avoidance, recovery, and/or curation, as appropriate. If any find is determined to be significant, appropriate avoidance measures recommended by the qualified</p>			

Attachment: Exhibit B to Resolution 2023-49 - Mitigation Monitoring and Reporting Program [Revision 1] (6425 : Tentative Tract Map 38442

# MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>paleontologist shall be followed unless avoidance is determined to be unnecessary or infeasible. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. The recommendations of the qualified paleontologist shall be implemented with respect to the evaluation and recovery of fossils, after which the on-site construction supervisor shall be notified and shall direct work to continue in the location of the fossil discovery. Any fossils recovered during mitigation shall be cleaned, identified, catalogued, and permanently curated with an accredited and permanent scientific institution with a research interest in the materials.</p> <p>If no fossils have been recovered after 50 percent of excavation has been completed, full-time monitoring may be modified to weekly spot-check monitoring at the discretion of the qualified paleontologist. The qualified paleontologist may recommend to the client to reduce paleontological monitoring based on observations of specific site conditions during initial monitoring (e.g., if the geologic setting precludes the occurrence of fossils). The recommendation to reduce or discontinue paleontological monitoring in the project area shall be based on the professional</p>			

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# MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>opinion of the qualified paleontologist regarding the potential for fossils to be present after a reasonable extent of the geology and stratigraphy has been evaluated.</p> <p>A qualified professional paleontologist is a professional with a graduate degree in paleontology, geology, or related field, with demonstrated experience in the vertebrate, invertebrate, or botanical paleontology of California, as well as at least one year of full-time professional experience or equivalent specialized training in paleontological research (i.e., the identification of fossil deposits, application of paleontological field and laboratory procedures and techniques, and curation of fossil specimens), and at least four months of supervised field and analytic experience in general North American paleontology.</p>			
<b>Section 4.17 Transportation</b>				
<b>TRA-1</b>	<p>The following project-specific improvements shall be constructed as design features in conjunction with development of the site:</p> <ul style="list-style-type: none"> <li>• Project Completion Year 2024 and General Plan Buildout Year 2040: Street A and Alessandro</li> </ul>	City Traffic Engineer	Plan Review	City of Moreno Valley City of Moreno Valley Prior to Construction

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# MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	Boulevard: Modify the southbound approach by restricting outbound traffic to right-out access only.			
<b>TRA-2</b>	A construction work zone Traffic Management Plan (TMP) that complies with State/federal standards as prescribed in the California Manual on Uniform Traffic Control Devices (CA MUTCD) shall be submitted to the City for review and approval prior to the issuance of a grading permit or start of construction. The plan shall identify any roadway, sidewalk, bicycle route, or bus stop closures and detours as well as haul routes and hours of operation. All construction-related trips shall be restricted to off-peak hours to the extent possible.			
<b>4.18 Tribal Cultural Resources</b>				
<b>TCR-1</b>	<b>Archaeological Monitoring.</b> Prior to the issuance of a grading permit, the Project Applicant shall retain a professional archaeologist to conduct monitoring of all ground-disturbing activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s) including the Pechanga Band	Project Applicant and qualified archeologist	In Field Review	City of Moreno Valley City of Moreno Valley During Construction

Attachment: Exhibit B to Resolution 2023-49 - Mitigation Monitoring and Reporting Program [Revision 1] (6425 : Tentative Tract Map 38442

# MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	of Indians and the Morongo Band of Indians, the contractor, and the City, shall develop a CRMP as defined in TCR-3. The Project archeologist shall attend the pre-grading meeting with the City, the construction manager, and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The archaeological monitor shall have the authority to temporarily halt and redirect earth-moving activities in the affected area in the event that suspected archaeological resources are unearthed.			
TCR-2	<b>Native American Monitoring.</b> Prior to the issuance of a grading permit, the Project Applicant shall secure agreements with the Pechanga Band of Indians and the Morongo Band of Mission Indians, for tribal monitoring. The Project Applicant is also required to provide a minimum of 30 days advance notice to the tribes of all ground-disturbing activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth-moving activities in the affected area in the event that suspected archaeological resources are unearthed. The Native American Monitor(s) shall attend the pre-grading meeting with the Project Archeologist, City, the	Project Applicant and qualified Native American Monitor	In Field Review	City of Moreno Valley City of Moreno Valley During Construction

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# MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>construction manager, and any contractors and will conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.</p>			
<b>TCR-3</b>	<p><b>Cultural Resource Monitoring Plan (CRMP).</b> The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a CRMP in consultation pursuant to the definition in AB 52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting Tribe is defined as a Tribe that initiated the AB 52 tribal consultation process for the project, has not opted out of the AB 52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB 52. Details in the Plan shall include:</p> <ul style="list-style-type: none"> <li>• Project description and location</li> <li>• Project grading and development scheduling;</li> <li>• Roles and responsibilities of individuals on the project;</li> <li>• The pre-grading meeting and Cultural Resources</li> </ul>	Project Applicant and qualified Archeologist	Plan Approval by City and Consulting Tribes	City of Moreno Valley City of Moreno Valley Prior to Construction

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# MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>Worker Sensitivity Training details;</p> <ul style="list-style-type: none"> <li>• The protocols and stipulations that the contractor, City, Consulting Tribe (s) and project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.</li> <li>• The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items.</li> <li>• Contact information of relevant individuals for the project;</li> </ul>			
TCR-4	<p><b>Cultural Resource Disposition.</b> In the event that Native American cultural resources are discovered during the course of ground-disturbing activities (inadvertent discoveries), one or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Department:</p> <p style="margin-left: 20px;">a. Preservation-In-Place of the cultural resources, if feasible.</p>	Project Applicant and qualified archeologist	In Field Review	City of Moreno Valley City of Moreno Valley During Construction

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# MITIGATION MONITORING AND REPORTING PROGRAM

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	<p>Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources.</p> <p>b. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure TCR-1. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in TCR-3. The location for the future reburial area shall be identified on a confidential exhibit on file with the City, and concurred to by the Consulting Native American Tribal Governments prior to certification of the environmental document.</p>			

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# MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>The City shall verify that the following note is included on the Grading Plan:</p> <p>"If any suspected archaeological resources are discovered during ground-disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find."</p>			
<b>TCR-5</b>	<p><b>Inadvertent Finds.</b> If potential historic or cultural resources are uncovered during excavation or construction activities at the project site that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to project approval, all ground-disturbing activities in the affected area within 100 feet of the uncovered resource must cease immediately and a qualified person meeting the Secretary of the Interior's standards (Code of Federal Regulations, Title 36, Section 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend</p>	Project Applicant and qualified Archeologist	In Field Review	City of Moreno Valley City of Moreno Valley During Construction

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# MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional archeologist and Tribal Monitors if needed. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all Consulting Native American Tribes as defined in TCR-2 before any further work commences in the affected area. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the Project Archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.</p>			
<b>TCR-6</b>	<b>Human Remains.</b> If human remains are discovered, no			

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# MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	<p>further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the "most likely descendant". The "most likely descendant" shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). No photographs are to be taken except by the coroner, with written approval by the consulting Tribe[s].</p>			
TCR-7	<p><b>Non-Disclosure of Reburial Locations.</b> It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r), parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the</p>	Project Applicant and qualified archeologist	In Field Review	City of Moreno Valley City of Moreno Valley During Construction

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# MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measure	Responsible Party	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase
	specific exemption set forth in California Government Code 6254 (r).			
<b>TCR-8</b>	<p><b>Archeology Report - Phase III and IV.</b> Prior to final inspection, the Project Applicant/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).</p>	Project Applicant and qualified archeologist	Monitoring Report Submittal	City of Moreno Valley City of Moreno Valley Prior to final inspection

Attachment: Exhibit B to Resolution 2023-49 - Mitigation Monitoring and Reporting Program [Revision 1] (6425 : Tentative Tract Map 38442

Exhibit C

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

**CITY OF MORENO VALLEY  
NOTICE OF INTENT TO ADOPT  
MITIGATED NEGATIVE DECLARATION**

**NOTICE IS HEREBY GIVEN** that the City of Moreno Valley is considering a recommendation that the project herein identified will have no significant environmental impact in compliance with Section 15070 of the CEQA guidelines. A copy of the **MITIGATED NEGATIVE DECLARATION** and the **ENVIRONMENTAL CHECKLIST**, which supports the proposed findings, are on file at the City of Moreno Valley.

Project: Tentative Tract Map 38442 (PEN22-0131) Sunset Crossings  
Conditional Use Permit (PEN22-0137)  
Applicant: Highpoint MV, LLC  
Owner: Highpoint MV I  
Location: Located north of Alessandro Boulevard east of Nason Street, south of Bay Avenue, City of Moreno Valley, County of Riverside, California. Assessor's Parcel Numbers 488-210-006 and 488-210-020.  
Proposal: Tentative Tract Map 38442 to subdivide approximately 19.1 acres into 108 single-family residential lots  
Council District: 3

This Notice of Intent (NOI) has been prepared to notify agencies and interested parties that the City of Moreno Valley, as the Lead Agency, has prepared an Initial Study/Mitigated Negative Declaration (IS/MND) pursuant to the requirements of the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts associated with construction and operation of the project as described below.

Project Description: The Applicant proposes to develop Sunset Crossings South, an approximately 19.1-acre site with a 108-lot single-family residential project. Applications include Tentative Tract Map 38442, and a Conditional Use Permit for a Planned Unit Development for 108 single-family lots to include on and offsite improvements.

The Project site is not included on any list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Document Availability: The Initial Study/Mitigated Negative Declaration, and all documents incorporated and/or referenced therein, can be reviewed during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday and Friday, 7:30 a.m. to 4:30 p.m.) at the City of Moreno Valley Planning Division counter, located at 14177 Frederick Street, Moreno Valley, CA 92553. The documents may also be reviewed on the City's website at <http://www.moreno-valley.ca.us/cdd/documents/about-projects.html>.

Potential Environmental Impacts: The City of Moreno Valley has prepared an Initial Study to determine the environmental effects associated with the above actions and finds the issuance of a Mitigated Negative Declaration is the appropriate level of environmental review. The Initial Study/Mitigated Negative Declaration concludes that all potentially significant impacts of the Project would be mitigated to a less than significant level.

Comment Deadline: Pursuant to Section 15105(b) of the CEQA Guidelines, the City has established a 30-day public review period for the Initial Study/Mitigated Negative Declaration, which begins September 19, 2023, and ends October 19, 2023. Written comments on the Initial Study/Mitigated Negative Declaration must be received at the City of Moreno Valley Community Development Department no later than the conclusion of the 30-day review period at 5:30 p.m. on October 18, 2023. Written comments on the Initial Study/Mitigated Negative Declaration should be addressed to:

John Moreno, Consultant Planner  
14177 Frederick Street  
Post Office Box 88005  
Moreno Valley, California 92552  
Phone: (951) 413-3206  
Email: [planningnotices@moval.org](mailto:planningnotices@moval.org)

## RESOLUTION NUMBER 2023-50

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (PEN22-0137) FOR A PLANNED UNIT DEVELOPMENT AND TENTATIVE TRACT MAP NO. 38442 (PEN22-0131) FOR 108 SINGLE-FAMILY RESIDENTIAL LOTS, LOCATED NORTH OF ALESSANDRO BOULEVARD, EAST OF NASON STREET, SOUTH OF BAY AVENUE (APNS: 488-210-006 AND 488-210-020)**

**WHEREAS**, the City of Moreno Valley (“City”) is a general law city and a municipal corporation of the State of California; and

**WHEREAS**, Highpoint MV, LLC (“Applicant”) has submitted applications for a Conditional Use Permit (PEN22-0137) for a Planned Unit Development, and Tentative Tract Map No. 38442 (PEN22-0131) to subdivide two (2) existing parcels into 108 single family lots, on approximately 19.1 acres with associated public improvements (“Proposed Project”) located north of Alessandro Boulevard, east of Nason Street, south of Bay Avenue (APNs: 488-210-006 and 488-210-020) (“Project Site”); and

**WHEREAS**, Section 9.02.060 (Conditional Use Permits) of the Moreno Valley Municipal Code acknowledges that the purpose of a conditional use permit is to allow the establishment of uses that may have special impacts or uniqueness such that their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location and that the conditional use permit application process involves the review of the location, design, and configuration of improvements related to the Proposed Project, and the potential impact of the Proposed Project on the surrounding area based on fixed and established standards; and

**WHEREAS**, the applications for the Proposed Project have been evaluated in accordance with Chapter 9.14 (Land Divisions) and Section 9.02.060 (Conditional Use Permits), respectively, of the Municipal Code with consideration given to the City’s General Plan, Zoning Ordinance, and other applicable laws and regulations; and

**WHEREAS**, Chapter 9.14 (Land Division) of the Moreno Valley Municipal Code imposes conditions of approval upon projects for which a Tentative Tract Map is required, which conditions may be imposed by the Planning Commission to address on-site improvements, off-site improvements, the manner in which the Project Site is used, and any other conditions as may be deemed necessary to protect the public health, safety, and welfare and ensure that the Proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning) of the Municipal Code; and

**WHEREAS**, consistent with the requirements of Section 9.02.060 (Conditional Use Permits) and Chapter 9.14 (Land Divisions) of the Municipal Code, at the public hearing, the Planning Commission considered Conditions of Approval to be imposed upon Conditional Use Permit (PEN22-0137) and Tentative Tract Map No. 38442 (PEN22-0131), which conditions were prepared by Planning Division staff who deemed said conditions to be necessary to protect the public health, safety, and welfare and to ensure



the Proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning) of the Municipal Code; and

**WHEREAS**, pursuant to the provisions of Section 9.02.200 (Public Hearing and Notification Procedures) of the Municipal Code and Government Code Section 65905, a public hearing was scheduled for November 9, 2023, and notice thereof was duly published, posted, and mailed to all property owners of record within 600 feet of the Project Site; and

**WHEREAS**, on November 9, 2023, the public hearing to consider the Proposed Project was duly conducted by the Planning Commission, at which time all interested persons were provided with an opportunity to testify and present evidence; and

**WHEREAS**, at the public hearing, the Planning Commission considered whether each of the requisite findings specified in Section 9.02.060 and 9.14.070 of the Municipal Code and set forth herein could be made concerning the Proposed Project as conditioned by Conditions of Approval; and

**WHEREAS**, on November 9, 2023, in accordance with the provisions of the California Environmental Quality Act (CEQA<sup>1</sup>) and CEQA Guidelines<sup>2</sup>, the Planning Commission approved Resolution 2023-49, determined that the Mitigate Negative Declaration and the Mitigation Monitoring and Reporting Program prepared for the Proposed Project has reduced the potential impact of the Proposed Project to levels of insignificance and there is no substantial evidence supporting a fair argument that the Proposed Project will significantly affect the environment in a manner that otherwise would require the preparation and certification of an Environmental Impact Report.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1. Recitals and Exhibits**

That the foregoing Recitals and attached exhibits are true and correct and are hereby incorporated by this reference.

**Section 2. Notice**

That pursuant to Government Code Section 66020(d)(1), notice is hereby given that the Proposed Project is subject to certain fees, dedications, reservations, and other exactions as provided herein, in the staff report and conditions of approval (collectively, "Conditions"); and these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the ninety-day approval period in which

<sup>1</sup> Public Resources Code §§ 21000-21177

<sup>2</sup> 14 California Code of Regulations §§15000-15387

you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun.

### **Section 3. Evidence**

That the Planning Commission has considered all evidence submitted into the Administrative Record for the Proposed Project, including, but not limited to, the following:

- (a) Moreno Valley General Plan and all other relevant provisions contained therein;
- (b) Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all other relevant provisions referenced therein;
- (c) Application for Conditional Use Permit (PEN22-0137) and Tentative Tract Map No. 38442 (PEN22-0131) and including Resolution No. 2023-50, and all documents, records, and references contained therein;
- (d) Conditions of Approval for Conditional Use Permit (PEN22-0137) attached as Exhibit A;
- (e) Conditions of Approval for Tentative Tract Map No. 38442 (PEN22-0131), attached as Exhibit B;
- (f) Staff Report prepared for the Planning Commission's consideration and all documents, records, and references related thereto, and Staff's presentation at the public hearing;
- (g) Testimony, and/or comments from Applicant and its representatives during the public hearing; and
- (h) Testimony and/or comments from all persons provided in written format or correspondence, at, or prior to, the public hearing.

### **Section 4. Findings**

That based on the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, Planning Commission hereby approves the Proposed Project subject to the following findings:

- (a) The Proposed Project is consistent with the goals, objectives, policies, and programs of the General Plan;
- (b) The Proposed Project complies with all applicable Specific Plans and zoning and other regulations;
- (c) The Proposed Project will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity; and
- (d) The location, design, and operation of the Proposed Project will be compatible with existing and planned land uses in the vicinity.
- (e) That the proposed land division is consistent with the General Plan;
- (f) That the design or improvement of the proposed land division is consistent with applicable general and specific plans;
- (g) That the site of the proposed land division is physically suitable for the type of development;

- (h) That the site of the proposed land division is physically suitable for the proposed density of the development;
- (i) That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat,
- (j) That the design of the proposed land division or the type of improvements are not likely to cause serious public health problems;
- (k) That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision;
- (l) That the proposed land division is not subject to the Williamson Act pursuant to the California Land Conservation Act of 1965;
- (m) That the proposed land division and the associated design and improvements are consistent with applicable ordinances of the city;
- (n) That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision;
- (o) That the effect of the proposed land division on the housing needs of the region was considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources;
- (p) The Proposed Project is consistent with the goals, objectives, policies, and programs of the General Plan;
- (q) The Proposed Project complies with all applicable zoning and other regulations;
- (r) The Proposed Project will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity; and
- (s) The location, design, and operation of the Proposed Project will be compatible with existing and planned land uses in the vicinity.

### **Section 5. Approval**

That based on the foregoing Recitals, Evidence contained in the Administrative Record and Findings, as set forth herein, the Planning Commission hereby approves the Proposed Project subject to the Conditions of Approval for Conditional Use Permit (PEN22-0137) and Tentative Tract Map No. 38442 (PEN22-0131), attached hereto as Exhibits A.

### **Section 6. Repeal of Conflicting Provisions**

That all the provisions as heretofore adopted by the Planning Commission that are in conflict with the provisions of this Resolution are hereby repealed.

### **Section 7. Severability**

That the Planning Commission declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any

final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

**Section 8.                    Effective Date**

That this Resolution shall take effect immediately upon the date of adoption.

**Section 9.                    Certification**

That the Secretary of the Planning Commission shall certify to the passage of this Resolution.

**PASSED AND ADOPTED THIS 9<sup>th</sup> day of November, 2023.**

CITY OF MORENO VALLEY  
PLANNING COMMISSION

\_\_\_\_\_  
Alvin DeJohnette, Chairperson

ATTEST:

\_\_\_\_\_  
Sean P. Kelleher,  
Community Development Director

APPROVED AS TO FORM:

\_\_\_\_\_  
Steven B. Quintanilla,  
City Attorney

Exhibits:

Exhibit A:     Conditional Use Permit (PEN22-0137) Conditions of Approval

Exhibit B:     Tentative Tract Map No. 38264 (PEN22-0131) Conditions of Approval

Attachment: Resolution No. 2023-50 [Revision 3] (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))

**Exhibit A**

**Conditional Use Permit (PEN22-0137) Conditions of Approval**

**CONDITIONS OF APPROVAL**

Conditional Use Permit (PEN22-0137)

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CITY OF MORENO VALLEY  
 CONDITIONS OF APPROVAL  
 Conditional Use Permit (PEN22-0137)

EFFECTIVE DATE:

EXPIRATION DATE:

**COMMUNITY DEVELOPMENT DEPARTMENT**Planning Division

1. A change or modification to the land use or the approved site plans may require a separate approval. Prior to any change or modification, the property owner shall contact the City of Moreno Valley Community Development Department to determine if a separate approval is required.
2. In accordance with the Developer's obligation to defend, indemnify and hold harmless the City, including but not limited to as set forth in more detail in the Project's Conditions of Approval, Moreno Valley Municipal Code Section 9.02.310 (Indemnification of City for Discretionary Approvals), and the Project application, Developer shall enter into an Advanced Funding Agreement with the City no later than ten (10) calendar days from Planning Commission's approval of the Project. A copy of said Agreement is on file with the Community Development Director.
3. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)
4. 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)
5. The Developer shall defend, indemnify and hold harmless the City, city council, commissions, boards, subcommittees and the City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any prior or current agreements by and among the City and the Developer; (ii) the

**CONDITIONS OF APPROVAL**

Conditional Use Permit (PEN22-0137)

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current, concurrent and subsequent permits, licenses and entitlements approved by the City; (iii) any environmental determination made by the City in connection with the Project Site and the Project; and (iv) any proceedings or other actions undertaken by the City in connection with the adoption or approval of any of the above. In the event of any administrative, legal, equitable action or other proceeding instituted by any third party (including without limitation a governmental entity or official) challenging the legality, validity or adequacy of any of the above items or any portion thereof, the Parties shall mutually cooperate with each other in defense of said action or proceeding. Notwithstanding the above, the City, at its sole option, may tender the complete defense of any third party challenge as described herein. In the event the City elects to contract with special counsel to provide for such a defense, the City shall meet and confer with the Developer regarding the selection of counsel, and the Developer shall pay all costs related to retention of such counsel by the City.

6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
7. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
8. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
9. 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

10. Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit for a Planned Unit Development (PEN22-0137) are tied together and shall expire at the same time. Extensions of time must be filed individually for each project and future extensions cannot exceed the Subdivision Map Act.
11. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security shall remain in place until

**CONDITIONS OF APPROVAL**

Conditional Use Permit (PEN22-0137)

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the project is completed or the above conditions no longer exist. (Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard).

12. The site has been approved for a Conditional Use Permit for a Planned Unit Development (PEN22-0137) for Tentative Tract Map 38442 (PEN22-0131) for 108 single-family residential lots with associated public improvements per the approved plan and the Planned Unit Development Guidelines. A change or modification shall require separate approval.
13. Separate Administrative Plot Plans, including, Design Review (product approval), Model Home Complex or custom home reviews are required for approval of the design of the future single-family homes for Tentative Tract Map 38442.

Prior to Grading Permit

14. Prior to issuance of any grading permit all Conditions of Approval, and Mitigation Measures shall be printed on the grading plans.
15. Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)
16. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
17. If potential historic, archaeological, Native American cultural resources or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area must cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered during grading and other construction excavation, no further disturbance shall occur until the County Coroner has made necessary



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Conditional Use Permit (PEN22-0137)

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- findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 5-days of the published finding to be given a reasonable opportunity to identify the “most likely descendant.” The “most likely descendant” shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). (GP Objective 23.3, CEQA).
18. Within thirty (30) days prior to any grading or other land disturbance, a pre-construction survey for Burrowing Owls shall be conducted pursuant to the established guidelines of Multiple Species Habitat Conservation Plan. The pre-construction survey shall be submitted to the Planning Division prior to any disturbance of the site and/or grading permit issuance.
  19. Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Building and Safety Division for review and approval by the Planning Division per the Planned Unit Development Guidelines and if silent, the City’s Municipal Code.
  20. Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:
    - a. The name (if applicable) and address of the development.
    - b. The developer’s name, address, and a 24-hour emergency telephone number.
  21. Prior to issuance of any building permit, all Conditions of Approval and Mitigation Measures shall be printed on the building plans.
  22. Prior to the issuance of building permits, the developer shall provide documentation that contact was made to the U.S. Postal Service to determine the appropriate type and location of mailboxes.
  23. Prior to the issuance of building permits, landscape and irrigation plans for areas maintained by the Homeowner’s Association shall be submitted to the Planning Division. All landscape plans shall be approved by the Planning Division prior to the release of any building permits for the site. The plans shall be prepared in accordance with the City’s Landscape Development Guidelines. Landscaping is required for the sides and or slopes of all water quality basin and drainage areas, while a hydroseed mix with irrigation is acceptable for the bottom of the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Planning Official is

**CONDITIONS OF APPROVAL**

Conditional Use Permit (PEN22-0137)

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required to secure all water quality and detention basins.

24. Prior to the issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approved by the Planning Division. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the Planned Unit Development Guidelines and City's Landscape Requirements.
25. Prior to issuance of a building permit, the developer/property owner or developer's successor-in-interest shall pay all applicable impact fees due at permit issuance, including but not limited to Multi-species Habitat Conservation Plan (MSHCP) mitigation fees. (Ord)
26. Prior to building final, the developer/owner or developer's/owner's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)
27. Prior to issuance of building permits, for projects that will be phased, a phasing plan shall be submitted to and approved by the Planning Division if occupancy is proposed to be phased.

Prior to Building Final or Occupancy

28. Prior to building final, all required landscaping and irrigation shall be installed per plan, certified by the Landscape Architect and inspected by the Planning Division. (MC 9.03.040, MC 9.17).
29. Prior to building final, Planning approved/stamped landscape plans shall be provided to the Community Development Department – Planning Division on a CD disk.
30. Prior to building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

Building Division

31. The appropriation from local tax from construction contracts to the local jurisdiction of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.  
The qualifying contract price applies to each contract or subcontract for work

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Conditional Use Permit (PEN22-0137)

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performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:

- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
- b) must be registered as a retailer, not consumer, of materials, and
- c) have an executed contract over \$5 million to install materials at the jobsite.

The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project.

- 32. All new structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Standards Code (California Code of Regulations, Title 24) including requirements for allowable area, occupancy separations, fire suppression systems, accessibility, etc.
- 33. 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).
- 34. The proposed development is subject to the payment of required development fees as required by the City's current Fee Ordinance at either 1) based on time of valid building application submittal, 2) prior to permit issuance, or 3) as determined by the City (via special ordinance, etc.).
- 35. The proposed residential project shall comply with the California Green Building Standards Code, Section 4.106.4, mandatory requirements for Electric Vehicle Charging Stations (EVCS).
- 36. The proposed project is subject to approval by the Moreno Valley Unified School District and all applicable fees and charges shall be paid prior to permit issuance. Contact MVUSD at 951.571.7690 Ext. 17376 for specific details.
- 37. Prior to construction submittal, all new development, including residential accessory dwelling units (ADU's) are required to obtain a new property address. Address requests must be part of your initial application. The form can be obtained at [http://www.moval.org/city\\_hall/forms/building-safety/AddressRequest.pdf](http://www.moval.org/city_hall/forms/building-safety/AddressRequest.pdf).
- 38. The proposed project's occupancy shall be classified by the Building Official and

**CONDITIONS OF APPROVAL**

Conditional Use Permit (PEN22-0137)

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

39. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code. Electronic/Digital signature is acceptable as all plan submittals are electronic reviews.
40. Contact the Building Safety Division for permit application submittal requirements. The following link gives the minimum plan submittal requirements: [http://www.moval.org/city\\_hall/forms/building-safety/SFD-ADU-RoomAdditionPlanGuidelines.pdf](http://www.moval.org/city_hall/forms/building-safety/SFD-ADU-RoomAdditionPlanGuidelines.pdf).
41. 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).
42. The proposed project is subject to approval by the Eastern Municipal Water District and all applicable fees and charges shall be paid prior to permit issuance. Contact EMWD at 951.928.3777 for specific details.

**PUBLIC WORKS DEPARTMENT****Land Development**

43. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.
44. 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]

**CONDITIONS OF APPROVAL**

Conditional Use Permit (PEN22-0137)

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45. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
46. The developer shall monitor, supervise and control all construction related activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:
- (a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.
  - (b) Observance of working hours as stipulated on permits issued by the Land Development Division.
  - (c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.
  - (d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements during the grading operations.
- Violation of any condition, restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedy as noted in City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.
47. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
48. Local tax from construction contracts may be allocated to the local jurisdiction of the specific construction jobsite. This is accomplished by a contractor or subcontractor electing to obtain a construction site sub-permit for the jobsite. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are eligible for this election. This qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to be eligible for a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
  - b) must be registered as a retailer, not consumer, of materials, and
  - c) have an executed contract over \$5 million to install materials at the jobsite.
- The \$5 million threshold applies to individual contracts held by a contractor or subcontractor and not the total project value. The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any

**CONDITIONS OF APPROVAL**

Conditional Use Permit (PEN22-0137)

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Notice to Proceed(s), the Prime Contractor will require that the subcontractor or other contractors provide the City of Moreno Valley with either a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project. The Prime Contractor will provide the City with a list of subcontractors associated with the project.

49. In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. If unsuccessful, the Developer shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. [GC 66462.5]
50. If improvements associated with this project are not initiated within two (2) years of the date of approval of the Public Improvement Agreement (PIA), the City Engineer may require that the engineer's estimate for improvements associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the PIA or issuance of a permit. [MC 9.14.210(B)(C)]
51. The developer shall protect downstream properties from damage caused by alteration of drainage patterns (i.e. concentration or diversion of flow, etc). Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. [MC 9.14.110]
52. The maintenance responsibility of the proposed storm drain line shall be clearly identified. Storm drain lines within private property will be privately maintained and those within public streets will be publicly maintained.
53. The proposed private storm drain system shall connect to the project's proposed storm drain system. Storm drain manholes shall be placed at the right-of-way line to mark the beginning of each publicly maintained portion of this storm drain.
54. For single family residential subdivisions, all lots shall drain to the street at a minimum surface grade of 2.0% and on-site drainage shall be conveyed onto the street with subsurface drains at a minimum grade of 0.5% per current City Standards MVSI-152 and MVSI-153A. No cross-lot or over the sidewalk drainage shall be allowed.

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55. This project shall submit civil engineering design plans, reports and/or documents (prepared by a registered/licensed civil engineer) for review and approval by the City Engineer per the current submittal requirements, prior to the indicated threshold or as required by the City Engineer. The submittal consists of, but is not limited to, the following:
- a. Final tract map (recordation prior to building permit issuance);
  - b. Rough grading w/ erosion control plan (prior to grading permit issuance);
  - c. Precise grading w/ erosion control plan (prior to building permit issuance);
  - d. Public improvement plans (e.g., street / storm drain with striping, RCFC & WCD storm drain, sewer / water, etc.) (prior to map approval);
  - e. Final drainage study (prior to grading plan approval);
  - f. Final WQMP (prior to grading plan approval);
  - g. Legal documents (e.g., easement(s), dedication(s), vacation, etc.) (prior to building permit issuance);
  - h. As-Built revision for all plans (prior to occupancy release).
56. Water quality best management practices (BMPs) designed to meet Water Quality Management Plan (WQMP) requirements for development shall not be used as a construction BMP. Water quality BMPs shall be maintained for the entire duration of the project construction and be used to treat runoff from those developed portions of the project. Water quality BMPs shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. Water quality BMPs shall be graded per the approved design plans and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to an established Homeowner's Association (HOA).

Prior to Grading Plan Approval

57. Resolution of all drainage issues shall be as approved by the City Engineer.
58. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
59. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity.
60. A final project-specific Water Quality Management Plan (WQMP) shall be submitted for review and approved by the City Engineer, which:
- a. Addresses Site Design Best Management Practices (BMPs) such as

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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.

61. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the approved P-WQMP, as well as in full conformance with the document: "Water Quality Management Plan - A Guidance Document for the Santa Ana Region of Riverside County" dated October 22, 2012. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements for BMPs and sources of funding for BMP implementation.

a. The Applicant has proposed to incorporate the use of an extended detention basin. Final design and sizing details of all BMPs must be provided in the first submittal of the F-WQMP. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance document.

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

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

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

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

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

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



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Division.

62. The developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:
- a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.
  - b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.
  - c. All improvement plans are substantially complete and appropriate clearance letters are provided to the City.
  - d. A soils/geotechnical report (addressing the soil's stability and geological conditions of the site) shall be submitted to the Land Development Division for review. A digital (pdf) copy of the soils/geotechnical report shall be submitted to the Land Development Division.
63. Grading plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
64. The developer shall select Low Impact Development (LID) Best Management Practices (BMPs) designed per the latest version of the Water Quality Management Plan (WQMP) - a guidance document for the Santa Ana region of Riverside County.
65. The developer shall submit recorded slope easements from adjacent property owners in all areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.
66. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared in conformance with the State's current Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request.
67. Any proposed trash enclosure shall include a solid cover (roof) and sufficient size for dual bin (one for trash and one for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building & Safety Division.
68. For projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB) which shall be

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noted on the grading plans.

Prior to Grading Permit

69. A receipt showing payment of the Area Drainage Plan (ADP) fee to Riverside County Flood Control and Water Conservation District shall be submitted. [MC 9.14.100(O)]
70. If the developer chooses to construct the project in phases, a Construction Phasing Plan for the construction of on-site public or private improvements shall be submitted for review and approved by the City Engineer.
71. 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]
72. A digital (pdf) copy of all approved grading plans shall be submitted to the Land Development Division.
73. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the implementation and maintenance of erosion control measures. At least twenty-five (25) percent of the required security shall be in the form of a cash deposit with the City. [MC 8.21.160(H)]
74. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]
75. 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 Map Approval

76. All proposed street names shall be submitted for review and approved by the City Engineer, if applicable. [MC 9.14.090(E.2.k)]
77. A copy of the Covenants, Conditions and Restrictions (CC&R's) shall be submitted

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- for review and approved by the City Engineer. The CC&R's shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project. In addition, for single-family residential development, bylaws and articles of incorporation shall also be included as part of the maintenance agreement for any water quality BMPs.
78. The developer shall enter into a Cooperative Agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project.
  79. After recordation, a digital (pdf) copy of the recorded map shall be submitted to the Land Development Division.
  80. Resolution of all drainage issues shall be as approved by the City Engineer.
  81. If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all public improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. In either case, the City Engineer may require the dedication and construction of necessary utility, street or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. This approval must be obtained prior to the Developer submitting a Phasing Plan to the California Bureau of Real Estate. [MC 9.14.080(B)(C), GC 66412 & 66462.5]
  82. Maps (prepared by a registered civil engineer and/or licensed surveyor) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
  83. Under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System (NPDES) as mandated by the Federal Clean Water Act, this project shall establish a Home Owners Association (HOA) to finance the maintenance of the "Water Quality BMPs". Any lots which are identified as "Water Quality BMPs" shall be owned in fee by the HOA.
  84. The developer shall guarantee the completion of all related improvements required for this project by executing a Public Improvement Agreement (PIA) with the City and posting the required security. [MC 9.14.220]
  85. All public improvement plans required for this project shall be approved by the City Engineer in order to execute the Public Improvement Agreement (PIA).

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86. The developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities.
87. All street dedications shall be free of all encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.

Prior to Improvement Plan Approval

88. The developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, all access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless otherwise approved by the City Engineer.
89. The developer shall submit clearances from all applicable agencies, and pay all applicable plan check fees.
90. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVSI-160 series, etc.) throughout this project.
91. The design plan and profile shall be based upon a centerline, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer.
92. Drainage facilities (i.e. catch basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
93. The hydrology study shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of current City standards shall apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the City Engineer. [MC 9.14.110 A.2]
94. All public improvement plans (prepared by a licensed/registered civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.

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95. Any missing or deficient existing improvements along the project frontage shall be constructed or secured for construction. The City Engineer may require the ultimate structural section for pavement to half-street width plus 18 feet or provide core test results confirming that existing pavement section is per current City Standards; additional signing & striping to accommodate increased traffic imposed by the development, etc.
96. Prior to improvement plan approval, pavement core samples of existing pavement shall 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 2 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.
97. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
98. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.

Prior to Encroachment Permit

99. A digital (pdf) copy of all approved improvement plans shall be submitted to the Land Development Division.
100. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
101. Any work performed within public right-of-way requires an encroachment permit.

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Prior to Building Permit

102. An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of the approved compaction report shall be submitted to the Land Development Division. All pads shall meet pad elevations per approved grading plans as noted by the setting of "blue-top" markers installed by a registered land surveyor or licensed civil engineer.
103. For all subdivision projects, the map shall be recorded (excluding model homes). [MC 9.14.190]
104. Prior to building permit issuance, 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 (110' R/W / 86' CC: 4-Lane Divided Arterial, City Standard No. MVSI-103A-1) along the project frontage. Any existing right of way in excess of 55' half-width along the project frontage shall be vacated.
  - (b) The necessary street right of way dedication on the south and north sides of Bay Avenue (66' R/W / 44' CC: Collector, City Standard No. MVSI-106B-0) along the project frontage. Any existing right of way in excess of 33' half-width along the project frontage shall be vacated.
  - (c) The necessary street right of way dedication on the west and east sides of Street A (66' R/W / 44' CC: Collector, City Standard No. MVSI-106B-0) along the project frontage.
  - (d) The necessary street right of way dedication on Streets K, L, M, N, O, P, and Q (56' R/W / 36' CC: Local Street, City Standard No. MVSI-107A-0) along the project frontage.
  - (e) Corner cutback right of way dedication per City Standard No. MVSI-165-0 on all intersecting public streets, as directed by the City Engineer.
  - (f) Knuckle right of way dedication per City Standard No. MVSI-162-0 for the intersections of Street K and Street N, Street M and Street N, Street O and Street P, and Street P and Street Q, as directed by the City Engineer.
  - (g) Cul-de-sac right of way dedication per City Standard No. MVSI-163A-0 for Street M, as directed by the City Engineer.
105. A walk through with a Land Development Inspector shall be scheduled to inspect existing improvements within public right of way along project frontage. Any missing, damaged or substandard improvements including ADA access ramps that do not meet current City standards shall be required to be installed, replaced and/or repaired. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.

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106. Certification to the line, grade, flow test and system invert elevations for the water quality control BMPs shall be submitted for review and approved by the City Engineer (excluding models homes).

Prior to Occupancy

107. All required as-built plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
108. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
109. 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), signing, striping, undersidewalk 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..
110. For residential subdivisions, punch list work for improvements and capping of streets in that phase shall be completed and approved for acceptance by the City Engineer, prior to the following thresholds:
- a. Issuance of a certificate of occupancy for the last 20% or last 5 homes (whichever is more) of any map phase.
111. Prior to occupancy, Master Drainage Plan (MDP) Line H public storm drain shall be constructed of reinforced concrete pipe (RCP) in Street A from Alessandro Boulevard to Cottonwood Avenue. Upstream, Line H will connect to an existing easterly corrugated metal pipe (CMP) culvert in Cottonwood Avenue that drains the existing Moreno Cottonwood Sedimentation Basin located north of Cottonwood Avenue. Additionally, existing flows upstream of the westerly project boundary will

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be intercepted by proposed drainage devices and a proposed lateral to an existing CMP culvert along the westerly project edge. Downstream, Tract 38442 will discharge flows into the proposed Line H 90" RCP in Alessandro Boulevard. The Line H facility in Alessandro Boulevard, receiving flows from Tract 38442, is conditioned to be constructed by Tract 38236, as shown on the Moreno MDP Line H, Stage 2 improvement plans (City ID LC022-0019, Project No. 4-0-00763 and 4-0-00789). In the event Tract 38236 does not construct the facilities shown on LC022-0019, Tract 38442 is conditioned to construct the downstream/receiving facilities prior to discharging flows into Line H Stage 2. Final design, sizing, and alignment shall be coordinated with the City and Riverside County Flood Control and Water Conservation District (RCFC & WCD) and shall be as approved by the City Engineer.

112. A "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant", "Maintenance Agreement for Water Quality Improvements located in the public right-of-way" and a "Declaration of Restrictive Covenants (encroachment on City easement)" shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific WQMP. A boilerplate copy of the covenants and agreements can be obtained by contacting the Land Development Division.
113. The applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:
  - a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP).
  - b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted for review and approved by the City Engineer.
114. The Developer shall comply with the following water quality related items:
  - a. Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
  - b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
  - c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
  - d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
  - e. Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
  - f. Obtain approval and complete installation of the irrigation and landscaping.



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115. Prior to occupancy, the following improvements shall be completed:  
Alessandro Boulevard (110' R/W / 86' CC: 4-Lane Divided Arterial, City Standard No. MVSI-103A-1) shall be constructed to achieve a half-width of 55', full-width median, plus an additional 14' of pavement, along the entire project's south frontage and from the westerly tract boundary to approximately 315' to the west to join existing Alessandro Boulevard improvements. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, street lights, pedestrian ramps, and dry and wet utilities. Prior to improvement plan approval, the developer shall provide to the City Engineer the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-103A-1. Any missing or deficient improvements along the project's south frontage shall be constructed prior to issuance of a certificate of occupancy.
116. Prior to occupancy, the following improvements shall be completed:  
Bay Avenue (66' R/W / 44' CC: Collector, City Standard No. MVSI-106B-0), shall be constructed to achieve a full-width of 44' of pavement, along the entire project's north frontage and from the westerly tract boundary to approximately 200' to the west to join existing Bay Avenue improvements. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition /joins to existing, street lights, pedestrian ramps, and dry and wet utilities.
117. Prior to occupancy, the following improvements shall be completed:  
Street A (66' R/W / 44' CC: Collector, City Standard No. MVSI-106B-0), shall be constructed to achieve a full-width of 44' of pavement, along the entire project's east frontage. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition /joins to existing, street lights, pedestrian ramps, and dry and wet utilities.
118. Prior to occupancy, the following improvements shall be completed:  
Streets K, L, M, N, O, P, and Q (56' R/W / 36' CC: Local Street, City Standard No. MVSI-107A-0) shall be constructed to achieve a full-width of 36'. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition /joins to existing, street lights, pedestrian ramps, and dry and wet utilities.

Special Districts Division

119. Street Light Coordination/Advanced Energy Fees. Prior to the issuance of the 1st Building Permit for this project, the Developer shall pay New Street Light Installation Fees for all street lights required to be installed for this development. Payment will

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be collected by the Land Development Division. Fees are based on the street light administration/coordination and advanced energy fees as set forth in the City Fees, Charges, and Rates as adopted by City Council and effective at the time of payment. Any change in the project which increases the number of street lights to be installed requires payment of the fees at the then current fee. Questions may be directed to the Special Districts Administration at 951.413.3470 or SDAdmin@moval.org.

120. Landscape Construction. Parkway, open space, traffic circle and/or median landscaping specified in the project's Conditions of Approval shall be constructed consistent with the City of Moreno Valley Public Works Design Guidelines and completed prior to the issuance of Certificate of Occupancy for 25% (or 27) of the dwelling units for this tract or 12 months from the issuance of the first Certificate of Occupancy, whichever comes first. In cases where a phasing plan is submitted, the actual percentage of Certificate of Occupancies issued prior to the completion of the landscaping shall be subject to the review of the construction phasing plan.
121. Approved Landscape Plans. For those areas to be maintained by the City and prior to the issuance of the 1st Building Permit, Planning, Landscape Services and Transportation Engineering staff, at a minimum, shall review and approve the final median, parkway, slope, traffic circle and/or open space landscape/irrigation plans as designated on the tentative map or in these Conditions of Approval.
122. Major Infrastructure SFD Major Infrastructure Financing District. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the construction and maintenance of major infrastructure improvements, which may include but is not limited to thoroughfares, bridges, and certain flood control improvements. This condition will be applicable provided said district is under development at the time this project applies for the 1st Building Permit. This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of

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Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings. An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

123. Maintenance Services Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the operation and maintenance of public improvements and/or services associated with impacts of the development. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

An alternative to satisfying this funding source will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

124. Public Safety Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for Public Safety services, which may include but is not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

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This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at [SDAdmin@moval.org](mailto:SDAdmin@moval.org) to determine if this condition is applicable.

125. Maintenance Period. The Developer, or the Developer's successors or assignees shall be responsible for all parkway, traffic circle, open space and/or median landscape maintenance and utility costs, etc. for a period no less than one (1) year commencing from the time all items of work have been completed to the satisfaction of Landscape Services staff as per the City of Moreno Valley Public Works Department Landscape Design Guidelines, or until such time as the City accepts maintenance responsibilities.
126. Independent Utilities. Parkway, median, slope, traffic circle and/or open space landscape areas included within a special financing district are required to have independent utility systems, including but not limited to water, electric, and telephone services. An independent irrigation controller and pedestal will also be required. Combining utility systems with existing or future landscape areas that are not within the same CFD 2014-01 tax rate layers or funding program (e.g. NPDES) will not be permitted.
127. Parkway, open space, traffic circle, and/or median landscaping specified in the project's Conditions of Approval shall be constructed in compliance with the approved landscape plans and completed prior to the issuance of the first Certificate of Occupancy/Building Final for this project.
128. Landscape Inspection Fees. Inspection fees for the monitoring of landscape installation associated with the City of Moreno Valley maintained landscaping are

**CONDITIONS OF APPROVAL**

Conditional Use Permit (PEN22-0137)

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due prior to the required pre-construction meeting. (MC 3.32.040)

129. Landscape Guidelines. Plans for parkway, median, slope, traffic circle, and/or open space landscape areas designated in the project's Conditions of Approval for incorporation into a City Coordinated landscape maintenance program, shall be prepared and submitted in accordance with the City of Moreno Valley Public Works Department Landscape Design Guidelines. The guidelines are available on the City's website at [www.moval.org](http://www.moval.org) or from Landscape Services (951.413.3480 or [SDLandscape@moval.org](mailto:SDLandscape@moval.org)).
130. Maintenance Responsibility. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
131. Mylars of the landscape and irrigation plans shall be submitted on hanging tab to Landscape Services.
132. Landscape Plan Check Fees. Plan check fees for review of parkway/median, open space, and/or traffic circle landscape plans for improvements that shall be maintained by the City of Moreno Valley are due upon the first plan submittal. (MC 3.32.040)
133. CFD 2014-01. Prior to City Council action authorizing the recordation of the final map, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee, form an association to fund the services or fund an endowment) to provide an ongoing funding source for a) Street Lighting Services for capital improvements, energy charges, and maintenance and/or b) Landscape Maintenance Services for public parkway, traffic circle, open space, and/or median landscaping on Alessandro Blvd. and/or c) street and storm drain maintenance.

This condition must be fully satisfied prior to issuance of the 1st Building Permit. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

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Alternatively, the condition can be satisfied by the Developer forming a property owner association that will be responsible for the improvements and any and all operation and maintenance costs for the improvements or by fundi

134. Park Maintenance Funding. Prior to City Council action authorizing the recordation of the map, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or fund an endowment) to provide an ongoing funding source for the continued maintenance, enhancement, and/or retrofit of parks, open spaces, linear parks, and/or trails systems.

This condition must be fully satisfied prior to issuance of the 1st Building Permit. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

Alternatively, the condition can be satisfied by the Developer funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to satisfy this condition.

135. The ongoing maintenance of any water quality BMP (e.g. Bioswale) constructed in the public right of way shall be the responsibility of a property owner association or the property owner.

Transportation Engineering Division

136. Conditions of approval may be modified or added if a phasing plan is submitted for this development.
137. Project driveway approaches shall conform to City of Moreno Valley Standard Plans No. MVSI-111A-0 for residential driveway approaches.

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138. Alessandro Boulevard is classified and shall be improved as a 4-Lane Divided Arterial (110'RW/86'CC) per City Standard Plan No. 103A-1 from the project's east boundary to 315-ft west of the project's west boundary. Any transitions, modifications or improvements undertaken by this project shall be consistent with the City's standards. The raised median on Alessandro Boulevard shall be constructed with a restricted left-turn opening per City Standard Plan No. MVS1-145-0 to allow left-turns into the project.
139. Bay Avenue is classified and shall be improved to its ultimate section as a Collector (66'RW/44'CC) per City Standard Plan No. MVS1-106B-0 from the project's east boundary to 200-ft west of the project's west boundary. Full-width improvements shall be constructed along project frontage. Any modifications or improvements undertaken by this project shall be consistent with the City's standards.
140. Knuckles shall be designed and constructed per City Standard Plan No. MVS1-162-0.
141. Cul-de-sacs shall be designed and constructed per City Standard Plan No. MVS1-163A-0/MVS1-163B-0.
142. Street A shall be designed and improved as a Collector (66'RW/44'CC) per City Standard Plan No. MVS1-106B-0. Any improvements undertaken by this project shall be consistent with the City's standards.
143. Interior streets (K to Q) shall be designed and improved as Local Streets (56'RW/36'CC) per City Standard Plan No. MVS1-107A-0. Any improvements undertaken by this project shall be consistent with the City's standards.
144. Prior to final approval of any landscaping or monument sign plans, the project plans shall demonstrate that sight distance at the project driveways conforms to City Standard Plan No. MVS1-164A, B, C-0.
145. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets within the project area. Appropriate "end of the road" treatment shall be installed at the east terminus of Bay Avenue, as approved by the City Engineer. Parking restrictions along Street A shall be shown on the signing and striping plan to provide adequate corner sight distance.
146. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Alessandro Boulevard and Street A to provide the following geometrics:
  - Northbound: N/A
  - Southbound: One right-turn lane

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- Eastbound: One left turn lane, one through lane
  - Westbound: One through lane, one shared through/right-turn lane.
147. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Bay Avenue and Street A to provide the following geometrics (at a minimum):
- Northbound: One left-turn lane
  - Southbound: N/A
  - Eastbound: One right-turn lane
  - Westbound: N/A
148. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer shall be submitted for plan approval.
149. Prior to issuance of a Certificate of Occupancy, all approved street improvements shall be installed to the satisfaction of the City Engineer.
150. Prior to issuance of a Certificate of Occupancy, all approved signing and striping shall be installed per current City Standards.
151. Prior to acceptance of streets into the City-maintained road system, all approved signing and striping shall be installed per current City Standards and the approved plans.

**PARKS & COMMUNITY SERVICES DEPARTMENT**

152. This project is subject to current Development Impact Fees.
153. This project is subject to current Quimby Fees.

**Standard Conditions**

154. Detailed final plans (mylars, PDF, and AutoCAD file on a DVD-R) for parks, trails/bikeways, fencing, and adjoining landscaped areas shall be submitted to and approved by the Director of Parks and Community Services, or his/her designee, prior to the issuance of any building permits. All plans are to include a profile showing grade changes.
155. Within the improvements for PCS, the applicant shall show all existing and planned easements on all maps and plans. Easements on City/CSD owned or maintained parks, trails, bikeways, and landscape shall be identified on each of these plans with the instrument number of the recorded easement.



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156. Prior to recordation of the Final Map, the applicant shall post security to guarantee construction or modification of parks, trails and/or bikeways for the City/CSD. Copies of said documentation shall be provided to PCS, prior to the approval of the Final Map.
157. Applicable plan check and inspection fees shall be paid, per the approved City fee schedule.
158. A restriction shall be placed on lots that back up to City/CSD owned or maintained parks, trails, bikeways, and landscaped areas, preventing openings or gates accessing the City/CSD owned or maintained property. This shall be documented through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee, prior to the recordation of the Final Map.

**Exhibit B**

**Tentative Tract Map 38442 (PEN22-01313) Conditions of Approval**

**CONDITIONS OF APPROVAL**

Tentative Tract Map (PEN22-0131)

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CITY OF MORENO VALLEY  
 CONDITIONS OF APPROVAL  
 Tentative Tract Map (PEN22-0131)

EFFECTIVE DATE:

EXPIRATION DATE:

**COMMUNITY DEVELOPMENT DEPARTMENT****Planning Division**

1. 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)
2. The Developer shall defend, indemnify and hold harmless the City, city council, commissions, boards, subcommittees and the City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any prior or current agreements by and among the City and the Developer; (ii) the current, concurrent and subsequent permits, licenses and entitlements approved by the City; (iii) any environmental determination made by the City in connection with the Project Site and the Project; and (iv) any proceedings or other actions undertaken by the City in connection with the adoption or approval of any of the above. In the event of any administrative, legal, equitable action or other proceeding instituted by any third party (including without limitation a governmental entity or official) challenging the legality, validity or adequacy of any of the above items or any portion thereof, the Parties shall mutually cooperate with each other in defense of said action or proceeding. Notwithstanding the above, the City, at its sole option, may tender the complete defense of any third party challenge as described herein. In the event the City elects to contract with special counsel to provide for such a defense, the City shall meet and confer with the Developer regarding the selection of counsel, and the Developer shall pay all costs related to retention of such counsel by the City.
3. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
4. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code

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regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)

5. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
6. 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.
7. In accordance with the Developer's obligation to defend, indemnify and hold harmless the City, including but not limited to as set forth in more detail in the Project's Conditions of Approval, Moreno Valley Municipal Code Section 9.02.310 (Indemnification of City for Discretionary Approvals), and the Project application, Developer shall enter into an Advanced Funding Agreement with the City no later than ten (10) calendar days from Planning Commission's approval of the Project. A copy of said Agreement is on file with the Community Development Director.
8. A change or modification to the land use or the approved site plans may require a separate approval. Prior to any change or modification, the property owner shall contact the City of Moreno Valley Community Development Department to determine if a separate approval is required.

Special Conditions

9. Prior to grading plan approval, Basin fencing shall include wrought iron fencing with pilasters
10. Prior to building final, a basin maintained by an HOA or other private entity, landscape (trees, shrubs and groundcover) and irrigation shall be installed, and maintained by the HOA or other private entity with documentation provided to the Planning Division.
11. Prior to issuance of building permits, final front and street side yard landscape and irrigation plans, and slope landscape plans and basin landscape plans, shall be approved.
12. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

**CONDITIONS OF APPROVAL**

Tentative Tract Map (PEN22-0131)

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13. Prior to grading plan approval, decorative block walls shall be provided along the street side for all corner lots. (MC 9.08.070)
14. The site shall be developed in accordance with the approved tentative map on file in the Community Development Department -Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. (MC 9.14.020)
15. Prior to building final, the developer/owner or developer's/owner's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)
16. A drought tolerant landscape palette shall be utilized throughout the tract in compliance with the City's Landscape Requirements. (9.17)
17. Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to and approved by the Planning Division. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)
18. If potential historic, archaeological, Native American cultural resources, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area must cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

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

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Tentative Tract Map (PEN22-0131)

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Objective 23.3, CEQA).

19. All landscaped areas in perpetuity shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
20. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)
21. Prior to the issuance of grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.
22. Prior to any site disturbance and/or grading plan submittal, and or final map recordation, a mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant/owner. No City permit or approval shall be issued until such fee is paid. (CEQA)
23. Prior to issuance of a building permit, the developer/property owner or developer's successor-in-interest shall pay all applicable impact fees due at permit issuance, including but not limited to Multi-species Habitat Conservation Plan (MSHCP) mitigation fees. (Ord.)
24. Prior to grading plan approval, wall and fence plans shall be submitted to and approved by the Planning Division to include a six (6) foot high solid decorative (e.g. split face, color variation, pattern variation, or as approved by the Planning Official) block wall along the all tract perimeters.
25. Prior to final map recordation, or building permit issuance, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to a separate Phasing Plan submittal for Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)
26. Within thirty (30) days prior to any grading or other land disturbance, a pre-construction survey for Burrowing Owls shall be conducted pursuant to the established guidelines of Multiple Species Habitat Conservation Plan. The pre-construction survey shall be submitted to the Planning Division prior to any disturbance of the site and/or grading permit issuance.
27. Prior to approval of a precise grading plan, final front and street side yard

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Tentative Tract Map (PEN22-0131)

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landscape and irrigation plans shall be submitted to and approved by the Planning Division per the Planned Unit Development Plan (PUD). The plans shall be prepared in accordance with the PUD, and the City's Municipal Code Landscape Requirements, and include required street trees.

28. Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee.
29. Prior to recordation of the final subdivision map, the following documents shall be submitted to and approved by the Planning Division which shall demonstrate that the project will be developed and maintained in accordance with the intent and purpose of the approval:

- a. The document to convey title
- b. Deed restrictions, easements, or Covenants, Conditions, and Restrictions to be recorded

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

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

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

30. All undeveloped portions of the site in perpetuity shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)
31. Prior to the issuance of building permits, the developer shall provide documentation that contact was made to the U.S. Postal Service to determine the appropriate type and location of mailboxes.

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Tentative Tract Map (PEN22-0131)

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32. Prior to grading plan approval, wall and fence plans shall be submitted to and approved by the Planning Division subject to the PUD, and the City's Municipal Code.
33. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security shall remain in place until the project is completed or the above conditions no longer exist. (Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard).
34. The site has been approved for Tentative Tract Map 38442 for 108 single-family residential lots with associated public improvements per the approved plan, and the associated Conditional Use Permit for a Planned Unit Development. A change or modification shall require separate approval.
35. Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit for a Planned Unit Development (PEN22-0137) are tied together and shall expire at the same time. Extensions of time must be filed individually for each project and future extensions cannot exceed the Subdivision Map Act.
36. Separate Administrative Plot Plans, including, Design Review (product approval), Model Home Complex or custom home reviews are required for approval of the design of the future single-family homes for Tentative Tract Map 38442.
37. Prior to approval of any grading plan, local and master-planned multi-use trail easements shall be shown on the rough and precise grading plans in accordance with the City's Master Trail Plan.

Building Division

38. Prior to submittal, all new development, including residential second units, are required to obtain a valid property address prior to permit application. Addresses can be obtained by contacting the Building Safety Division at 951.413.3350.
39. Contact the Building Safety Division for permit application submittal requirements.
40. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m.(except for holidays which occur on weekdays), eight a.m. to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.



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41. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
42. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
43. The proposed project will be subject to approval by the Eastern Municipal Water District and all applicable fees and charges shall be paid prior to permit issuance. Each individual lot with a dwelling structure shall be directly serviced by EMWD. Contact the water district at 951.928.3777 for specific details.
44. All new structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Code, (CBC) Part 2, Title 24, California Code of Regulations including requirements for allowable area, occupancy separations, fire suppression systems, accessibility, etc.
45. The proposed residential project shall comply with the California Green Building Standards Code, Section 4.106.4, mandatory requirements for Electric Vehicle Charging Station (EVCS).
46. 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)
47. The appropriation from local tax from construction contracts to the local jurisdiction of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.  
The qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
  - a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
  - b) must be registered as a retailer, not consumer, of materials, and
  - c) have an executed contract over \$5 million to install materials at the jobsite.
 The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services

**CONDITIONS OF APPROVAL**

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Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project.

48. All new structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Standards Code (California Code of Regulations, Title 24) including requirements for allowable area, occupancy separations, fire suppression systems, accessibility, etc.
49. The proposed residential project shall comply with the California Green Building Standards Code, Section 4.106.4, mandatory requirements for Electric Vehicle Charging Stations (EVCS).

**FIRE DEPARTMENT****Fire Prevention Bureau**

50. All Fire Department access roads or driveways shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
51. The Fire Department emergency vehicular access road shall be (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. The approved fire access road shall be in place during the time of construction. Temporary fire access roads shall be approved by the Fire Prevention Bureau. (CFC 501.4, and MV City Standard Engineering Plan 108d)
52. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)
53. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4)
54. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)
55. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 509.1 and MVLT 440A-0 through MVLT 440C-0)

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56. Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 507, 501.3) a - After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.
57. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in effect at the time of building plan submittal.
58. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
59. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)
60. Fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) feet and an unobstructed vertical clearance of not less than thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])
61. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9, MVMC 8.36.100[D])
62. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060, CFC 501.4)
63. The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with the C.F.C., MVMC, and NFPA 24. Fire hydrants shall be located no closer than 40 feet to a building. A fire hydrant shall be located within 50 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6" x 4" x 2 ½" x 2 ½") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)
64. Fire Department access driveways over 150 feet in length shall have a turn-around

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- as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. (CFC 503 and MVMC 8.36.060, CFC 501.4)
65. 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)
  66. 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)
  67. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering said waterflow for 2 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B)
  68. Single Family Dwellings. Schedule "A" fire prevention approved standard fire hydrants (6" x 4" x 2 ½") shall be located at each intersection of all residential streets. Hydrants shall be spaced no more than 500 feet apart in any direction so that no point on the street is more than 250 feet from a hydrant. Minimum fire flow shall be 1000 GPM for 1 hour duration of 20 PSI. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, serving one and two-family residential developments, standard fire hydrants shall be provided at spacing not to exceed 1000 feet along the tract boundary for transportation hazards. (CFC 507.3, Appendix B, MVMC 8.36.060).
  69. Dead-end streets and/or fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround for fire apparatus.
  70. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall: a. Be signed by a registered civil engineer or a certified fire protection engineer; b. Contain a Fire Prevention Bureau approval signature block; and c. Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.
  71. The appropriation from local tax from construction contracts to the local jurisdiction

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of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.

The qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:

- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
- b) must be registered as a retailer, not consumer, of materials, and
- c) have an executed contract over \$5 million to install materials at the jobsite.

The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project.

**FINANCIAL & MANAGEMENT SERVICES DEPARTMENT****Moreno Valley Utility**

- 72. 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.
- 73. This project requires the installation of electric distribution facilities. The developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer shall execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City all utility infrastructure including but not limited to, conduit, equipment, vaults, ducts, wires (including fiber optic

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cable), 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.

74. 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.
75. This project shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City fiber optic cable improvements consisting of fiber optic cable, splices and termination equipment to serve the identified development and other adjoining, abutting, or benefiting projects as determined by Moreno Valley Utility along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all “fiber optic services” to and within the project.
76. This project shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to Moreno Valley Utility fiber optic cable improvements consisting of conduit, and pull boxes to serve the identified development and other adjoining, abutting, or benefiting projects as determined by Moreno Valley Utility along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all “fiber optic services” to and within the project.
77. This project shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to Moreno Valley Utility electric streetlight improvements consisting of streetlight poles, mast-arms, fixtures conduit, wiring,

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terminations and pull boxes to serve the identified development and other adjoining, abutting, or benefiting projects as determined by the Land Development Department along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all “street light services” to and within the project.

**PUBLIC WORKS DEPARTMENT****Land Development**

78. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.
79. 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]
80. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
81. The developer shall monitor, supervise and control all construction related activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:
- (a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.
  - (b) Observance of working hours as stipulated on permits issued by the Land Development Division.
  - (c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.
  - (d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements during the grading operations.

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Violation of any condition, restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedy as noted in City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

82. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
83. Local tax from construction contracts may be allocated to the local jurisdiction of the specific construction jobsite. This is accomplished by a contractor or subcontractor electing to obtain a construction site sub-permit for the jobsite. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are eligible for this election. This qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to be eligible for a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
  - b) must be registered as a retailer, not consumer, of materials, and
  - c) have an executed contract over \$5 million to install materials at the jobsite.
- The \$5 million threshold applies to individual contracts held by a contractor or subcontractor and not the total project value. The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor will require that the subcontractor or other contractors provide the City of Moreno Valley with either a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project. The Prime Contractor will provide the City with a list of subcontractors associated with the project.
84. In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. If unsuccessful, the Developer shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement



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acquisition. [GC 66462.5]

85. If improvements associated with this project are not initiated within two (2) years of the date of approval of the Public Improvement Agreement (PIA), the City Engineer may require that the engineer's estimate for improvements associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the PIA or issuance of a permit. [MC 9.14.210(B)(C)]
86. The developer shall protect downstream properties from damage caused by alteration of drainage patterns (i.e. concentration or diversion of flow, etc). Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. [MC 9.14.110]
87. The maintenance responsibility of the proposed storm drain line shall be clearly identified. Storm drain lines within private property will be privately maintained and those within public streets will be publicly maintained.
88. The proposed private storm drain system shall connect to the project's proposed storm drain system. Storm drain manholes shall be placed at the right-of-way line to mark the beginning of each publicly maintained portion of this storm drain.
89. For single family residential subdivisions, all lots shall drain to the street at a minimum surface grade of 2.0% and on-site drainage shall be conveyed onto the street with subsurface drains at a minimum grade of 0.5% per current City Standards MVSI-152 and MVSI-153A. No cross-lot or over the sidewalk drainage shall be allowed.
90. This project shall submit civil engineering design plans, reports and/or documents (prepared by a registered/licensed civil engineer) for review and approval by the City Engineer per the current submittal requirements, prior to the indicated threshold or as required by the City Engineer. The submittal consists of, but is not limited to, the following:
  - a. Final tract map (recordation prior to building permit issuance);
  - b. Rough grading w/ erosion control plan (prior to grading permit issuance);
  - c. Precise grading w/ erosion control plan (prior to building permit issuance);
  - d. Public improvement plans (e.g., street / storm drain with striping, RCFC & WCD storm drain, sewer / water, etc.) (prior to map approval);
  - e. Final drainage study (prior to grading plan approval);
  - f. Final WQMP (prior to grading plan approval);
  - g. Legal documents (e.g., easement(s), dedication(s), vacation, etc.) (prior to building permit issuance);
  - h. As-Built revision for all plans (prior to occupancy release).

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91. Water quality best management practices (BMPs) designed to meet Water Quality Management Plan (WQMP) requirements for development shall not be used as a construction BMP. Water quality BMPs shall be maintained for the entire duration of the project construction and be used to treat runoff from those developed portions of the project. Water quality BMPs shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. Water quality BMPs shall be graded per the approved design plans and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to an established Homeowner's Association (HOA).

Prior to Grading Plan Approval

92. Resolution of all drainage issues shall be as approved by the City Engineer.
93. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
94. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity.
95. A final project-specific Water Quality Management Plan (WQMP) shall be submitted for review and approved by the City Engineer, which:
- a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
  - b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
  - c. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
  - d. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.
- A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division. A digital (pdf) copy of the approved final project-specific Water Quality Management Plan (WQMP) shall be submitted to the Land Development Division.
96. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the approved P-WQMP, as well as in full conformance with the

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document: "Water Quality Management Plan - A Guidance Document for the Santa Ana Region of Riverside County" dated October 22, 2012. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements for BMPs and sources of funding for BMP implementation.

a. The Applicant has proposed to incorporate the use of an extended detention basin. Final design and sizing details of all BMPs must be provided in the first submittal of the F-WQMP. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance document.

b. The Applicant shall substantiate the applicable Hydrologic Condition of Concerns (HCOC) in Section F of the F-WQMP.

The HCOC designates that the project will be exempt from mitigation requirements based on Exemption 3.

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

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

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

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

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

97. The developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. All improvement plans are substantially complete and appropriate clearance letters are provided to the City.

d. A soils/geotechnical report (addressing the soil's stability and geological conditions of the site) shall be submitted to the Land Development Division for

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- review. A digital (pdf) copy of the soils/geotechnical report shall be submitted to the Land Development Division.
98. Grading plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
  99. The developer shall select Low Impact Development (LID) Best Management Practices (BMPs) designed per the latest version of the Water Quality Management Plan (WQMP) - a guidance document for the Santa Ana region of Riverside County.
  100. The developer shall submit recorded slope easements from adjacent property owners in all areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.
  101. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared in conformance with the State's current Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request.
  102. Any proposed trash enclosure shall include a solid cover (roof) and sufficient size for dual bin (one for trash and one for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building & Safety Division.
  103. For projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB) which shall be noted on the grading plans.

Prior to Grading Permit

104. A receipt showing payment of the Area Drainage Plan (ADP) fee to Riverside County Flood Control and Water Conservation District shall be submitted. [MC 9.14.100(O)]
105. If the developer chooses to construct the project in phases, a Construction Phasing Plan for the construction of on-site public or private improvements shall be submitted for review and approved by the City Engineer.
106. 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

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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]

107. A digital (pdf) copy of all approved grading plans shall be submitted to the Land Development Division.
108. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the implementation and maintenance of erosion control measures. At least twenty-five (25) percent of the required security shall be in the form of a cash deposit with the City. [MC 8.21.160(H)]
109. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]
110. 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 Map Approval

111. All proposed street names shall be submitted for review and approved by the City Engineer, if applicable. [MC 9.14.090(E.2.k)]
112. A copy of the Covenants, Conditions and Restrictions (CC&R's) shall be submitted for review and approved by the City Engineer. The CC&R's shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project. In addition, for single-family residential development, bylaws and articles of incorporation shall also be included as part of the maintenance agreement for any water quality BMPs.
113. The developer shall enter into a Cooperative Agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project.
114. After recordation, a digital (pdf) copy of the recorded map shall be submitted to the Land Development Division.

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115. Resolution of all drainage issues shall be as approved by the City Engineer.
116. If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all public improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. In either case, the City Engineer may require the dedication and construction of necessary utility, street or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. This approval must be obtained prior to the Developer submitting a Phasing Plan to the California Bureau of Real Estate. [MC 9.14.080(B)(C), GC 66412 & 66462.5]
117. Maps (prepared by a registered civil engineer and/or licensed surveyor) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
118. Under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System (NPDES) as mandated by the Federal Clean Water Act, this project shall establish a Home Owners Association (HOA) to finance the maintenance of the "Water Quality BMPs". Any lots which are identified as "Water Quality BMPs" shall be owned in fee by the HOA.
119. The developer shall guarantee the completion of all related improvements required for this project by executing a Public Improvement Agreement (PIA) with the City and posting the required security. [MC 9.14.220]
120. All public improvement plans required for this project shall be approved by the City Engineer in order to execute the Public Improvement Agreement (PIA).
121. The developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities.
122. All street dedications shall be free of all encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.

Prior to Improvement Plan Approval

123. The developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements.

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- However, when work is required in an intersection that involves or impacts existing access ramps, all access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless otherwise approved by the City Engineer.
124. The developer shall submit clearances from all applicable agencies, and pay all applicable plan check fees.
  125. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVS1-160 series, etc.) throughout this project.
  126. The design plan and profile shall be based upon a centerline, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer.
  127. Drainage facilities (i.e. catch basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
  128. The hydrology study shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of current City standards shall apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the City Engineer. [MC 9.14.110 A.2]
  129. All public improvement plans (prepared by a licensed/registered civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
  130. Any missing or deficient existing improvements along the project frontage shall be constructed or secured for construction. The City Engineer may require the ultimate structural section for pavement to half-street width plus 18 feet or provide core test results confirming that existing pavement section is per current City Standards; additional signing & striping to accommodate increased traffic imposed by the development, etc.
  131. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.

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132. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.
133. Prior to improvement plan approval, pavement core samples of existing pavement shall 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 2 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 Encroachment Permit

134. A digital (pdf) copy of all approved improvement plans shall be submitted to the Land Development Division.
135. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
136. Any work performed within public right-of-way requires an encroachment permit.

Prior to Building Permit

137. An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of the approved compaction report shall be submitted to the Land Development Division. All pads shall meet pad elevations per approved grading plans as noted by the setting of "blue-top" markers installed by a registered land surveyor or licensed civil engineer.
138. For all subdivision projects, the map shall be recorded (excluding model homes).  
[MC 9.14.190]



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139. A walk through with a Land Development Inspector shall be scheduled to inspect existing improvements within public right of way along project frontage. Any missing, damaged or substandard improvements including ADA access ramps that do not meet current City standards shall be required to be installed, replaced and/or repaired. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.
140. Certification to the line, grade, flow test and system invert elevations for the water quality control BMPs shall be submitted for review and approved by the City Engineer (excluding models homes).
141. Prior to building permit issuance, 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 (110' R/W / 86' CC: 4-Lane Divided Arterial, City Standard No. MVSI-103A-1) along the project frontage. Any existing right of way in excess of 55' half-width along the project frontage shall be vacated.
  - (b) The necessary street right of way dedication on the south and north sides of Bay Avenue (66' R/W / 44' CC: Collector, City Standard No. MVSI-106B-0) along the project frontage. Any existing right of way in excess of 33' half-width along the project frontage shall be vacated.
  - (c) The necessary street right of way dedication on the west and east sides of Street A (66' R/W / 44' CC: Collector, City Standard No. MVSI-106B-0) along the project frontage.
  - (d) The necessary street right of way dedication on Streets K, L, M, N, O, P, and Q (56' R/W / 36' CC: Local Street, City Standard No. MVSI-107A-0) along the project frontage.
  - (e) Corner cutback right of way dedication per City Standard No. MVSI-165-0 on all intersecting public streets, as directed by the City Engineer.
  - (f) Knuckle right of way dedication per City Standard No. MVSI-162-0 for the intersections of Street K and Street N, Street M and Street N, Street O and Street P, and Street P and Street Q, as directed by the City Engineer.
  - (g) Cul-de-sac right of way dedication per City Standard No. MVSI-163A-0 for Street M, as directed by the City Engineer.

Prior to Occupancy

142. Prior to occupancy, Master Drainage Plan (MDP) Line H public storm drain shall be constructed of reinforced concrete pipe (RCP) in Street A from Alessandro Boulevard to Cottonwood Avenue. Upstream, Line H will connect to an existing easterly corrugated metal pipe (CMP) culvert in Cottonwood Avenue that drains the existing Moreno Cottonwood Sedimentation Basin located north of Cottonwood

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Avenue. Additionally, existing flows upstream of the westerly project boundary will be intercepted by proposed drainage devices and a proposed lateral to an existing CMP culvert along the westerly project edge. Downstream, Tract 38442 will discharge flows into the proposed Line H 90" RCP in Alessandro Boulevard. The Line H facility in Alessandro Boulevard, receiving flows from Tract 38442, is conditioned to be constructed by Tract 38236, as shown on the Moreno MDP Line H, Stage 2 improvement plans (City ID LC022-0019, Project No. 4-0-00763 and 4-0-00789). In the event Tract 38236 does not construct the facilities shown on LC022-0019, Tract 38442 is conditioned to construct the downstream/receiving facilities prior to discharging flows into Line H Stage 2. Final design, sizing, and alignment shall be coordinated with the City and Riverside County Flood Control and Water Conservation District (RCFC & WCD) and shall be as approved by the City Engineer.

143. All required as-built plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
144. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
145. 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), signing, striping, undersidewalk 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.
146. For residential subdivisions, punch list work for improvements and capping of streets in that phase shall be completed and approved for acceptance by the City Engineer, prior to the following thresholds:
  - a. Issuance of a certificate of occupancy for the last 20% or last 5 homes (whichever is more) of any map phase.

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147. A "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant", "Maintenance Agreement for Water Quality Improvements located in the public right-of-way" and a "Declaration of Restrictive Covenants (encroachment on City easement)" shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific WQMP. A boilerplate copy of the covenants and agreements can be obtained by contacting the Land Development Division.
148. The applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:
- a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP).
  - b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted for review and approved by the City Engineer.
149. The Developer shall comply with the following water quality related items:
- a. Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
  - b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
  - c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
  - d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
  - e. Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
  - f. Obtain approval and complete installation of the irrigation and landscaping.
150. Prior to occupancy, the following improvements shall be completed:  
Alessandro Boulevard (110' R/W / 86' CC: 4-Lane Divided Arterial, City Standard No. MVS1-103A-1) shall be constructed to achieve a half-width of 55', full-width median, plus an additional 14' of pavement, along the entire project's south frontage and from the westerly tract boundary to approximately 315' to the west to join existing Alessandro Boulevard improvements. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, street lights, pedestrian ramps, and dry and wet utilities. Prior to improvement plan approval, the developer shall provide to the City Engineer the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVS1-103A-1. Any missing or deficient improvements along the

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project's south frontage shall be constructed prior to issuance of a certificate of occupancy.

151. Prior to occupancy, the following improvements shall be completed:  
Bay Avenue (66' R/W / 44' CC: Collector, City Standard No. MVSI-106B-0), shall be constructed to achieve a full-width of 44' of pavement, along the entire project's north frontage and from the westerly tract boundary to approximately 200' to the west to join existing Bay Avenue improvements. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition /joins to existing, street lights, pedestrian ramps, and dry and wet utilities.
152. Prior to occupancy, the following improvements shall be completed:  
Street A (66' R/W / 44' CC: Collector, City Standard No. MVSI-106B-0), shall be constructed to achieve a full-width of 44' of pavement, along the entire project's east frontage. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition /joins to existing, street lights, pedestrian ramps, and dry and wet utilities.
153. Prior to occupancy, the following improvements shall be completed:  
Streets K, L, M, N, O, P, and Q (56' R/W / 36' CC: Local Street, City Standard No. MVSI-107A-0) shall be constructed to achieve a full-width of 36'. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition /joins to existing, street lights, pedestrian ramps, and dry and wet utilities.

Special Districts Division

154. Street Light Coordination/Advanced Energy Fees. Prior to the issuance of the 1st Building Permit for this project, the Developer shall pay New Street Light Installation Fees for all street lights required to be installed for this development. Payment will be collected by the Land Development Division. Fees are based on the street light administration/coordination and advanced energy fees as set forth in the City Fees, Charges, and Rates as adopted by City Council and effective at the time of payment. Any change in the project which increases the number of street lights to be installed requires payment of the fees at the then current fee. Questions may be directed to the Special Districts Administration at 951.413.3470 or SDAdmin@moval.org.
155. Major Infrastructure SFD Major Infrastructure Financing District. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for

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the construction and maintenance of major infrastructure improvements, which may include but is not limited to thoroughfares, bridges, and certain flood control improvements. This condition will be applicable provided said district is under development at the time this project applies for the 1st Building Permit. This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings. An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

156. Maintenance Services Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the operation and maintenance of public improvements and/or services associated with impacts of the development. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special

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election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

An alternative to satisfying this funding source will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

157. Public Safety Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for Public Safety services, which may include but is not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

158. Park Maintenance Funding. Prior to City Council action authorizing the recordation of the map, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or fund an endowment) to provide an ongoing funding source for the continued maintenance, enhancement, and/or retrofit of parks, open spaces, linear parks, and/or trails systems.

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This condition must be fully satisfied prior to issuance of the 1st Building Permit. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

Alternatively, the condition can be satisfied by the Developer funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to satisfy this condition.

159. Right of Way Water Quality BMP Maintenance. The ongoing maintenance of any water quality BMP (e.g. Bioswale) constructed in the public right of way shall be the responsibility of a property owner association or the property owner.
160. Maintenance Responsibility. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
161. CFD 2014-01. Prior to City Council action authorizing the recordation of the final map, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee, form an association to fund the services or fund an endowment) to provide an ongoing funding source for a) Street Lighting Services for capital improvements, energy charges, and maintenance and/or b) Landscape Maintenance Services for public parkway, traffic circle, open space, and/or median landscaping on Alessandro Blvd. and/or c) street and storm drain maintenance.

This condition must be fully satisfied prior to issuance of the 1st Building Permit. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into

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or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

Alternatively, the condition can be satisfied by the Developer forming a property owner association that will be responsible for the improvements and any and all operation and maintenance costs for the improvements or by fundi

162. Landscape Construction. Parkway, open space, traffic circle and/or median landscaping specified in the project's Conditions of Approval shall be constructed consistent with the City of Moreno Valley Public Works Design Guidelines and completed prior to the issuance of Certificate of Occupancy for 25% (or 27) of the dwelling units for this tract or 12 months from the issuance of the first Certificate of Occupancy, whichever comes first. In cases where a phasing plan is submitted, the actual percentage of Certificate of Occupancies issued prior to the completion of the landscaping shall be subject to the review of the construction phasing plan.
163. Approved Landscape Plans. For those areas to be maintained by the City and prior to the issuance of the 1st Building Permit, Planning, Landscape Services and Transportation Engineering staff, at a minimum, shall review and approve the final median, parkway, slope, traffic circle and/or open space landscape/irrigation plans as designated on the tentative map or in these Conditions of Approval.
164. Parkway, open space, traffic circle, and/or median landscaping specified in the project's Conditions of Approval shall be constructed in compliance with the approved landscape plans and completed prior to the issuance of the first Certificate of Occupancy/Building Final for this project.
165. Mylars of the landscape and irrigation plans shall be submitted on hanging tab to Landscape Services.
166. Maintenance Period. The Developer, or the Developer's successors or assignees shall be responsible for all parkway, traffic circle, open space and/or median landscape maintenance and utility costs, etc. for a period no less than one (1) year commencing from the time all items of work have been completed to the satisfaction of Landscape Services staff as per the City of Moreno Valley Public Works Department Landscape Design Guidelines, or until such time as the City accepts maintenance responsibilities.
167. Independent Utilities. Parkway, median, slope, traffic circle and/or open space



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landscape areas included within a special financing district are required to have independent utility systems, including but not limited to water, electric, and telephone services. An independent irrigation controller and pedestal will also be required. Combining utility systems with existing or future landscape areas that are not within the same CFD 2014-01 tax rate layers or funding program (e.g. NPDES) will not be permitted.

168. Landscape Inspection Fees. Inspection fees for the monitoring of landscape installation associated with the City of Moreno Valley maintained landscaping are due prior to the required pre-construction meeting. (MC 3.32.040)
169. Landscape Guidelines. Plans for parkway, median, slope, traffic circle, and/or open space landscape areas designated in the project's Conditions of Approval for incorporation into a City Coordinated landscape maintenance program, shall be prepared and submitted in accordance with the City of Moreno Valley Public Works Department Landscape Design Guidelines. The guidelines are available on the City's website at [www.moval.org](http://www.moval.org) or from Landscape Services (951.413.3480 or [SDLandscape@moval.org](mailto:SDLandscape@moval.org)).
170. Landscape Plan Check Fees. Plan check fees for review of parkway/median, open space, and/or traffic circle landscape plans for improvements that shall be maintained by the City of Moreno Valley are due upon the first plan submittal. (MC 3.32.040)

Transportation Engineering Division

171. Conditions of approval may be modified or added if a phasing plan is submitted for this development.
172. Project driveway approaches shall conform to City of Moreno Valley Standard Plans No. MVSI-111A-0 for residential driveway approaches.
173. Alessandro Boulevard is classified and shall be improved as a 4-Lane Divided Arterial (110'RW/86'CC) per City Standard Plan No. 103A-1 from the project's east boundary to 315-ft west of the project's west boundary. Any transitions, modifications or improvements undertaken by this project shall be consistent with the City's standards. The raised median on Alessandro Boulevard shall be constructed with a restricted left-turn opening per City Standard Plan No. MVSI-145-0 to allow left-turns into the project.
174. Bay Avenue is classified and shall be improved to its ultimate section as a Collector (66'RW/44'CC) per City Standard Plan No. MVSI-106B-0 from the project's east boundary to 200-ft west of the project's west boundary. Full-width improvements shall be constructed along project frontage. Any modifications or improvements

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undertaken by this project shall be consistent with the City's standards.

175. Knuckles shall be designed and constructed per City Standard Plan No. MVSI-162-0.
176. Cul-de-sacs shall be designed and constructed per City Standard Plan No. MVSI-163A-0/MVSI-163B-0.
177. Street A shall be designed and improved as a Collector (66'RW/44'CC) per City Standard Plan No. MVSI-106B-0. Any improvements undertaken by this project shall be consistent with the City's standards.
178. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer shall be submitted for plan approval.
179. Prior to issuance of a Certificate of Occupancy, all approved street improvements shall be installed to the satisfaction of the City Engineer.
180. Prior to issuance of a Certificate of Occupancy, all approved signing and striping shall be installed per current City Standards.
181. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets within the project area. Appropriate "end of the road" treatment shall be installed at the east terminus of Bay Avenue, as approved by the City Engineer. Parking restrictions along Street A shall be shown on the signing and striping plan to provide adequate corner sight distance.
182. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Alessandro Boulevard and Street A to provide the following geometrics:
  - Northbound: N/A
  - Southbound: One right-turn lane
  - Eastbound: One left turn lane, one through lane
  - Westbound: One through lane, one shared through/right-turn lane.
183. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Bay Avenue and Street A to provide the following geometrics (at a minimum):
  - Northbound: One left-turn lane
  - Southbound: N/A
  - Eastbound: One right-turn lane
  - Westbound: N/A

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184. Prior to final approval of any landscaping or monument sign plans, the project plans shall demonstrate that sight distance at the project driveways conforms to City Standard Plan No. MVSI-164A, B, C-0.
185. Interior streets (K to Q) shall be designed and improved as Local Streets (56'RW/36'CC) per City Standard Plan No. MVSI-107A-0. Any improvements undertaken by this project shall be consistent with the City's standards.
186. Prior to acceptance of streets into the City-maintained road system, all approved signing and striping shall be installed per current City Standards and the approved plans.

**PARKS & COMMUNITY SERVICES DEPARTMENT**

187. This project is subject to current Development Impact Fees.
188. This project is subject to current Quimby Fees.

**Standard Conditions**

189. Detailed final plans (mylars, PDF, and AutoCAD file on a DVD-R) for parks, trails/bikeways, fencing, and adjoining landscaped areas shall be submitted to and approved by the Director of Parks and Community Services, or his/her designee, prior to the issuance of any building permits. All plans are to include a profile showing grade changes.
190. Within the improvements for PCS, the applicant shall show all existing and planned easements on all maps and plans. Easements on City/CSD owned or maintained parks, trails, bikeways, and landscape shall be identified on each of these plans with the instrument number of the recorded easement.
191. Prior to recordation of the Final Map, the applicant shall post security to guarantee construction or modification of parks, trails and/or bikeways for the City/CSD. Copies of said documentation shall be provided to PCS, prior to the approval of the Final Map.
192. Applicable plan check and inspection fees shall be paid, per the approved City fee schedule.
193. A restriction shall be placed on lots that back up to City/CSD owned or maintained parks, trails, bikeways, and landscaped areas, preventing openings or gates accessing the City/CSD owned or maintained property. This shall be documented through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this restriction noted shall be submitted and approved by the Director of Parks

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and Community Services or his/her designee, prior to the recordation of the Final Map.

# TRACT 38442

SINGLE FAMILY DETACHED HOMES  
MORENO VALLEY, CALIFORNIA  
PLANNED UNIT DEVELOPMENT



PLAN 1.1387 | A - SPANISH

PLAN 2.1583 | D- TUSCAN

PLAN 3.1775 | B - TRADITIONAL

## MYSTIC POINTE - 3200 SF LOTS



PLAN 2.2068 | D - TUSCAN

PLAN 3.2311 | A - SPANISH

PLAN 1.1968 | B - TRADITIONAL

## VANTAGE - 4500 SF LOTS



**PROACTIVE**  
ENGINEERING CONSULTANTS  
200 South Main Street, Suite 300  
Corona, CA 92882 (951) 280-3300



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  - Elevations and Front Yards
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# 1.1 Introduction

Tract 38442 is located on approximately 19.1 acres in the city of Moreno Valley, Riverside County, California. Specifically located north of Alessandro Blvd and south of Bay Ave.

The location of tract 38442 is depicted on Figure 1-1: Vicinity Map

This tract consists of 108 Single Family lots with two different lot sizes, 64 units with a minimum size of 3200 square feet and 44 units with a minimum size of 4500 square feet.

This Planned Unit Developments is for the design of homes within Tract 38442 neighborhoods.

Figure 1-1: Vicinity Map



Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))

## 1.2 Residential Design Standards

### Homeowners Association (HOA)

A Homeowners Association (HOA) will be formed to own and maintain the private facilities throughout the community. The HOA will be responsible for the maintenance of drainage access lots and water quality basins. Landscape lots that are not within the trail running along A Street will be HOA maintained as well.

### Publicly Maintained Lots (City of Moreno Valley)

Tract 38442 is proposing a 1.4 acre public park located inside the community. The park will be a public park eventually owned and maintained by the City of Moreno Valley Parks and Recreation Department. The Developer will work with the Parks and Recreation Department during the design phase to design the park per their standards and specifications. The final amenities will be selected and confirmed with the Park and Recreation Department during the design phase. The Developer will fully develop the park per the approved park improvement plan and once accepted by the Parks and Recreation Department, The Developer will dedicate the park to the Parks and Recreation Department for ownership and maintenance. All proposed streets are to be public, including Bay Ave, and owned and maintained by the city.

### Entry Monument, Perimeter Landscaping, Walls/Fences

Entry monument signs representing the marketing name “Sunset Crossings” will be located at the entrances to the community from Alessandro Blvd and Cottonwood Ave to advertise the community. Final locations will be determined during the design phase. Perimeter landscape will be designed in accordance with the requirements provided the city as they will be maintaining the landscaping along Alessandro Blvd and Cottonwood Ave.





Mystic Pointe TR 38442	
Requirement	
1. Maximum density (DUs* per net acre)	8
2. Minimum lot size (sq. ft. net area)	3,200
3. Minimum lot width, in feet	40'
4. Standard lot depth, in feet*	80'
5. Minimum front yard setback	
Front-facing garages	20'
Buildings other than front-facing garages	18'
6. Minimum side yard setback, in feet	5'
7. Minimum rear yard setback, in feet	10'
8. Maximum lot coverage	55%
9. Maximum building and structure height, in feet	26'
10. Minimum dwelling size (sq. ft.)	1378
11. Minimum distance between buildings, in feet (including main DUs and accessory structures)**	10
12. Maximum Floor area ratio	0.38

\*In knuckles and cul-de-sacs, standard lot depth may be reduced. Minimum lot size still met.

\*\*Alternative setback value to be determined by city if future additions are to be made to the home

Vantage TR 38442	
Requirement	
1. Maximum density (DUs* per net acre)	8
2. Minimum lot size (sq. ft. net area)	4,500
3. Minimum lot width, in feet	45'
4. Standard lot depth, in feet*	100'
5. Minimum front yard setback	
Front-facing garages	20'
Buildings other than front-facing garages	18'
6. Minimum side yard setback, in feet	5'
7. Minimum rear yard setback, in feet	10'
8. Maximum lot coverage	45%
9. Maximum building and structure height, in feet	27'
10. Minimum dwelling size (sq. ft.)	1968
11. Minimum distance between buildings, in feet (including main DUs and accessory structures)**	10
12. Maximum Floor area ratio	0.33

\*In knuckles and cul-de-sacs, standard lot depth may be reduced. Minimum lot size still met.

\*\*Alternative setback value to be determined by city if future additions are to be made to the home

## 1.3 Residential Design Guidelines

### General Guidelines

Residential units shall be articulated and detailed to provide visual interest and scale by using a minimum of three of the following design elements.

- a. Provide projecting and/or recessed entries and windows.
- b. Include projecting or recessed balconies.
- c. Front porch with a minimum depth of five feet.
- d. Dormer windows.
- e. Minimum eighteen (18) inch roof overhangs with detailed rafter tails.
- f. Offset building planes a minimum of two feet.
- g. Stepping back a portion of the second story.
- h. Use of different building materials with varying textures and colors.

All units shall be designed with four sided architecture using the details from the front elevation.

### Varied Plot Plans

Streets within the project should vary in their architectural character to create a sense of individual ownership and personality.

Similar plans and elevations will be plotted as far from one another as possible.

Homes with identical:

Floor Plan  
Elevation Style  
Color Palette  
Orientation

Shall not be plotted within four (4) lots of one another on either side of the street. However, if one of those four (4) elements are changed, floor plans may be moved



closer to one another as follows:

Different floor plans plotted next to one another shall provide different elevation styles with dissimilar color palettes.

The same floor plan with different elevation styles, color palettes, and garage orientation can be plotted within two (2) lots of one another.

The same floor plan with different elevation styles, color palettes, but the same garage orientation can be plotted within three (3) lots of one another.

The same floor plan with different elevation styles, but similar color palettes, and the same garage orientation can be plotted within four (4) lots of one another.

The same floor plan with the same elevation style, dissimilar color palettes, and different garage orientation can be plotted within four (4) lots of one another.

## Elevations and Front Yards

All windows and doors shall be trimmed. Each elevation style should have a different trim design in keeping with the style of the home. This trim should be composed in accordance with the style.

Elevations/Styles should be painted in an architecturally authentic way based on the elevation style's historical precedents.

Each elevation style should have a different roofing color.

All elevations visible from streets or common open space shall have the same level of detailing as is present on the front elevation.

Varied window grid patterns in each elevation style is recommended. The grid pattern should be historically accurate.

Front elevation siding/veneer, if different from that on the side elevations, should return a minimum of 3' down on the side elevations.

Windows in garage doors should be optioned where architecturally beneficial.

Trash and recycling bins shall be screened fully with walls or fencing in keeping with the architectural style of the home.

All homes shall be designed with four sided architecture using the details from the front elevation.

Composition shingle roofing should be 40 year minimum.



Minimum plate heights:

8' for first and second floor

Foundation walls should be painted to match siding where visible from streets or common open space.

Condenser units shall be placed in private side yards to screen them from view.

## Massing

Minimize overall building height when possible and appropriate to the style of the home.

Try to use side to side roofs and hip main spans whenever possible to minimize the impact of the roof on neighboring homes.

Use single story porches against two story masses to help break them down

## Proportion

Individual building elements and masses shall be sized in proportion to one another.

Entry elements can be proportioned so as to make them the dominant feature of an elevation.

To reduce the proportional dominance of garage doors on any elevation style, they should be more detained in design so as to become an important part of the elevations style for a more appealing appearance

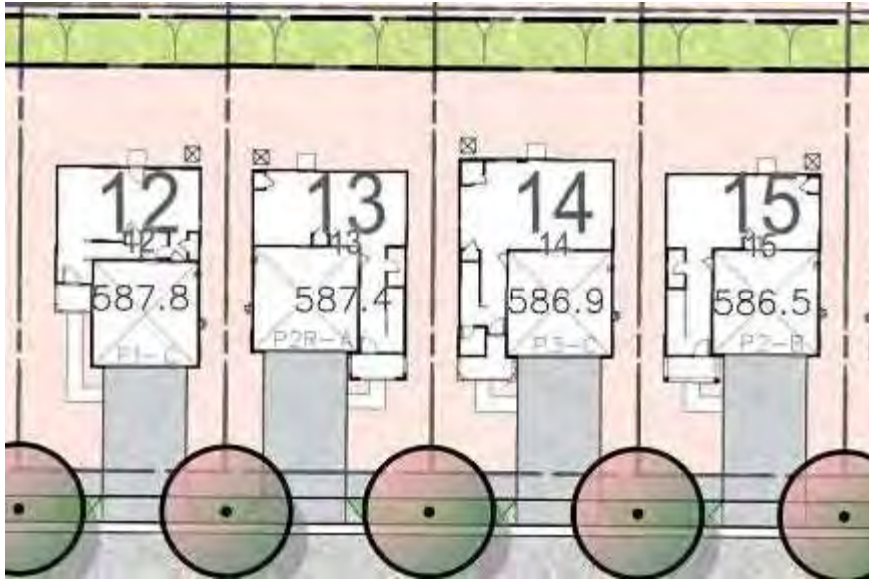
## Scale

Scale is important in that elements of a building's composition need to be in balance, as do buildings sited next to one another. That is to say, one element of a building should not be so dominant as to outweigh other elements in a building's makeup. Likewise, a building on one site, should not dominate a building on an adjacent lot.

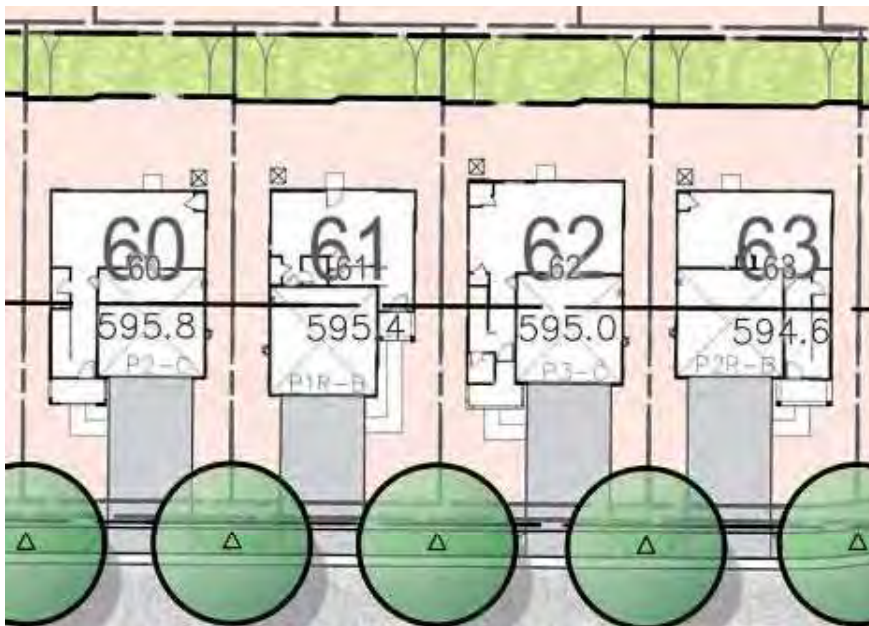


### 1.4 Typical Lot Module

This typical lot module demonstrates how the homes are meant to be plotted throughout the project.



Mystic Pointe (3200 SF)



Vantage (4500 SF)



Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))

## 1.5 Architectural Style Palettes

This section will focus on the architectural styles envisioned for the housing Tract 38442

Both Mystic Pointe (3200 SF) and Vantage (4500 SF) offer three architectural characters including:

Spanish  
Traditional  
Tuscan

The following images and text provide an outline of each styles roof and details for reference.





#### STYLE DESCRIPTION

Inspired by the architecture of Spain and the Spanish missions, the Spanish style consists of simple one to two story massing with mostly gable end roofs of concrete "S" tile. Shallow roof pitches vary from 3:12 to 5:12 with minimal overhangs. Exterior walls consist of light-colored smooth stucco with sand finish. Other elements include recessed windows, gable end tile detailing and plank shutters.

#### KEY ELEMENTS

- Ⓐ Concrete "S" tile roof
- Ⓑ Stucco finish with light colors.
- Ⓒ Clay or ceramic tile gable end detail.
- Ⓓ Round arches at entrances and/or porches
- Ⓔ Plank Shutters

### SPANISH STYLE





#### STYLE DESCRIPTION

Derived from the Bungalow and Ranch styles, the Traditional style consists of one to two story volumes with gable and hip roofs. Exterior walls comprised of stucco and horizontal siding. The roof pitches vary between 4:12 to 6:12 with average overhangs, and concrete flat tile. Other exterior elements include; porches with square columns or posts, board and batten shutters and pot shelves.

#### KEY ELEMENTS

- A Concrete flat tile.
- B Square columns with stucco over, or wood posts.
- C Stucco walls with horizontal siding accents.
- D Board and batten shutters

### TRADITIONAL STYLE



#### STYLE DESCRIPTION

Inspired by the hill towns of Tuscany, the Tuscan style consists of simple, formal massing with a mixture of gable and hip roofs. The roof material consists of concrete "S" tile with a shallow roof pitch of 4:12 to 5:12 with minimal overhangs. The exterior walls are a smooth stucco with earth toned coloring and use of stone veneer. Additional elements include vertically proportioned windows and louvered shutters.

#### KEY ELEMENTS

- Ⓐ Concrete "S" tile roof.
- Ⓑ Stone veneer accents.
- Ⓒ Louvered shutters.
- Ⓓ Earth tone colors.

### TUSCAN STYLE

## Spanish

The Spanish style attained wide-spread popularity after the Panama-California exposition of 1915-1916 in San Diego. The Spanish style's most notable characteristics include the use of "S" or barrel tile roofs, stucco walls, feature entry doors and porticos, highlighted ornamental iron work and carefully proportioned windows appropriate to its wall mass.

Key features of this style were adapted to the California lifestyle. Plans were informally organized around a courtyard with the front elevation very simply articulated and detailed. The charm of this style lies in the directness, adaptability and contrasts of materials and textures.

ELEMENT	MENU OF COMMON FEATURES
<b>Form</b>	<ul style="list-style-type: none"> <li>• 2 story asymmetrical massing with strong one story element</li> </ul>
<b>Roof</b>	<ul style="list-style-type: none"> <li>• 4:12 to 6:12 roof pitch</li> <li>• 12" to 16" overhang</li> <li>• Simple hip or gable roof with one intersecting gable roof</li> <li>• Barrel or 'S' shape concrete tiles</li> </ul>
<b>Walls</b>	<ul style="list-style-type: none"> <li>• Stucco</li> </ul>
<b>Windows</b>	<ul style="list-style-type: none"> <li>• Vertical window at front elevation with window grids</li> <li>• Windows with window grids on side and rear elevations in high visibility public view areas</li> <li>• Feature recessed arched window</li> <li>• Single or grouped round top windows</li> </ul>
<b>Details</b>	<ul style="list-style-type: none"> <li>• Stucco over foam window and door trim</li> <li>• Feature arched window or door</li> <li>• Surface mounted fixtures on front elevations must complement architectural style</li> <li>• Shaped rafter tails</li> <li>• Garage and front door patterns to complement style</li> <li>• Decorative iron details and railings</li> <li>• Simple Plank shutters</li> <li>• Gable vent tubes</li> </ul>
<b>Colors</b>	<p><b>Field:</b> Whites, beige, or warm tints  <b>Trim:</b> Dark shades to contrast field color  <b>Accents:</b> Deep tones of green, blue, red (on shutters, door, balcony trim)</p>

Where "wood" is referred to, it can also be interpreted as simulated wood. In addition, some styles can be appropriately expressed without the wood elements, in which case stucco-wrapped, high-density foam trim (with style-appropriate stucco finish) is acceptable. Similarly, pre-cast elements can be satisfied by high-density foam or other similar materials in a style-appropriate finish

### Traditional

The American Traditional style as manifested in Southern California was often realized as an East Coast derived expression with Cape Cod influences, and displayed the aspects of practicality and functional elegance. This expression evolved from early Colonial beginnings and truly began to proliferate as an American building style from the 1850s to the early 20th century. In Southern California, the style was employed from the foothill neighborhoods of Pasadena to Los Angeles communities such as Westwood and was occasionally used in combination with the Monterey and Ranch styles to create homes which opened to the exterior gracefully yet retained a sense of formality and reserve.

Features of this style include simple gable roof forms, louvered shutters, and articulated entry surrounds. Dormers and second-floor wood decks are also occasionally used.

ELEMENT	MENU OF COMMON FEATURES
<b>Form</b>	<ul style="list-style-type: none"> <li>Asymmetrical massing with a vertical and a horizontal break</li> </ul>
<b>Roof</b>	<ul style="list-style-type: none"> <li>4:12 to 12:12 roof pitch</li> <li>16" to 24" overhangs</li> <li>Concrete tile (slate or shake)</li> <li>Front to back gable or hip roof with intersecting hip or gable roofs</li> </ul>
<b>Walls</b>	<ul style="list-style-type: none"> <li>Stucco</li> <li>Wood siding, brick, or board and batten accents</li> </ul>
<b>Windows</b>	<ul style="list-style-type: none"> <li>Vertical window at front elevation with window grids</li> <li>Windows with window grids on side and rear elevations in high visibility public view areas</li> <li>Round top accent or bay window</li> </ul>
<b>Details</b>	<ul style="list-style-type: none"> <li>Simplified cornice trim at gable ends</li> <li>Header window wood accent trim</li> <li>2x6 window and door trim - wood on siding, foam on stucco</li> <li>Surface mounted fixtures on front elevations must complement architectural style</li> <li>Porches and/or balconies</li> <li>Garage and front door patterns to complement style</li> <li>Square wood columns with trim</li> <li>Brick veneer on base</li> </ul>
<b>Colors</b>	<p><b>Field:</b> Whites, off-white, dark or light colors  <b>Trim:</b> White or contrasting with field color  <b>Accents:</b> White, light or dark colors in contrast or harmony with field color</p>

Where "wood" is referred to, it can also be interpreted as simulated wood. In addition, some styles can be appropriately expressed without the wood elements, in which case stucco-wrapped, high-density foam trim (with style-appropriate stucco finish) is acceptable. Similarly, pre-cast elements can be satisfied by high-density foam or other similar materials in a style-appropriate finish

## Tuscan

During the 15th and 16th century large numbers of houses were built along roads and hillsides in rural Tuscany, many of which, although altered, are still in use today. As this region was and is primarily agricultural, these homes reflect the character of the farmhouse estate or 'podere'. Built by their owners with the indigenous materials and colors of the surroundings, these buildings blend naturally with the land.

The building form and massing is an example of simplicity; a plan that began as a simple rectangular form that evolved organically over time. Smaller components similar to the original form were typically added as necessary to meet the spatial needs of the owner. The resulting building, with the flexibility and variety apparent in this style, is what makes it so appealing. The informality of these rural farmhouse and settlement building types, including their traditional squared towers, eventually became the inspiration for Tuscan villas.

ELEMENT	MENU OF COMMON FEATURES
<b>Form</b>	<ul style="list-style-type: none"> <li>• Rectangular plan form massing with some recessed 2nd floor area</li> <li>• Squared tower elements at entry or upper story</li> </ul>
<b>Roof</b>	<ul style="list-style-type: none"> <li>• Main roof hip or gable with intersecting gable roofs</li> <li>• 4:12 to 6:12 roof pitch</li> <li>• 16" overhangs at eaves</li> <li>• Barrel or 'S' shape concrete tiles</li> <li>• Brackets under eaves</li> </ul>
<b>Walls</b>	<ul style="list-style-type: none"> <li>• Stucco with stone veneer accents</li> </ul>
<b>Windows</b>	<ul style="list-style-type: none"> <li>• Vertical window at front elevation with window grids</li> <li>• Windows with window grids on side and rear elevations in high visibility public view areas</li> <li>• Curved or round top accent windows</li> <li>• Single hung windows at front</li> </ul>
<b>Details</b>	<ul style="list-style-type: none"> <li>• Enhanced articulation and detail of entries, windows, doorways and balconies</li> <li>• Entry accents with faux stone</li> <li>• Garage and entry door patterns to complement style</li> <li>• Shutters</li> <li>• Balcony or veranda</li> <li>• Simple 2x4 window and door trim - wood on stone or siding, stucco on stucco</li> <li>• Wrought Iron/Metal or wood balconies and potshelves</li> <li>• Rusticated hardware and details</li> </ul>

Where "wood" is referred to, it can also be interpreted as simulated wood. In addition, some styles can be appropriately expressed without the wood elements, in which case stucco-wrapped, high-density foam trim (with style-appropriate stucco finish) is acceptable. Similarly, pre-cast elements can be satisfied by high-density foam or other similar materials in a style-appropriate finish

<b>Colors</b>	<p><b>Field:</b> Medium, saturated earth tones</p> <p><b>Trim:</b> Whites tones or light shades complementary to field color</p> <p><b>Accents:</b> Light or dark shades in contrast with field color</p>
---------------	---

Where “wood” is referred to, it can also be interpreted as simulated wood. In addition, some styles can be appropriately expressed without the wood elements, in which case stucco-wrapped, high-density foam trim (with style-appropriate stucco finish) is acceptable. Similarly, pre-cast elements can be satisfied by high-density foam or other similar materials in a style-appropriate finish



PLAN 1.1387 | A - SPANISH

PLAN 2.1583 | D- TUSCAN

PLAN 3.1775 | B - TRADITIONAL

Note: Artist's Conception; Colors, Materials And Application May Vary.

### MYSTIC POINTE AT SUNSET CROSSING

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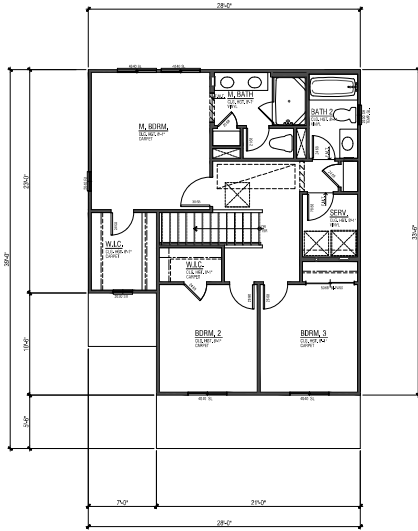
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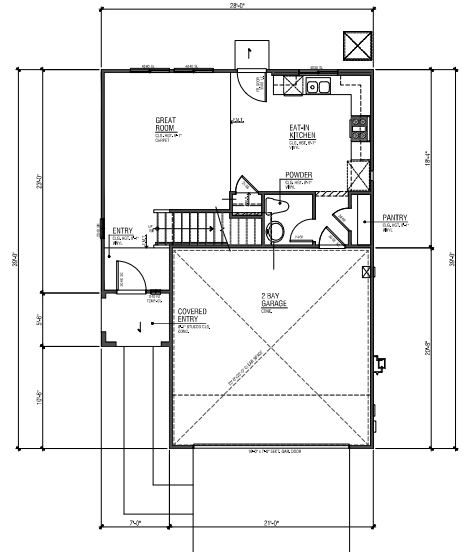
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Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



Upper Floor - 831 SF



Lower Floor - 547 SF

### Plan 1.1378

1,378 SF  
 3 Bdrm | 2.5 Ba  
 2 Bay Garage  
 8' | 8' Plates

1A | Spanish

## MYSTIC POINTE AT SUNSET CROSSING

EXPRESS

MORENO VALLEY, CA

1.0

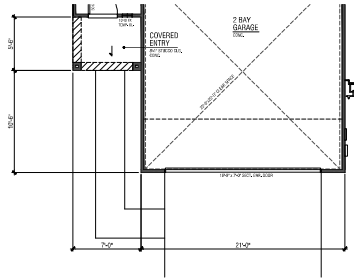
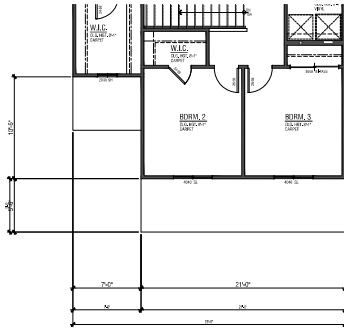
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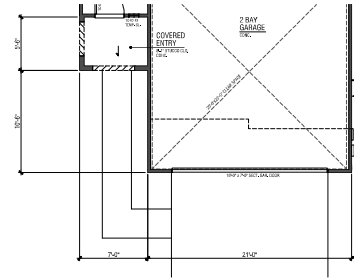
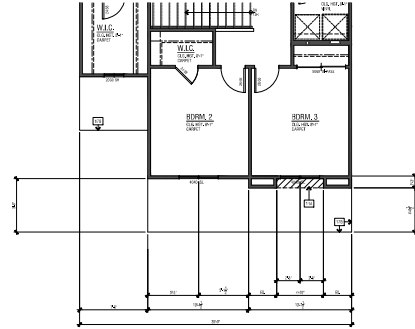


1B | Traditional

### Plan 1.1378

1,378 SF  
 3 Bdrm | 2.5 Ba  
 2 Bay Garage  
 8' | 8' Plates

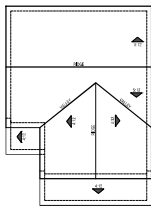
1D | Tuscan



EXPRESS **MYSTIC POINTE AT SUNSET CROSSING** MORENO VALLEY, CA

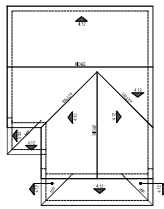
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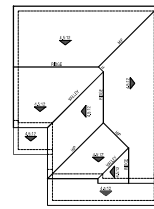
**1A | Spanish**

Eave 12" / Rake 12"  
Concrete Low "S" Tile



**1B | Traditional**

Eave 12" / Rake 12"  
Concrete Low "S" Tile



**1D | Tuscan**

Eave 12" / Rake 12"  
Concrete Low "S" Tile

**PLAN 1.1378**

Roof Plans

**MYSTIC POINTE AT SUNSET CROSSING**

EXPRESS

MORENO VALLEY, CA

0 4 8 16 1.2

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1A | Spanish



1D | Tuscan



1B | Traditional

**PLAN 1.1378**  
Front Elevations

**MYSTIC POINTE AT SUNSET CROSSING**

EXPRESS

MORENO VALLEY, CA

0 2 4 8 1.3  
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Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



1A | Spanish



1C | Tuscan



1B | Traditional

PLAN 1.1378

Front Elevations

MYSTIC POINTE AT SUNSET CROSSING

EXPRESS

MORENO VALLEY, CA

1.3

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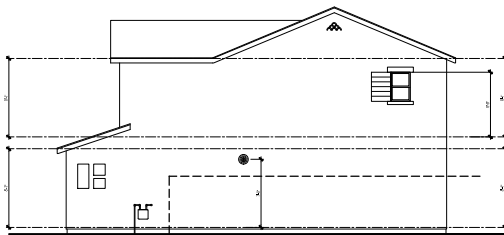




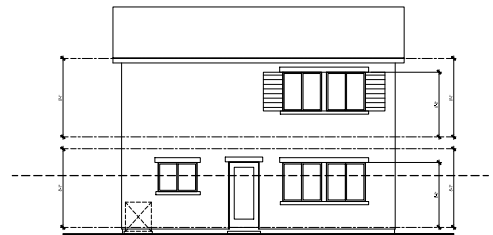
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Front



Right



Rear

**PLAN 1.1378 | A - SPANISH**  
Building Elevations

**MYSTIC POINTE AT SUNSET CROSSING**

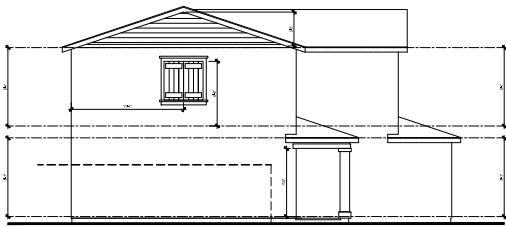
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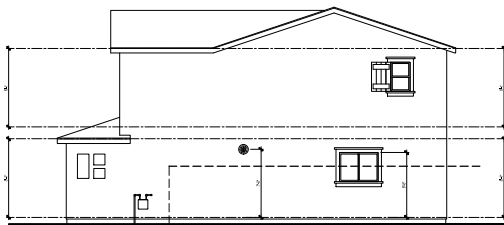
Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



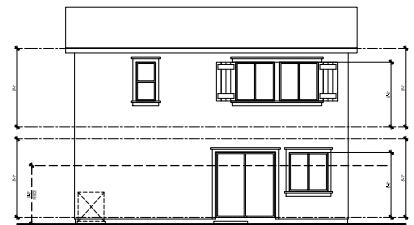
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Front



Right



Rear

PLAN 1.1378 | B - TRADITIONAL  
Building Elevations

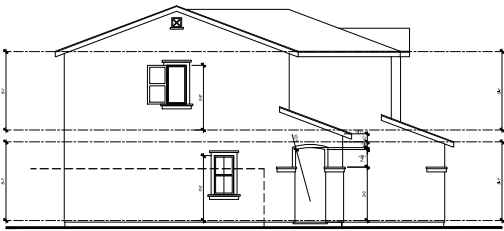
MYSTIC POINTE AT SUNSET CROSSING

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MORENO VALLEY, CA

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© 2022 WHP ARCHITECTURAL AND INTERIORS, INC. DBA WHP | 2021181 | 07-15-22

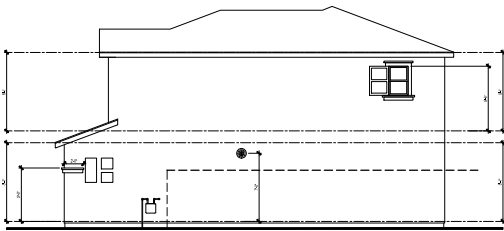




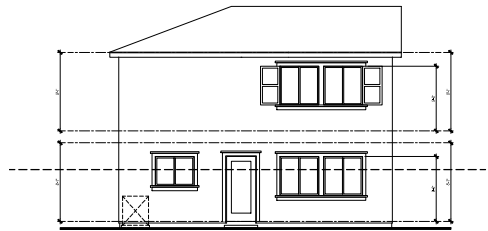
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Front



Right



Rear

**PLAN 1.1378 | D - TUSCAN**  
Building Elevations

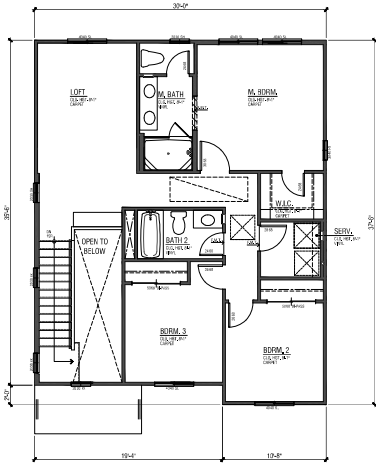
**MYSTIC POINTE AT SUNSET CROSSING**

EXPRESS MORENO VALLEY, CA

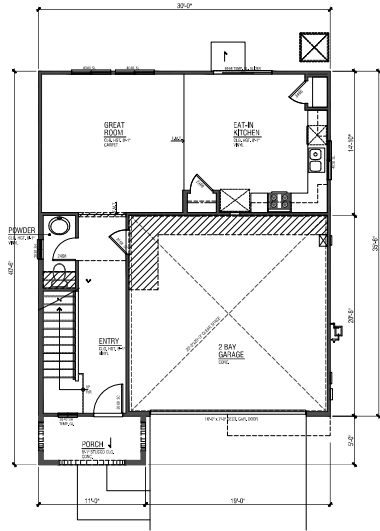
1.6  
0 2 4 8  
PUD SUBMITTAL  
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Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



Upper Floor - 946 SF



Lower Floor - 637 SF

### PLAN 2.1583

1,583 SF  
 4 Bdrm | 2.5 Ba  
 2 Bay Garage  
 8' | 8' Plates

## MYSTIC POINTE AT SUNSET CROSSING

EXPRESS

MORENO VALLEY, CA

2.0

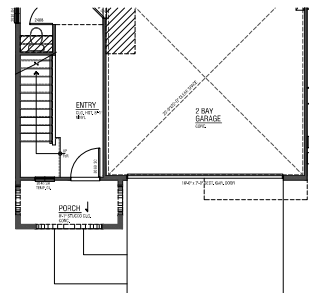
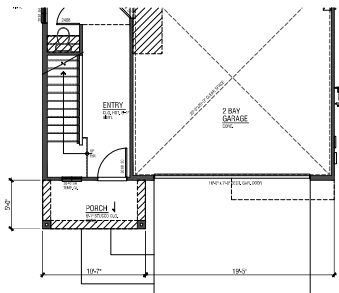
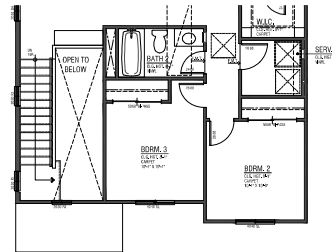
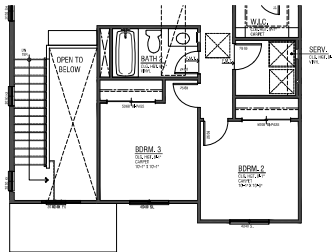
PUD SUBMITTAL

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Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))





1B | Traditional

**PLAN 2.1583**

1,583 SF  
4 Bdrm | 2.5 Ba  
2 Bay Garage  
8' | 8' Plates

1D | Tuscan

**MYSTIC POINTE AT SUNSET CROSSING**

EXPRESS

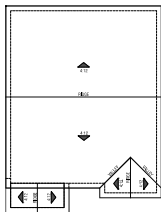
MORENO VALLEY, CA

2.1

PUD SUBMITTAL

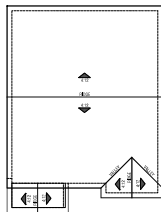
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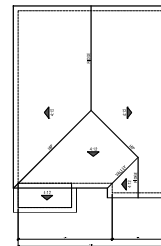
**2A | Spanish**

Eave 12" / Rake 12"  
Concrete Low "S" Tile



**2B | Traditional**

Eave 12" / Rake 12"  
Concrete Low "S" Tile



**2D | Tuscan**

Eave 12" / Rake 12"  
Concrete Low "S" Tile

**PLAN 2.1583**

Roof Plans

**MYSTIC POINTE AT SUNSET CROSSING**

EXPRESS

MORENO VALLEY, CA

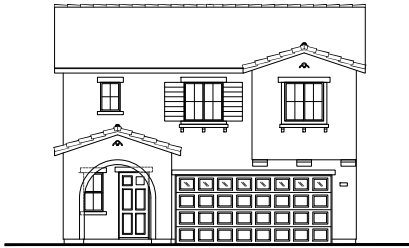
2.2

PUD SUBMITTAL

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Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



2A | Spanish



2D | Tuscan



2B | Traditional

**PLAN 2.1583**  
Front Elevations

**MYSTIC POINTE AT SUNSET CROSSING**

EXPRESS

MORENO VALLEY, CA

2.3  
0 2 4 8  
PUD SUBMITTAL  
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Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



2A | Spanish



2D | Tuscan



2B | Traditional

PLAN 2.1583  
Front Elevations

MYSTIC POINTE AT SUNSET CROSSING

EXPRESS

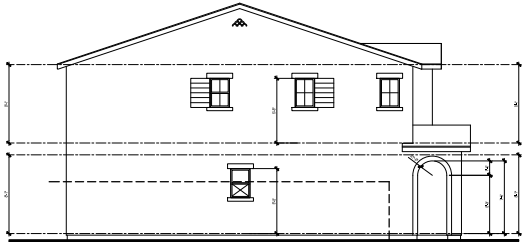
MORENO VALLEY, CA

2.3

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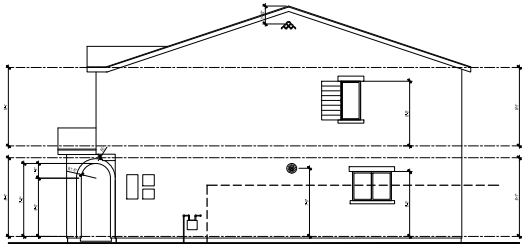




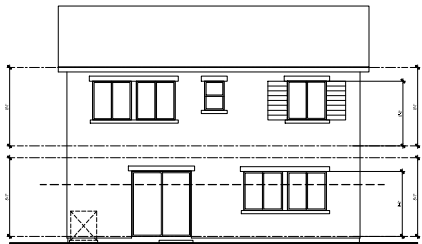
Left



Front



Right



Rear

PLAN 2.1583 | A - SPANISH  
Building Elevations

MYSTIC POINTE AT SUNSET CROSSING  
MORENO VALLEY, CA

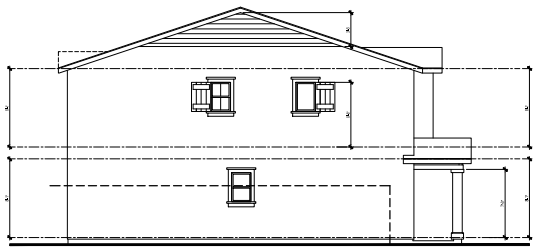
EXPRESS

2.4  
0 2 4 8

PUD SUBMITTAL  
© 2022 W.H. HAZELFUCH AND ASSOCIATES, INC. DBA W.H.A. | 2021181 | 07-15-22



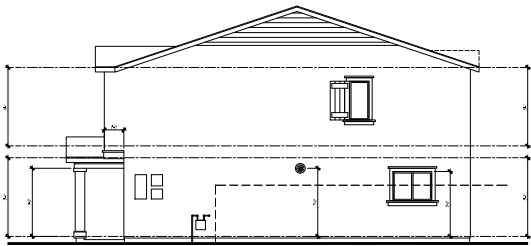
Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



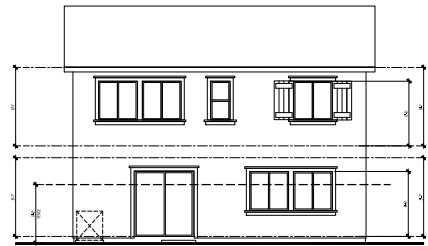
Left



Front



Right



Rear

PLAN 2.1583 | B - TRADITIONAL  
Building Elevations

MYSTIC POINTE AT SUNSET CROSSING

MORENO VALLEY, CA

EXPRESS

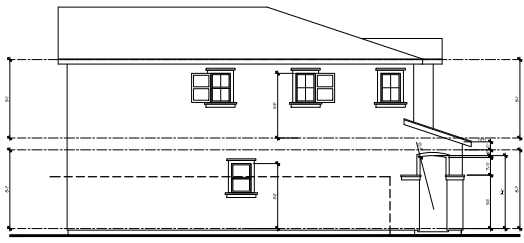
0 2 4 8 2.5

PUD SUBMITTAL

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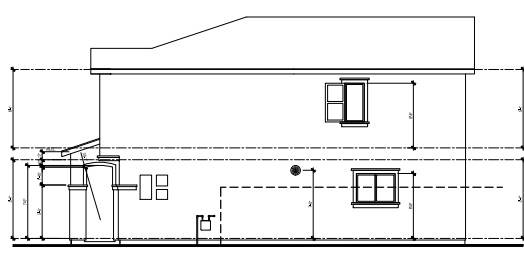
Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



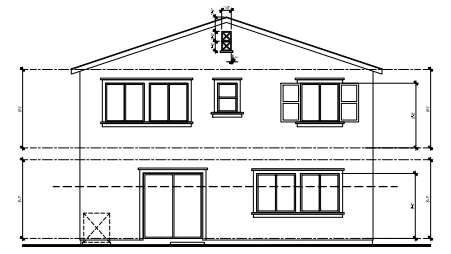
Left



Front



Right



Rear

PLAN 2.1583 | D - TUSCAN  
Building Elevations

MYSTIC POINTE AT SUNSET CROSSING

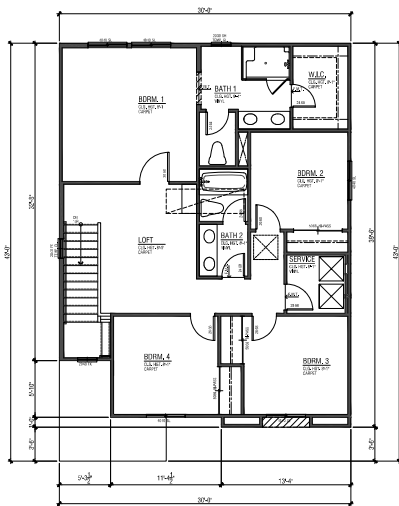
MORENO VALLEY, CA

EXPRESS

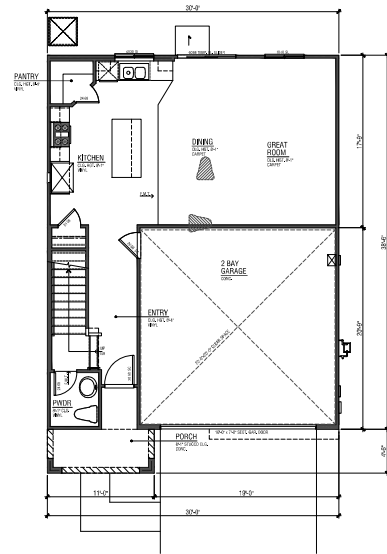
2.6  
0 2 4 8  
PUD SUBMITTAL  
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Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



Upper Floor - 1,062 SF



Lower Floor - 713 SF

### Plan 3.1775

1,775  
 4 Bdrm | 2.5 Ba | Loft  
 2 Bay Garage  
 8' | 8' Plates

1A | Spanish

## MYSTIC POINTE AT SUNSET CROSSING

EXPRESS

MORENO VALLEY, CA

3.0

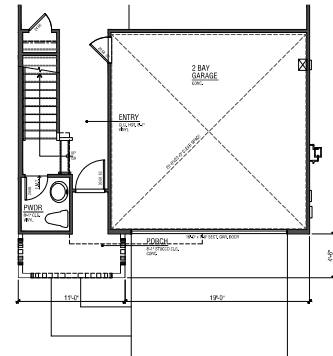
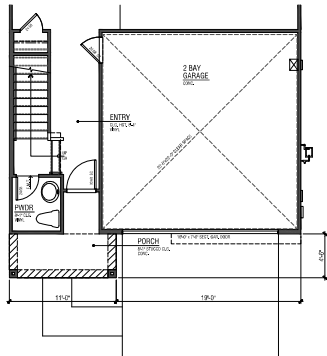
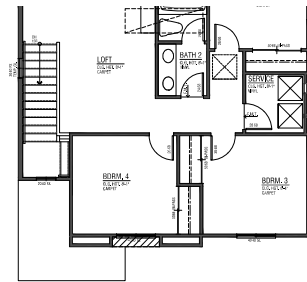
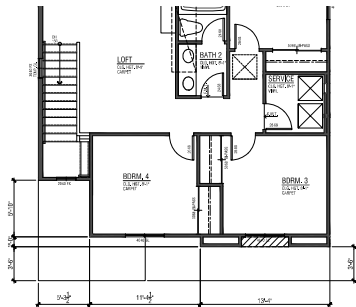
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Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))





1B | Traditional

### Plan 3.1775

1,775 SF  
 4 Bdrm | 2.5 Ba | Loft  
 2 Bay Garage  
 8' | 8' Plates

1D | Tuscan

## MYSTIC POINTE AT SUNSET CROSSING

EXPRESS

MORENO VALLEY, CA

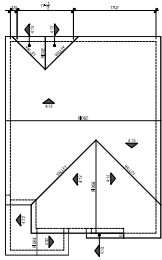
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PUD SUBMITTAL

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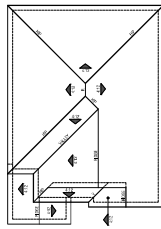


Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



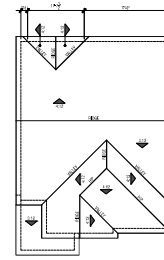
**3A | Spanish**

Eave 12" / Rake 12"  
Concrete Low "S" Tile



**3B | Traditional**

Eave 12" / Rake 12"  
Concrete Low "S" Tile



**3D | Tuscan**

Eave 12" / Rake 12"  
Concrete Low "S" Tile

**PLAN 3.1775**

Roof Plans

**MYSTIC POINTE AT SUNSET CROSSING**

EXPRESS

MORENO VALLEY, CA

3.2

PUD SUBMITTAL

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3A | Spanish



3D | Tuscan



3B | Traditional

**PLAN 3.1775**  
Front Elevations

**MYSTIC POINTE AT SUNSET CROSSING**

EXPRESS

MORENO VALLEY, CA

0 2 4 8

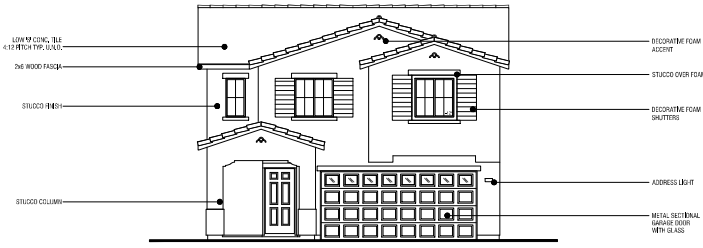
3.3

PUD SUBMITTAL

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Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



3A | Spanish



3D | Tuscan



3B | Traditional

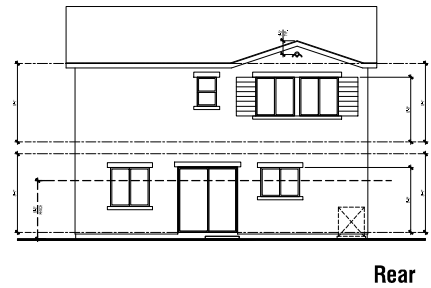
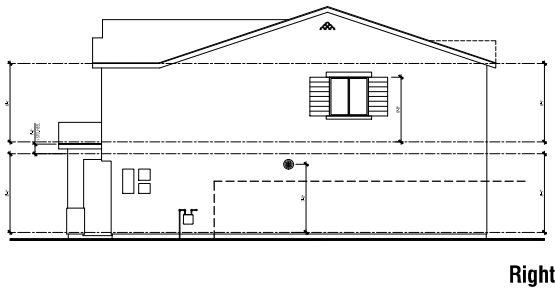
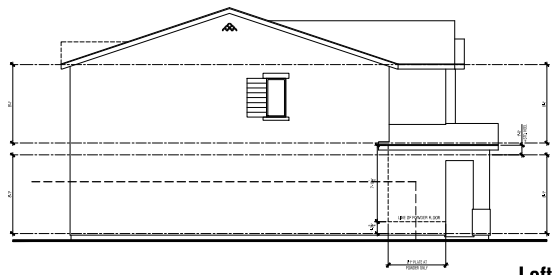
PLAN 3.1775  
Front Elevations

MYSTIC POINTE AT SUNSET CROSSING

MORENO VALLEY, CA

EXPRESS 3.3  
0 2 4 8  
PUD SUBMITTAL  
© 2022 W&P ARCHITECTURE AND DESIGN, INC. DBA W&P. | 2021181 | 07-15-22





**PLAN 3.1775 | A - SPANISH**  
Building Elevations

**MYSTIC POINTE AT SUNSET CROSSING**

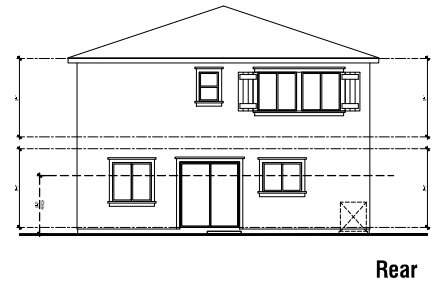
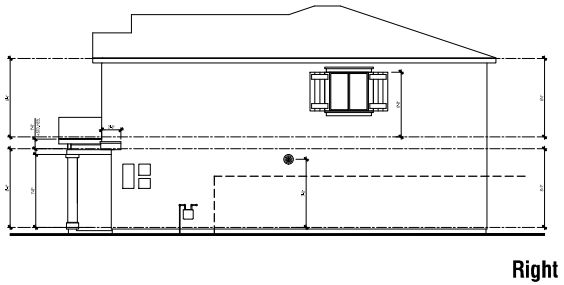
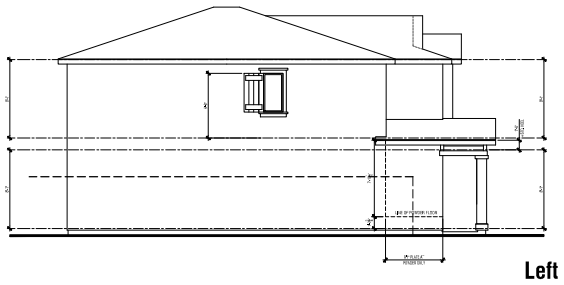
EXPRESS

MORENO VALLEY, CA

3.4  
0 2 4 8  
PUD SUBMITTAL  
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Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))

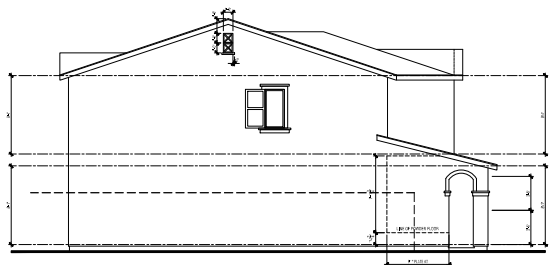


**PLAN 3.1775 | B - TRADITIONAL**  
Building Elevations

**MYSTIC POINTE AT SUNSET CROSSING**

EXPRESS MORENO VALLEY, CA 3.5  
0 2 4 8  
 PUD SUBMITTAL  
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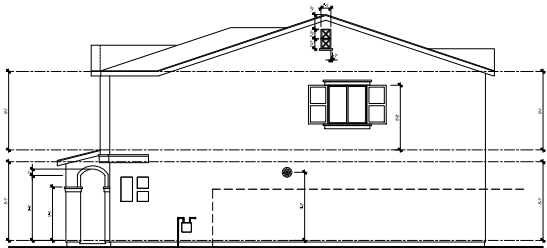




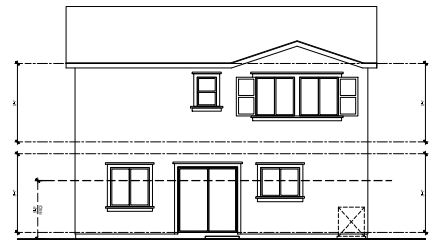
Left



Front



Right



Rear

PLAN 3.1775 | D - TUSCAN  
Building Elevations

MYSTIC POINTE AT SUNSET CROSSING

MORENO VALLEY, CA

EXPRESS

0 2 4 8 3.6

PUD SUBMITTAL

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Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



PLAN 2.2068 | D - TUSCAN

PLAN 3.2311 | A - SPANISH

PLAN 1.1968 | B - TRADITIONAL

Note: Artist's Conception; Colors, Materials And Application May Vary.

### VANTAGE AT SUNSET CROSSINGS

HORTON E

MORENO VALLEY, CA

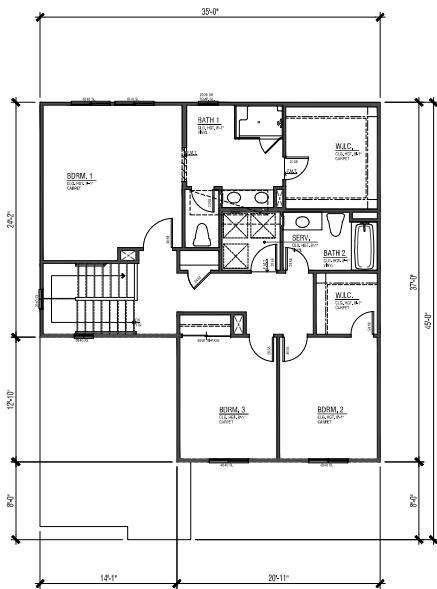
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© 2022 WILLIAM HORTON ARCHITECTS, INC., CALIFORNIA | 2022179 | 07-15-22

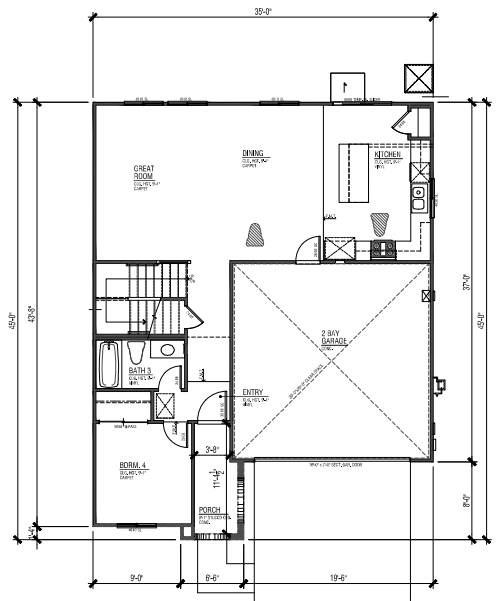


Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))





Upper Floor - 1,041 SF



Lower Floor - 928 SF

### PLAN 1.1968

1,968 SF  
 4 Bdrm | 3 Bath  
 2 Bay Garage  
 8' | 9' Plates

1A | Spanish

## VANTAGE AT SUNSET CROSSINGS

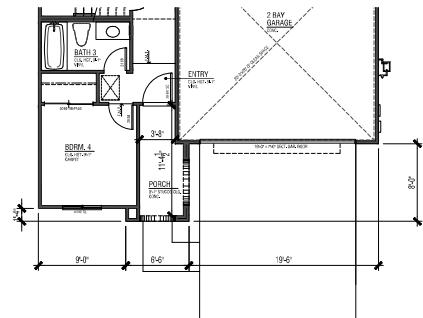
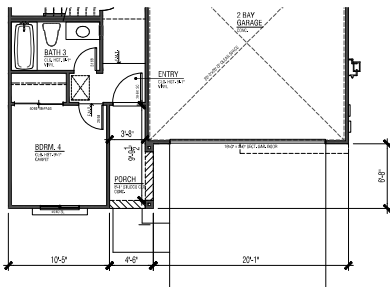
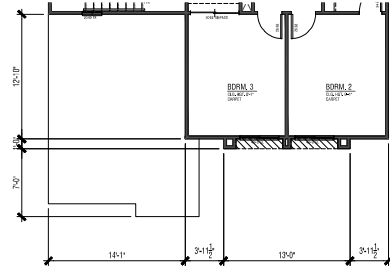
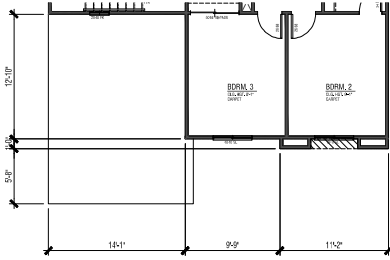
HORTON E

MORENO VALLEY, CA

1.0  
 0 2 4 8  
 PUD SUBMITTAL  
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Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



1B | Traditional

### PLAN 1.1968

1,968 SF  
 4 Bdrm | 3 Bath  
 2 Bay Garage  
 8' | 9' Plates

1D | Tuscan

## VANTAGE AT SUNSET CROSSINGS

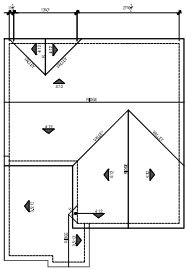
HORTON E

MORENO VALLEY, CA

PUD SUBMITTAL

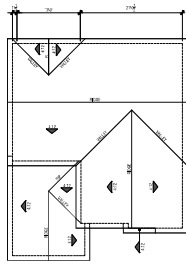
© 2022 W&P ARCHITECTURE AND INTERIORS, INC. DBA W&P | 2022179 | 07-15-22





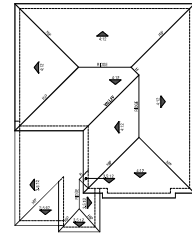
**1A | Spanish**

Eave 12" / Rake 12"  
Concrete Low "S" Tile



**1B | Traditional**

Eave 12" / Rake 12"  
Concrete Flat Tile



**1D | Tuscan**

Eave 18" / Rake 12"  
Concrete Low "S" Tile

**PLAN 1.1968**

Roof Plans

**VANTAGE AT SUNSET CROSSINGS**

HORTON E

MORENO VALLEY, CA

1.2  
0 4 8 16  
PUD SUBMITTAL  
© 2022 WHP ARCHITECTURAL AND DESIGN, INC. DBA WHP. | 20221179 | 07-15-22





1A | Spanish



1D | Tuscan



1B | Traditional

**PLAN 1.1968**  
Front Elevations

**VANTAGE AT SUNSET CROSSINGS**

HORTON E

MORENO VALLEY, CA

0 2 4 8  
1.3

PUD SUBMITTAL  
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1A | Spanish



1D | Tuscan



1B | Traditional

PLAN 1.1968  
Front Elevations

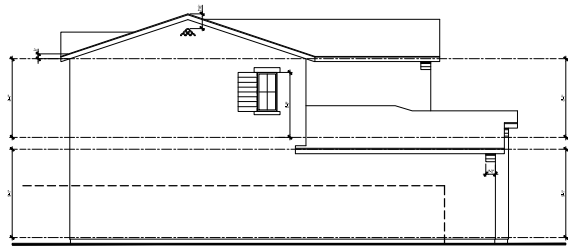
VANTAGE AT SUNSET CROSSINGS

HORTON E

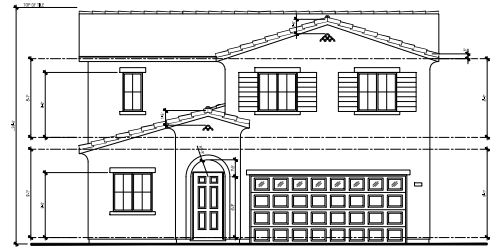
MORENO VALLEY, CA

1.3  
0 2 4 8  
PUD SUBMITTAL  
© 2022 WJLAW ARCHITECTURE AND INTERIORS, INC. DBA WJLAW | 20221179 | 07-15-22

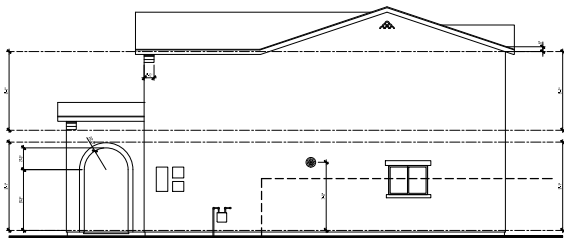




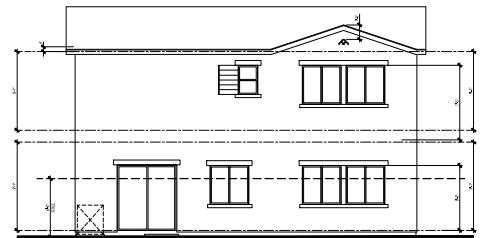
Left



Front



Right



Rear

**PLAN 1.1968 | A - SPANISH**

Building Elevations

**VANTAGE AT SUNSET CROSSINGS**

HORTON E

MORENO VALLEY, CA

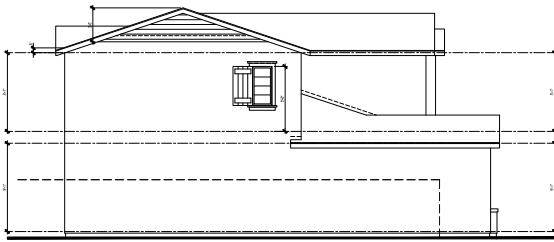
1.4

PUD SUBMITTAL

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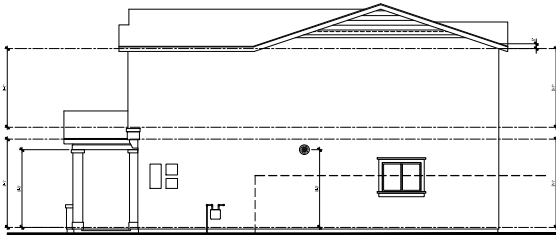
Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



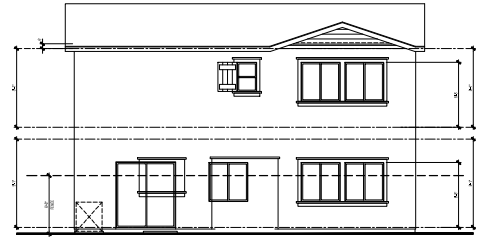
Left



Front



Right



Rear

**PLAN 1.1968 | B - TRADITIONAL**  
Building Elevations

**VANTAGE AT SUNSET CROSSINGS**

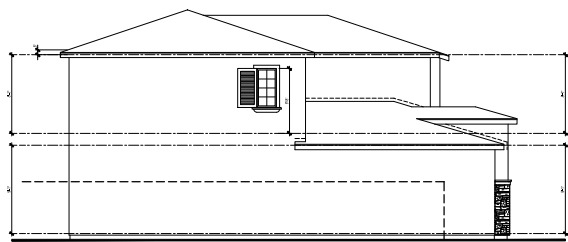
HORTON E

MORENO VALLEY, CA

1.5  
0 2 4 8  
PUD SUBMITTAL  
© 2022 W.H. HORTON ARCHITECTS, INC. DBA W.H. | 2022179 | 07-15-22



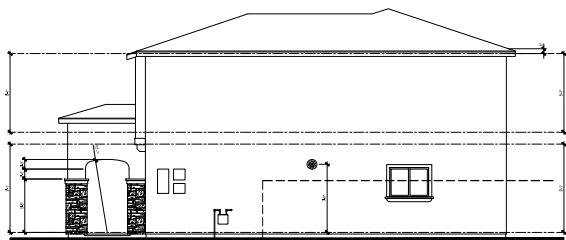
Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



Left



Front



Right



Rear

**PLAN 1.1968 | D - TUSCAN**  
Building Elevations

**VANTAGE AT SUNSET CROSSINGS**

HORTON E

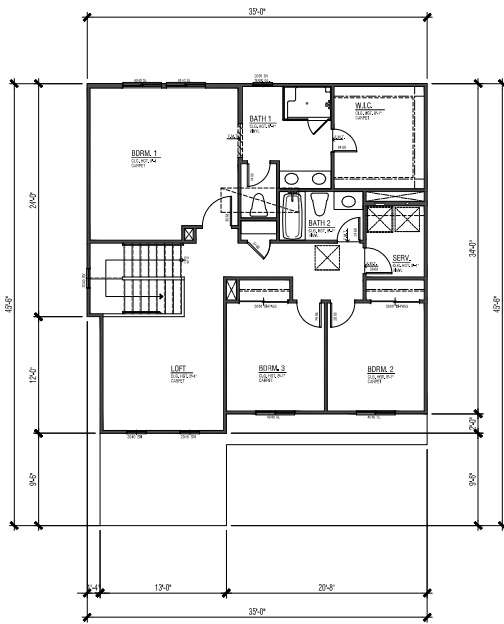
MORENO VALLEY, CA

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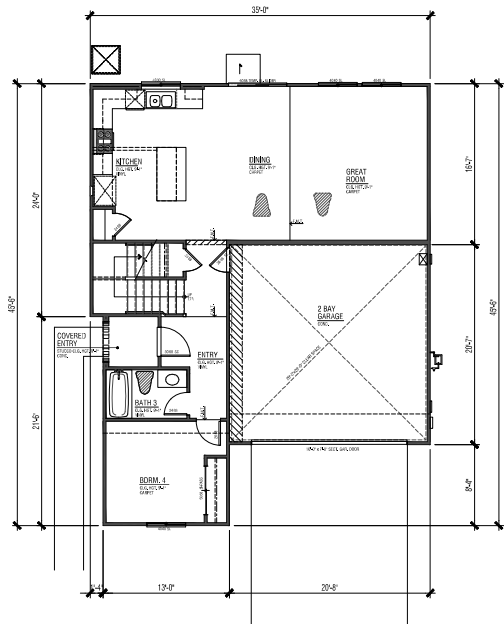


Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))





Upper Floor - 1,131 SF



Lower Floor - 937 SF

### PLAN 2.2068

2,068 SF  
 4 Bdrm | 3 Bath | Loft  
 2 Bay Garage  
 8' | 9' Plates

2A | Spanish

## VANTAGE AT SUNSET CROSSINGS

HORTON E

MORENO VALLEY, CA

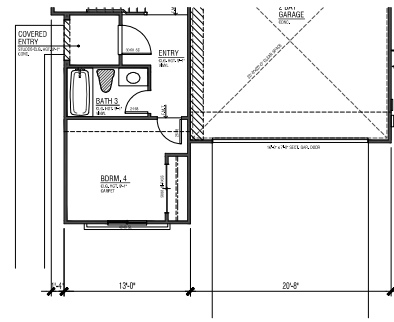
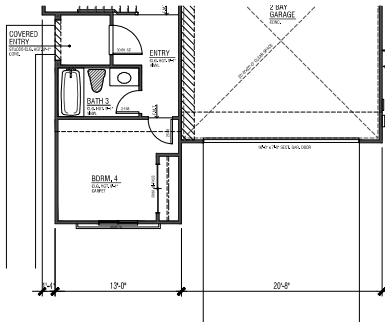
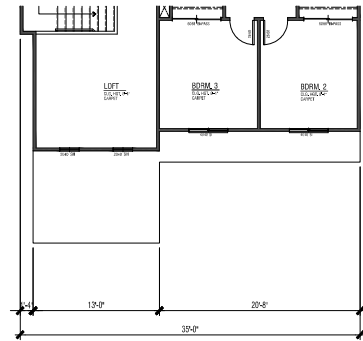
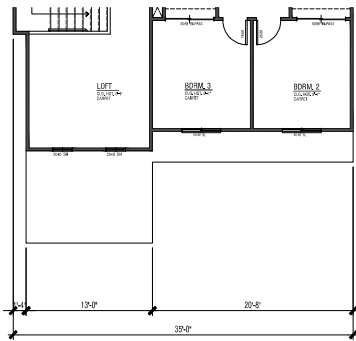
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Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



2B | Traditional

### PLAN 2.2068

2,068 SF  
4 Bdrm | 3 Bath | Loft  
2 Bay Garage  
8' | 9' Plates

2D | Tuscan

## VANTAGE AT SUNSET CROSSINGS

HORTON E

MORENO VALLEY, CA

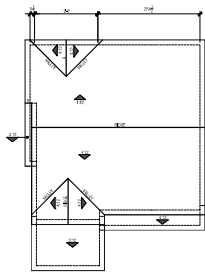
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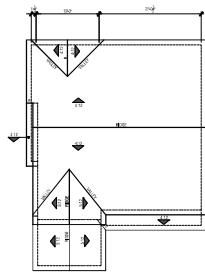


Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



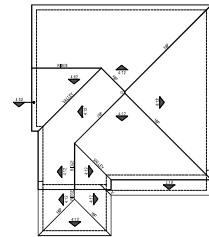
**2A | Spanish**

Eave 12" / Rake 12"  
Concrete Low 'S' Tile



**2B | Traditional**

Eave 12" / Rake 12"  
Concrete Flat Tile



**2D | Tuscan**

Eave 18" / Rake 12"  
Concrete Low 'S' Tile

**PLAN 2.2068**

Roof Plans

**VANTAGE AT SUNSET CROSSINGS**

HORTON E

MORENO VALLEY, CA

2.2

PUD SUBMITTAL

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2A | Spanish



2D | Tuscan



2B | Traditional

PLAN 2.2068  
Front Elevations

VANTAGE AT SUNSET CROSSINGS

HORTON E MORENO VALLEY, CA

2.3  
0 2 4 8  
PUD SUBMITTAL  
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Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



2A | Spanish



2D | Tuscan



2B | Traditional

PLAN 2.2068  
Front Elevations

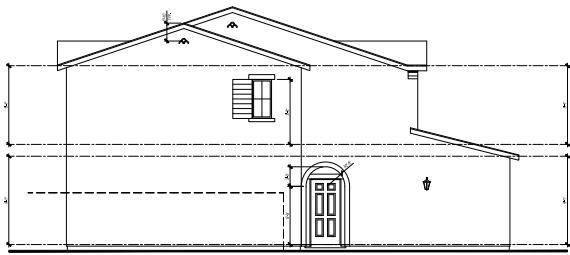
VANTAGE AT SUNSET CROSSINGS

HORTON E

MORENO VALLEY, CA

2.3  
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© 2022 W.H. HORTON ARCHITECTS AND ASSOCIATES, INC. DBA W.H.A. | 20221179 | 07-15-22

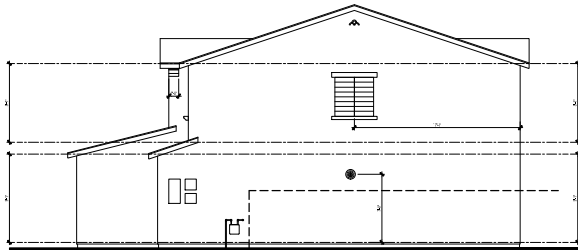




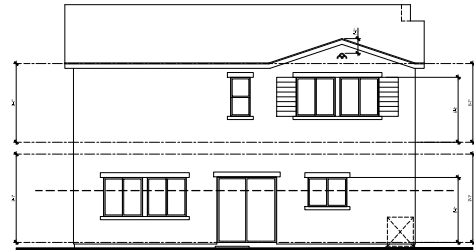
Left



Front



Right



Rear

**PLAN 2.2068 | A - SPANISH**  
Building Elevations

**VANTAGE AT SUNSET CROSSINGS**

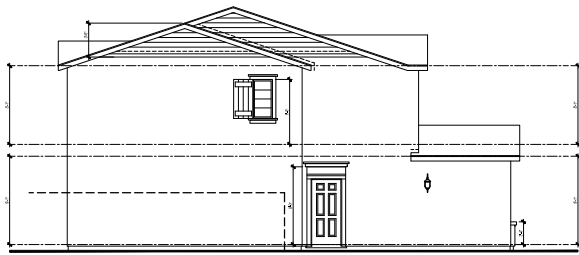
HORTON E

MORENO VALLEY, CA

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© 2022 W&P ARCHITECTURE AND INTERIORS, INC. DBA W&P | 2022179 | 07-15-22



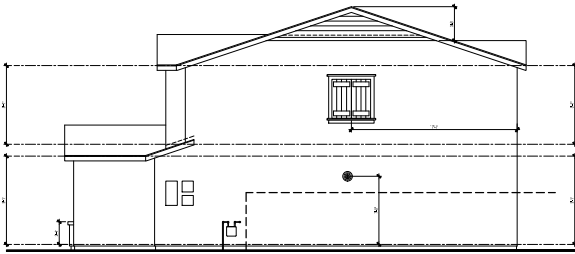
Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



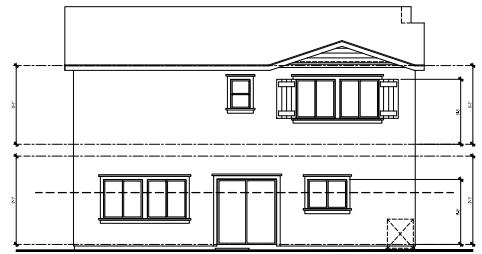
Left



Front



Right



Rear

PLAN 2.2068 | B - TRADITIONAL  
Building Elevations

VANTAGE AT SUNSET CROSSINGS

HORTON E

MORENO VALLEY, CA

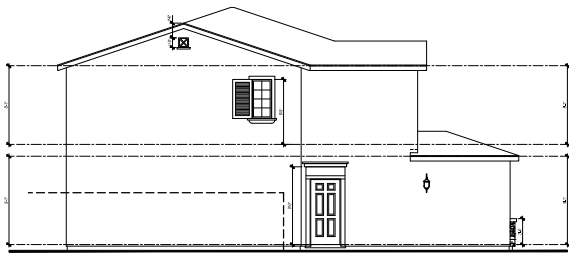
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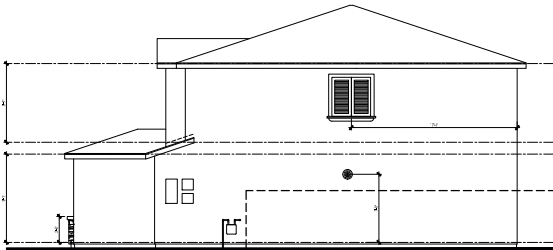
Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



Left



Front



Right



Rear

PLAN 2.2068 | D - TUSCAN  
Building Elevations

VANTAGE AT SUNSET CROSSINGS

HORTON E

MORENO VALLEY, CA

2.6

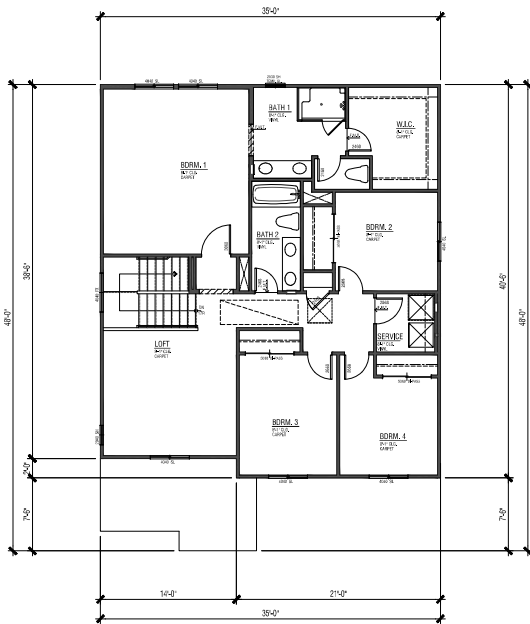
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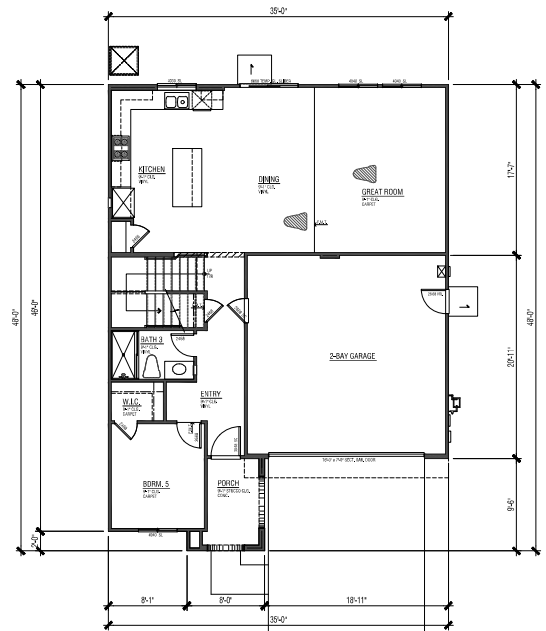


Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))





Upper Floor - 1320 SF



Lower Floor - 991 SF

### PLAN 3.2311

2,311 SF  
 5 Bdrm | 3 Ba | Loft  
 2 Bay Garage  
 8' | 8' Plates

3A | Spanish

## VANTAGE AT SUNSET CROSSINGS

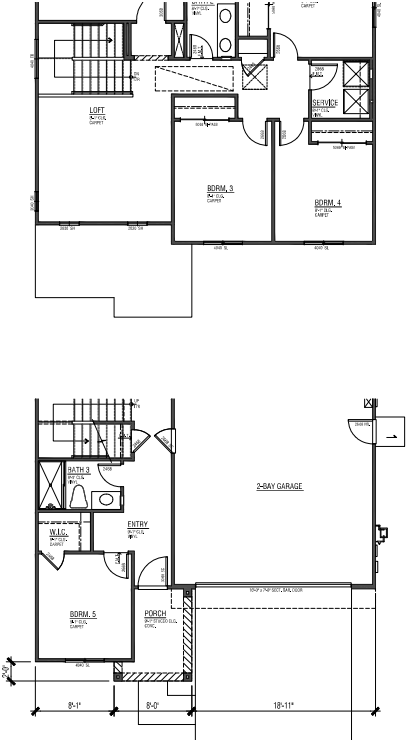
HORTON E

MORENO VALLEY, CA

3.0  
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 PUD SUBMITTAL  
 © 2022 W&P ARCHITECTURE AND INTERIORS, INC. DBA W&P | 20221179 | 07-15-22



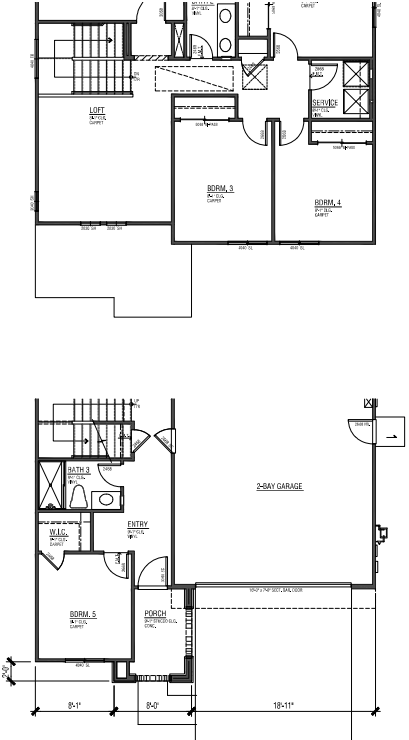
Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



3B | Traditional

**PLAN 3.2311**

2,311 SF  
5 Bdrm | 3 Ba | Loft  
2 Bay Garage  
8' | 8' Plates



3D | Tuscan

**VANTAGE AT SUNSET CROSSINGS**

HORTON E

MORENO VALLEY, CA

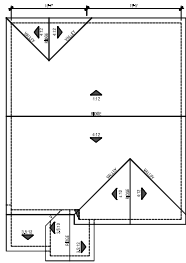
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PUD SUBMITTAL

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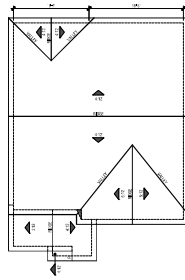


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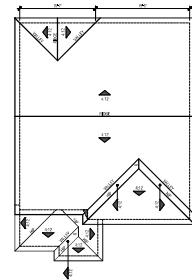
**3A | Spanish**

Eave 12" / Rake 12"  
Concrete "S" Tile



**3B | Traditional**

Eave 12" / Rake 12"  
Concrete Flat Tile



**3D | Tuscan**

Eave 12" / Rake 12"  
Concrete "S" Tile

**PLAN 3.2311**

Roof Plans

**VANTAGE AT SUNSET CROSSINGS**

HORTON E

MORENO VALLEY, CA

3.2

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3A | Spanish



3D | Tuscan



3B | Traditional

**PLAN 3.2311**  
Front Elevations

**VANTAGE AT SUNSET CROSSINGS**

HORTON E

MORENO VALLEY, CA

0 2 4 8  
3.3  
PUD SUBMITTAL  
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Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



3A | Spanish



3D | Tuscan



3B | Traditional

PLAN 3.2311

Front Elevations

VANTAGE AT SUNSET CROSSINGS

MORENO VALLEY, CA

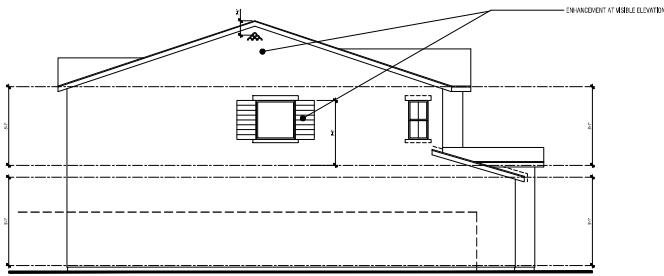
HORTON E

3.3

PUD SUBMITTAL

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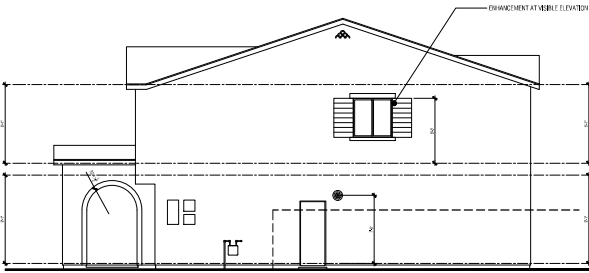




Left



Front



Right



Rear

**PLAN 3.2311 | A - SPANISH**  
Building Elevations

**VANTAGE AT SUNSET CROSSINGS**

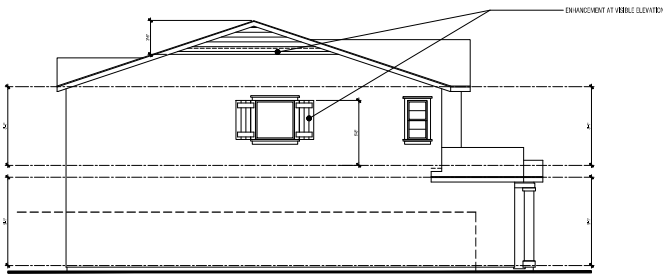
HORTON E

MORENO VALLEY, CA

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© 2022 W.H. HORTON ARCHITECTS AND INTERIORS, INC. DBA W.H.A. | 2022179 | 07-15-22



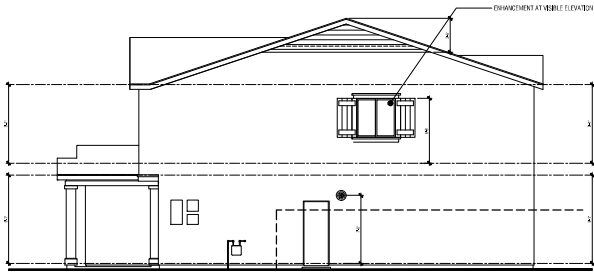
Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



Left



Front



Right



Rear

PLAN 3.2311 | B - TRADITIONAL  
Building Elevations

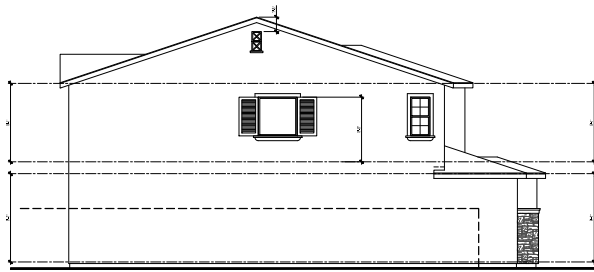
VANTAGE AT SUNSET CROSSINGS

HORTON E

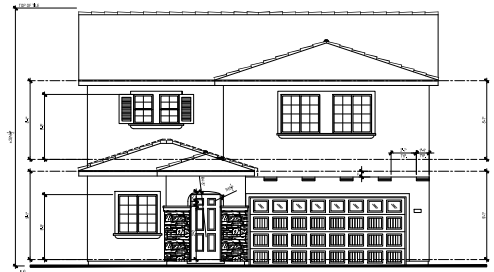
MORENO VALLEY, CA

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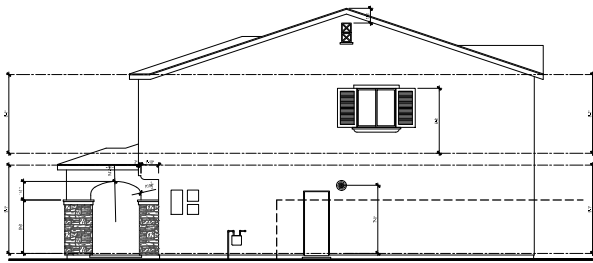




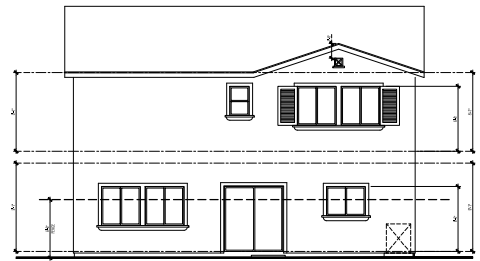
Left



Front



Right



Rear

PLAN 3.2311 | D - TUSCAN  
Building Elevations

VANTAGE AT SUNSET CROSSINGS

HORTON E

MORENO VALLEY, CA

3.6

PUD SUBMITTAL

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Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))





SUNSET CROSSINGS - NORTH  
PER SEPARATE PUD PACKAGE

SUNSET CROSSINGS - SOUTH  
TRACT # 38442

**SUNSET CROSSINGS - SOUTH, TRACT # 38442**  
 CONCEPTUAL LANDSCAPE MASTER PLAN  
 MORENO VALLEY, CA





**FEATURE LEGEND:**

- ① Multi-Purpose Trail with Fencing.
- ② Picnic Tables.
- ③ Children's Tot-lot.
- ④ Bench Seating.
- ⑤ Exercise Station Along Trail.
- ⑥ Decomposed Granite Pathways.
- ⑦ Monument Wall and Signage Location.
- ⑧ Open Turf Play Area.
- ⑨ City Sidewalk.

**PLANT PALETTE:**

**TREES & VINES**

**LARGE EVERGREEN SPECIMEN**

- Cedrus atlantica* - Atlas Cedar

**LARGE DECIDUOUS SHADE CANOPY TREE**

- Platanus racemosa* - California Sycamore

**PARKWAY TREE ALONG COTTONWOOD AVE. AND ALESSANDRO AVE.**

- Koeleria bipinnata* - Chinese Flame Tree

**PARKWAY TREE ALONG BAY AVE. AND STREET A**

- Magnolia grandiflora* 'Russet' - Southern Magnolia

**INTERIOR STREET TREES**

- Tabebuia impetiginosa* - Pink Trumpet Tree
- Pistacia chinensis* - Chinese Pistache
- Lophostemon confertus* - Brisbane Box

**FLOWERING ACCENT TREE**

- Lagerstroemia indica* - Crape Myrtle
- Cercis canadensis* 'Forest Parlay' - Eastern Redbud

**EVERGREEN SCREENING TREE MASS**

- Melaleuca quinquenervia* - Cajuput Tree

**EVERGREEN UPRIGHT COLUMNAR TREE**

- Cupressus s. 'Tiny Tower'* - Tiny Tower Cypress
- Podocarpus l. 'Icee Blue'* - Icee Blue Yellow Wood

**VINE**

- Parthenocissus tricuspidata* - Boston Ivy

**SHRUBS AND GROUNDCOVER**

**BACKGROUND**

- Arbutus unedo* 'Compacta' - Dwarf Strawberry Tree
- Arctostaphylos* 'Howard McMini' - Manzanita
- Cistus s. purpureus* - Orchid Rockrose
- Olea europaea* 'Little Olive' - Dwarf Olive
- Philadelphus lewisii* - Mock Orange
- Rhamnus californica* 'Eve Case' - Coffeeberry
- Teucrium l. 'Azuleum'* - Bush Germander

**MIDGROUND**

- Buxus m. 'Japanica'* - Japanese Boxwood
- Callistemon* 'Little John' - Dwarf Bottlebrush
- Encelia californica* - Encelia
- Enogonum l. 'Warriner Lytle'* - Buckwheat
- Iva hayesana* - Poverty Weed
- Lavandula dentata* - French Lavender
- Leymus c. 'Canyon Prince'* - Wild Rye
- Rosa 'Iceberg'* - Rose (White and Pink)
- Rosmarinus o. 'Collingwood Ingram'* - Rosemary
- Salvia greggii* 'Furman's Red' - Autumn Sage
- Penstemon palmieri* - Scinted Penstemon

**FOREGROUND AND GROUNDCOVER**

- Achillea x 'Moonshine'* - Yarrow
- Juncus patens* - California Gray Rush
- Cistus salvifolius* - Sageleaf Rockrose
- Arctostaphylos* 'Emerald Carpet' - Manzanita
- Baccharis p. 'Pigeon Point'* - Coyote Bush
- Rosmarinus o. 'Huntington Carpet'* - Rosemary

**PRIVATE HOMEOWNER SLOPES**

- Achillea x 'Moonshine'* - Yarrow
- Juncus patens* - California Gray Rush
- Baccharis p. 'Pigeon Point'* - Coyote Bush
- Rosmarinus o. 'Collingwood Ingram'* - Rosemary
- Salvia greggii* 'Furman's Red' - Autumn Sage
- Rhamnus californica* 'Eve Case' - Coffeeberry



**FEATURE LEGEND:**

- ① Multi Purpose Trail with Fencing.
- ② Fenced Dog Park with Picnic Tables and Shade Trees.
- ③ Exercise Stations along Multi-Purpose Trail.
- ④ Bench Seating Areas.
- ⑤ Children's Tot-lot.
- ⑥ Open Turf Play Area.
- ⑦ Picnic Table Seating Area.
- ⑧ Decomposed Granite Pathways.

**PLANT PALETTE:**

**TREES & VINES**

- LARGE EVERGREEN SPECIMEN**  
Cedrus atlantica - Atlas Cedar
- LARGE DECIDUOUS SHADE CANOPY TREE**  
Platanus racemosa - California Sycamore
- PARKWAY TREE ALONG COTTONWOOD AVE. AND ALESSANDRO AVE.**  
Koeleria bipinnata - Chinese Flame Tree
- PARKWAY TREE ALONG BAY AVE. AND STREET A**  
Magnolia grandiflora 'Russet' - Southern Magnolia
- INTERIOR STREET TREES**  
Tabebuia impetiginosa - Pink Trumpet Tree  
Pistacia chinensis - Chinese Pistache  
Lophostemon confertus - Brisbane Box
- FLOWERING ACCENT TREE**  
Lagerstroemia indica - Crape Myrtle  
Cercis canadensis 'Forest Pansy' - Eastern Redbud
- EVERGREEN SCREENING TREE MASS**  
Melaleuca quinquenervia - Cajuput Tree
- EVERGREEN UPRIGHT COLUMNAR TREE**  
Cupressus s. 'Tiny Tower' - Tiny Tower Cypress  
Podocarpus l. 'Icee Blue' - Icee Blue Yellow Wood

**SHRUBS AND GROUNDCOVER**

**BACKGROUND**

- Arbutus unedo 'Compacta' - Dwarf Strawberry Tree
- Arctostaphylos 'Howard McMillin' - Manzanita
- Cistus x purpureus - Orchid Rockrose
- Olea europaea 'Little Olive' - Dwarf Olive
- Philadelphus lewisii - Mock Orange
- Rhamnus californica 'Eve Case' - Coffeeberry
- Teucrium l. 'Azurum' - Bush Germander

**MIDGROUND**

- Buxus m. 'Japonica' - Japanese Bowwood
- Callistemon 'Little John' - Dwarf Bottlebrush
- Encelia californica - Encelia
- Eriogonum l. 'Warmer Lytle' - Buckwheat
- Va. hayesiana - Poverty Weed
- Lavandula dentada - French Lavender
- Leymus o. 'Canyon Prince' - Wild Rye
- Rosa 'Iceberg' - Rose (White and Pink)
- Rosmarinus o. 'Collingwood Ingram' - Rosemary
- Salvia greggii 'Furman's Red' - Autumn Sage
- Penstemon palmeri - Scented Penstemon

**FOREGROUND AND GROUNDCOVER**

- Achillea x 'Moonshine' - Yarrow
- Juncus patens - California Gray Rush
- Cistus salvifolius - Segeleaf Rockrose
- Arctostaphylos 'Emerald Carpet' - Manzanita
- Baccharis p. 'Pigeon Point' - Coyote Bush
- Rosmarinus o. 'Huntington Carpet' - Rosemary

**PRIVATE HOMEOWNER SLOPES**

- Achillea x 'Moonshine' - Yarrow
- Juncus patens - California Gray Rush
- Baccharis p. 'Pigeon Point' - Coyote Bush
- Rosmarinus o. 'Collingwood Ingram' - Rosemary
- Salvia greggii 'Furman's Red' - Autumn Sage
- Rhamnus californica 'Eve Case' - Coffeeberry

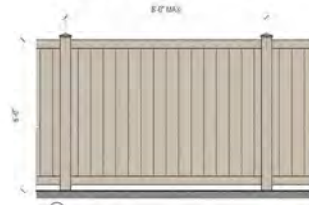


**FEATURE LEGEND:**

- ① 6' High Split-Face One-Side/Street Facing Block Wall with Cap
- ② 6' High Vinyl Privacy and Return Fence
- ③ 16" Square Block Column Plaster with Cap
- ④ 3' Wide Vinyl Side Yard Access Gate. Typical
- ⑤ Monument Wall with Signage Location
- ⑥ Combination Block and Tubular Steel Water Basin Enclosure Fence
- ⑦ 3' Wide Dog Park Access Gate
- ⑧ Combination Retaining and 6' High Block Wall with Cap. Retaining Wall Per Civil Engineer's Plans.
- ⑨ 54" Tall 3-Rail Vinyl Trail Fence
- ⑩ 6' High Chain-link Fence
- ⑪ 3' Wide Chain-link Gate
- ⑫ Existing Chain-link Fence
- ⑬ 48" High Black Vinyl Coated Chain-link Fence
- ⑭ Basin Vehicle Maintenance Gate
- ⑮ Combination Retaining Wall and 6' High Vinyl Privacy Fence.



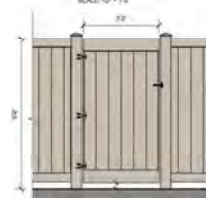
① 6' High Split-Face one-side/street facing Block Wall with Cap  
SCALE: 1/2" = 1'-0"



② 6' High Vinyl Privacy and Return Fence  
SCALE: 1/2" = 1'-0"



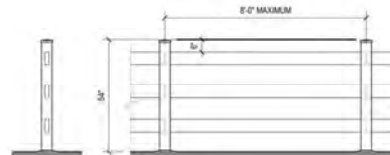
③ 16" Square Block Column Plaster with Cap  
SCALE: 1/2" = 1'-0"



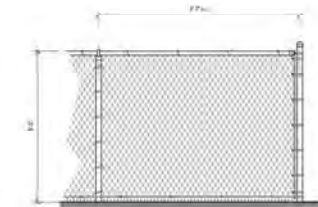
④ 3' Wide Vinyl Side Yard Access Gate  
SCALE: 1/2" = 1'-0"



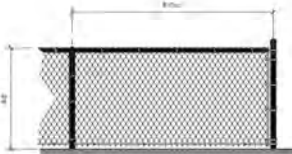
⑥ Combination Block and Tubular Steel Water Basin Enclosure Fence  
SCALE: 1/2" = 1'-0"



⑨ 54" Tall 3-Rail Vinyl Trail Fence  
SCALE: 1/2" = 1'-0"



⑩ 6' High Chain-link Fence  
SCALE: 1/2" = 1'-0"



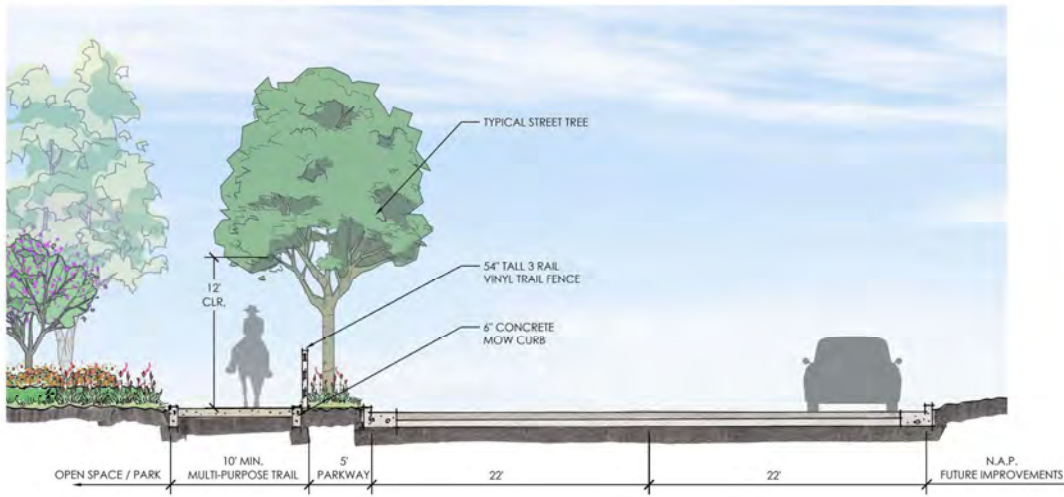
⑬ 48" High Black Vinyl Coated Chain-link Fence  
SCALE: 1/2" = 1'-0"



⑤ Monument Wall with Signage  
SCALE: 1/2" = 1'-0"

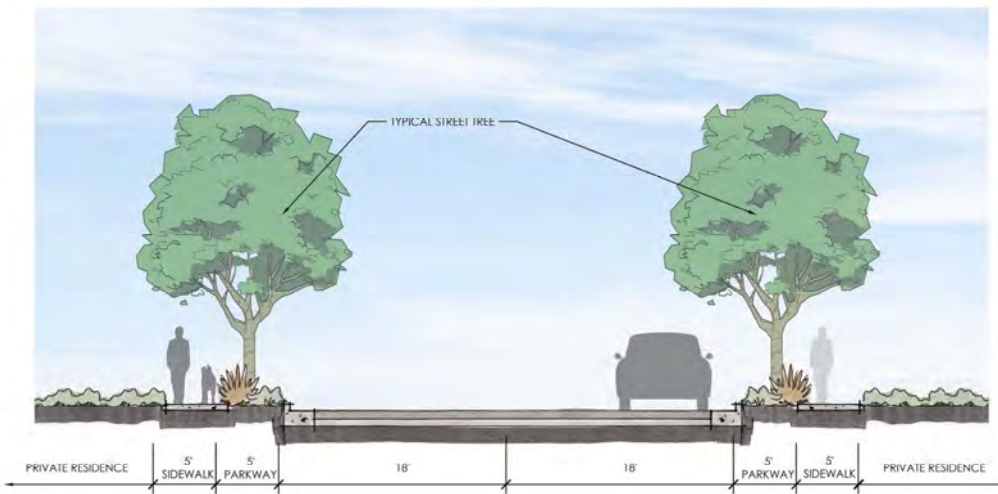
**SUNSET CROSSINGS - SOUTH, TRACT # 38442**  
**CONCEPTUAL WALL AND FENCE PLAN**  
 MORENO VALLEY, CA





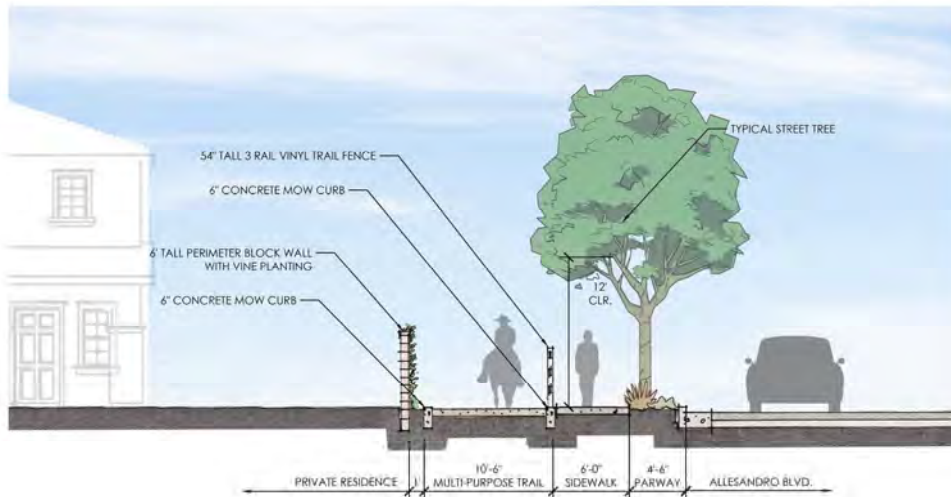
SECTION A-A - STREET 'A' (SOUTH)

SCALE: 1/4" = 1'-0"



SECTION B-B - INTERIOR STREET 'M'

SCALE: 1/4" = 1'-0"



SECTION C-C - ALESSANDRO BLVD.

SCALE: 1/4" = 1'-0"



Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



PICNIC TABLE AREA WITH DECOMPOSED GRANITE (PICNIC TABLES FROM OUTDOOR CREATION INC.)



CHILDRENS TOT-LOT WITH MULTIPLE AGE GROUP PLAY EQUIPMENT (2-5 YRS: 5-12 YRS) (FROM MIRACLE RECREATIONS)



FITNESS AREA FROM KOMPAN INC



DRINKING FOUNTAIN WITH PET BOWL AND BOTTLE FILLER FROM MOST DEPENDABLE FOUNTAINS INC.



DOGGIE WASTE STATIONS FROM ZERO WASTE INC



STABILIZED DECOMPOSED GRANITE PATH



CALSENSE IRRIGATION CONTROLLER - MODEL CS3000



LED WALKWAY SECURITY LIGHTING FROM KIM LIGHTING



517



100S



3001A



419SKB

GROUP BARBEQUES; CONCRETE PICNIC TABLES, CONCRETE BENCHES; CONCRETE WASTE/RECYCLE CONTAINERS FROM OUTDOOR CREATIONS INC



KIM LIGHTING

poligon

calsense

zerowaste USA.com





**FEATURE LEGEND:**

- PARKWAYS (HOA OWNED AND MAINTAINED).
- STORM DETENTION / WATER QUALITY BIO-RETENTION BASIN (HOA OWNED AND MAINTAINED).
- OPEN SPACE (HOA OWNED AND MAINTAINED).
- PARKS (HOA OWNED AND MAINTAINED).

FINAL SQUARE FEET	FINAL ACREAGE
28,336 sq. ft.	0.65 ac
22,589 sq. ft.	0.52 ac
19,186 sq. ft.	0.44 ac
60,261 sq. ft.	1.38 ac
<b>TOTAL 130,372 sq. ft.</b>	<b>2.99 ac</b>

Attachment: Planned Unit Development Guidelines (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))

**SUNSET CROSSINGS - SOUTH, TRACT # 38442**  
 MAINTENANCE EXHIBIT  
 MORENO VALLEY, CA



**Packet Pg. 575**

ADG JOB #: 2204



**FEATURE LEGEND:**

- ① Multi-Purpose Trail with Fencing.
- ② Picnic Tables.
- ③ Children's Tot-lot.
- ④ Bench Seating.
- ⑤ Exercise Station Along Trail.
- ⑥ Decomposed Granite Pathways.
- ⑦ Monument Wall and Signage Location.
- ⑧ Open Turf Play Area.
- ⑨ City Sidewalk.

**PLANT PALETTE:**

**TREES & VINES**

- LARGE EVERGREEN SPECIMEN**
  - Cedrus atlantica* • Atlas Cedar
- LARGE DECIDUOUS SHADE CANOPY TREE**
  - Platanus racemosa* • California Sycamore
- PARKWAY TREE ALONG COTTONWOOD AVE. AND ALESSANDRO AVE.**
  - Koelreuteria bipinnata* • Chinese Flame Tree
- PARKWAY TREE ALONG BAY AVE. AND STREET A**
  - Magnolia grandiflora* 'Russet' • Southern Magnolia
- INTERIOR STREET TREES**
  - Tabebuia impetiginosa* • Pink Trumpet Tree
  - Pistacia chinensis* • Chinese Pistache
  - Lophostemon confertus* • Brisbane Box
- FLOWERING ACCENT TREE**
  - Lagerstroemia indica* • Crape Myrtle
  - Cercis canadensis* 'Forest Pansy' • Eastern Redbud
- EVERGREEN SCREENING TREE MASS**
  - Melaleuca quinquenervia* • Cajuput Tree
- EVERGREEN UPRIGHT COLUMNAR TREE**
  - Cupressus s. 'Tiny Tower'* • Tiny Tower Cypress
  - Podocarpus l. 'Icee Blue'* • Icee Blue Yellow Wood
- VINE**
  - Parthenocissus tricuspidata* • Boston Ivy

**SHRUBS AND GROUNDCOVER**

**BACKGROUND**

- Arbutus unedo* 'Compacta' • Dwarf Strawberry Tree
- Arctostaphylos* 'Howard McMinn' • Manzanita
- Cistus x purpureus* • Orchid Rockrose
- Olea europaea* 'Little Ollie' • Dwarf Olive
- Philadelphus lewisii* • Mock Orange
- Rhamnus californica* 'Eve Case' • Coffeeberry
- Teucrium f. 'Azureum'* • Bush Germander

**MIDGROUND**

- Buxus m. 'Japonica'* • Japanese Boxwood
- Callistemon* 'Little John' • Dwarf Bottlebrush
- Encelia californica* • Encelia
- Eriogonum f. 'Warriner Lytle'* • Buckwheat
- Iva hayesiana* • Poverty Weed
- Lavandula dentada* • French Lavender
- Leymus c. 'Canyon Prince'* • Wild Rye
- Rosa* 'Iceberg' • Rose (White and Pink)
- Rosmarinus o. 'Collingwood Ingram'* • Rosemary
- Salvia greggii* 'Furman's Red' • Autumn Sage
- Penstemon palmeri* • Scented Penstemon

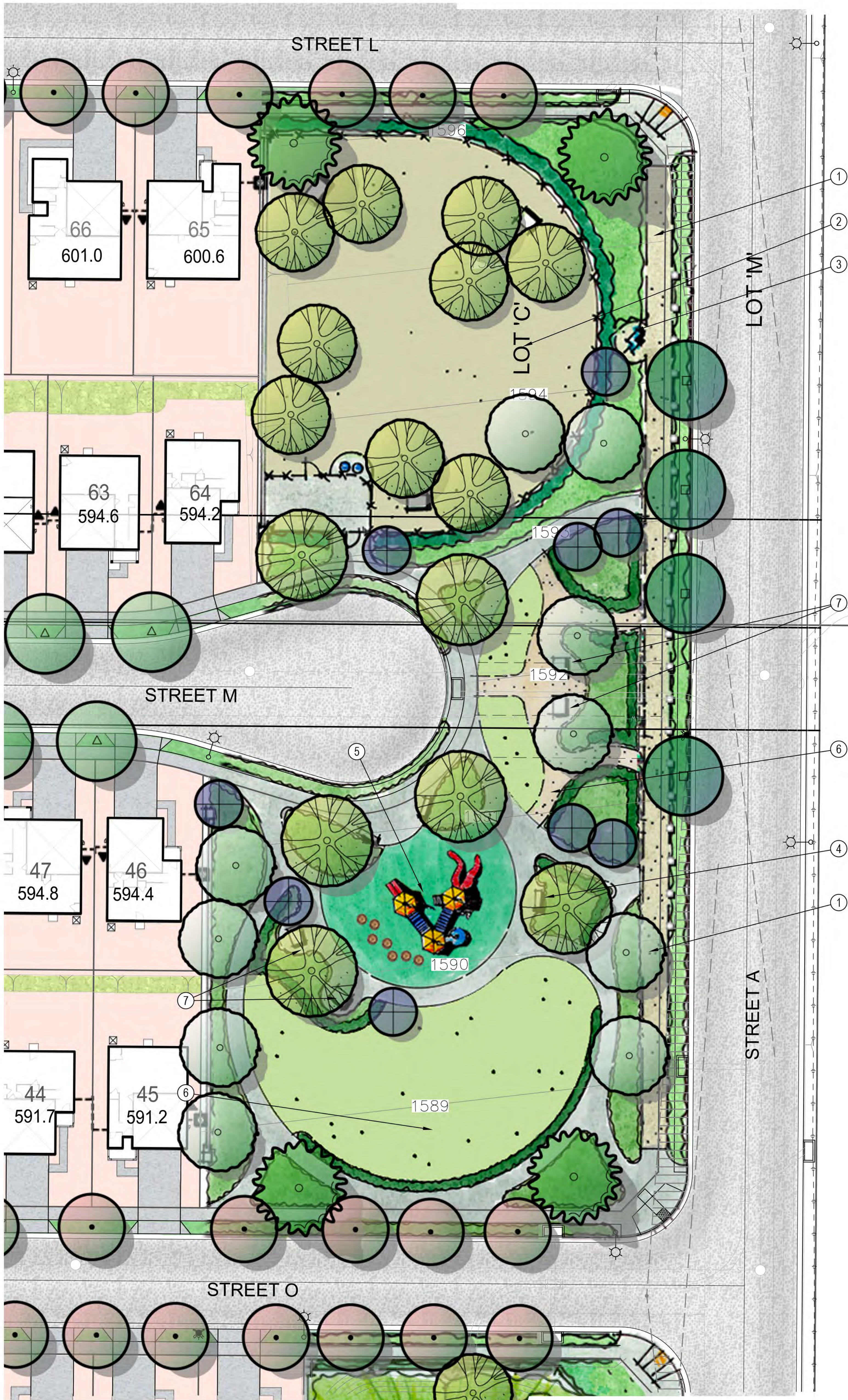
**FOREGROUND AND GROUNDCOVER**

- Achillea x 'Moonshine'* • Yarrow
- Juncus patens* • California Gray Rush
- Cistus salvifolius* • Sageleaf Rockrose
- Arctostaphylos* 'Emerald Carpet' • Manzanita
- Baccharis p. 'Pigeon Point'* • Coyote Bush
- Rosmarinus o. 'Huntington Carpet'* • Rosemary

**PRIVATE HOMEOWNER SLOPES**

- Achillea x 'Moonshine'* • Yarrow
- Juncus patens* • California Gray Rush
- Baccharis p. 'Pigeon Point'* • Coyote Bush
- Rosmarinus o. 'Collingwood Ingram'* • Rosemary
- Salvia greggii* 'Furman's Red' • Autumn Sage
- Rhamnus californica* 'Eve Case' • Coffeeberry










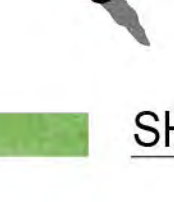


**FEATURE LEGEND:**

- ① Multi Purpose Trail with Fencing.
- ② Fenced Dog Park with Picnic Tables and Shade Trees.
- ③ Exercise Stations along Multi-Purpose Trail.
- ④ Bench Seating Areas.
- ⑤ Children's Tot-lot.
- ⑥ Open Turf Play Area.
- ⑦ Picnic Table Seating Area.
- ⑧ Decomposed Granite Pathways.

**PLANT PALETTE:**

**TREES & VINES**

-  **LARGE EVERGREEN SPECIMEN**
  - Cedrus atlantica* • Atlas Cedar
-  **LARGE DECIDUOUS SHADE CANOPY TREE**
  - Platanus racemosa* • California Sycamore
-  **PARKWAY TREE ALONG COTTONWOOD AVE. AND ALESSANDRO AVE.**
  - Koelreuteria bipinnata* • Chinese Flame Tree
-  **PARKWAY TREE ALONG BAY AVE. AND STREET A**
  - Magnolia grandiflora* 'Russet' • Southern Magnolia
-  **INTERIOR STREET TREES**
  - Tabebuia impetiginosa* • Pink Trumpet Tree
  - Pistacia chinensis* • Chinese Pistache
  - Lophostemon confertus* • Brisbane Box
-  **FLOWERING ACCENT TREE**
  - Lagerstroemia indica* • Crape Myrtle
  - Cercis canadensis* 'Forest Pansy' • Eastern Redbud
-  **EVERGREEN SCREENING TREE MASS**
  - Melaleuca quinquenervia* • Cajeput Tree
-  **EVERGREEN UPRIGHT COLUMNAR TREE**
  - Cupressus* s. 'Tiny Tower' • Tiny Tower Cypress
  - Podocarpus* l. 'Icee Blue' • Icee Blue Yellow Wood

**SHRUBS AND GROUNDCOVER**

**BACKGROUND**

- Arbutus unedo* 'Compacta' • Dwarf Strawberry Tree
- Arctostaphylos* 'Howard McMinn' • Manzanita
- Cistus x purpureus* • Orchid Rockrose
- Olea europaea* 'Little Ollie' • Dwarf Olive
- Philadelphus lewisii* • Mock Orange
- Rhamnus californica* 'Eve Case' • Coffeeberry
- Teucrium* f. 'Azureum' • Bush Germander

**MIDGROUND**

- Buxus* m. 'Japonica' • Japanese Boxwood
- Callistemon* 'Little John' • Dwarf Bottlebrush
- Encelia californica* • Encelia
- Eriogonum* f. 'Warriner Lytle' • Buckwheat
- Iva hayesiana* • Poverty Weed
- Lavandula dentata* • French Lavender
- Leymus* c. 'Canyon Prince' • Wild Rye
- Rosa* 'Iceberg' • Rose (White and Pink)
- Rosmarinus* o. 'Collingwood Ingram' • Rosemary
- Salvia greggii* 'Furman's Red' • Autumn Sage
- Penstemon palmeri* • Scented Penstemon

**FOREGROUND AND GROUNDCOVER**

- Achillea* x 'Moonshine' • Yarrow
- Juncus patens* • California Gray Rush
- Cistus salvifolius* • Sageleaf Rockrose
- Arctostaphylos* 'Emerald Carpet' • Manzanita
- Baccharis* p. 'Pigeon Point' • Coyote Bush
- Rosmarinus* o. 'Huntington Carpet' • Rosemary

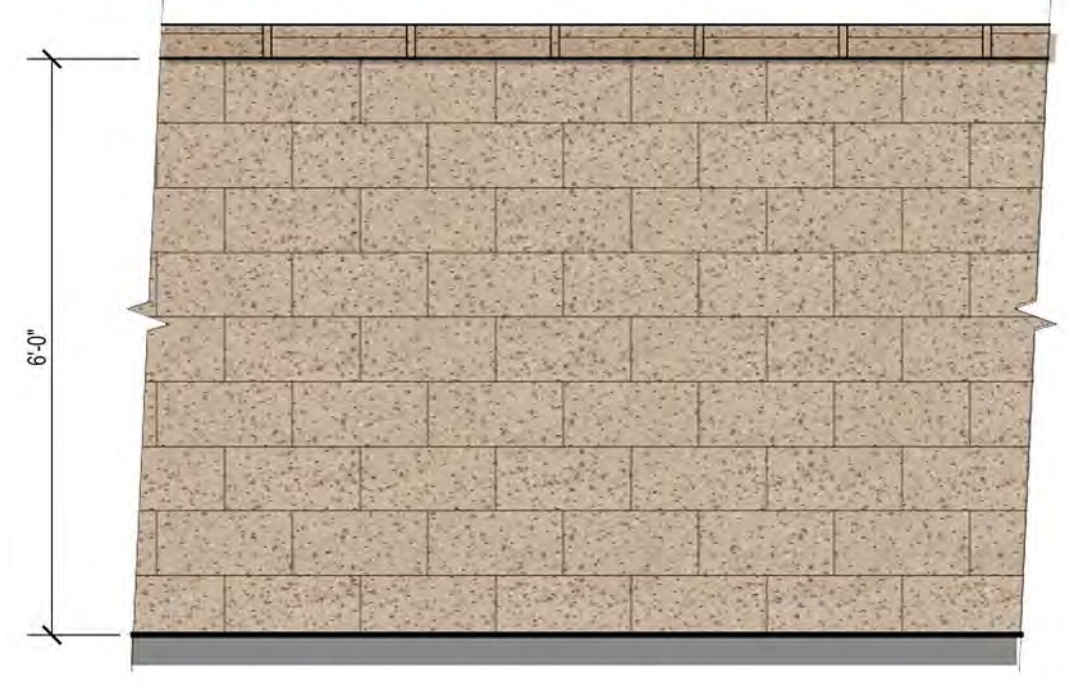
**PRIVATE HOMEOWNER SLOPES**

- Achillea* x 'Moonshine' • Yarrow
- Juncus patens* • California Gray Rush
- Baccharis* p. 'Pigeon Point' • Coyote Bush
- Rosmarinus* o. 'Collingwood Ingram' • Rosemary
- Salvia greggii* 'Furman's Red' • Autumn Sage
- Rhamnus californica* 'Eve Case' • Coffeeberry

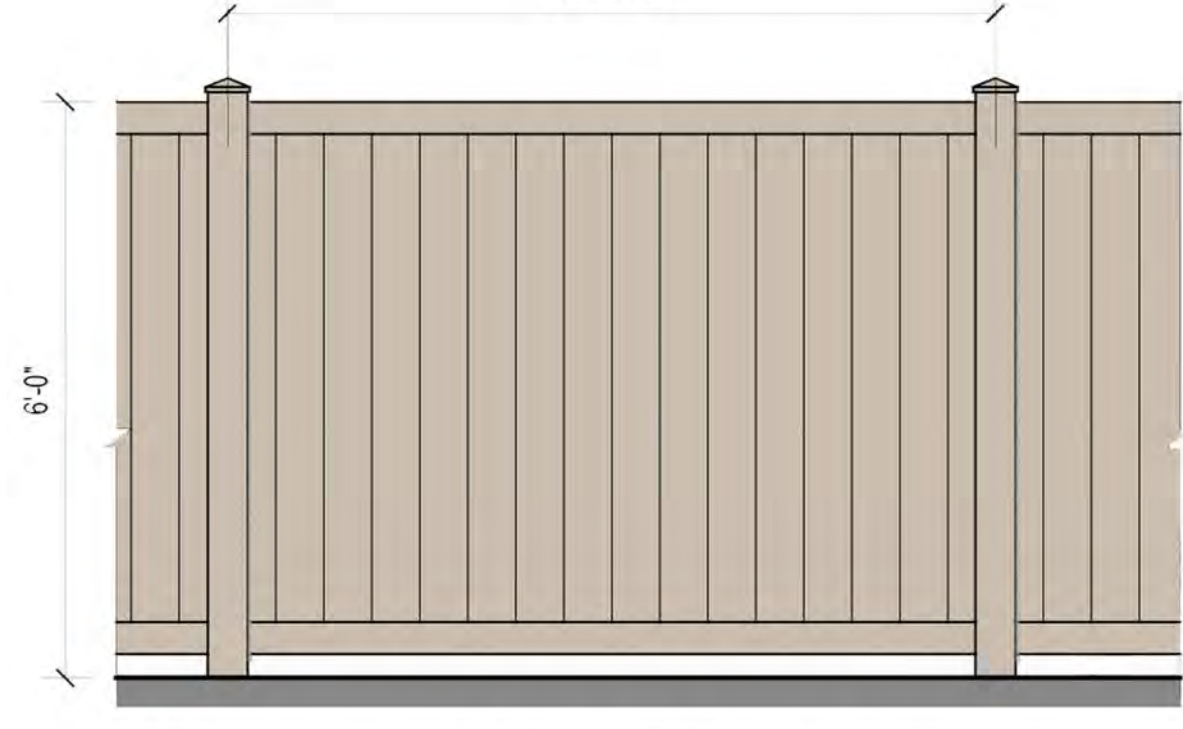


FEATURE LEGEND:

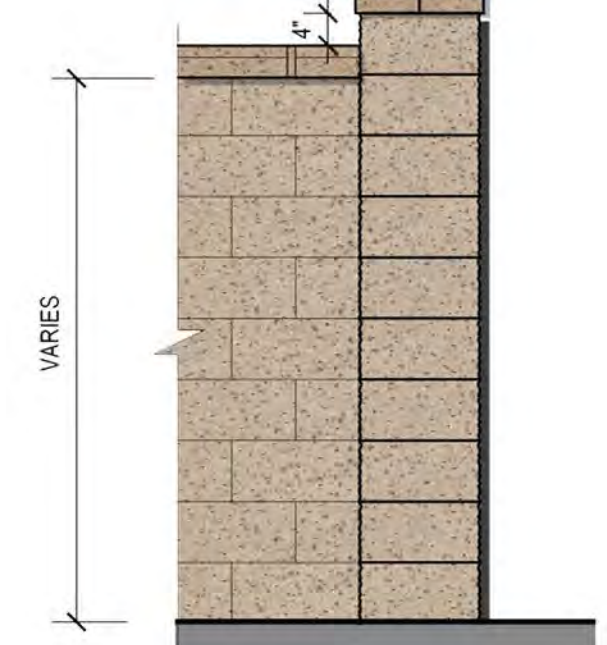
- ① 6' High Split-Face One-Side/Street Facing Block Wall with Cap.
- ② 6' High Vinyl Privacy and Return Fence.
- ③ 16" Square Block Column Pilaster with Cap.
- ④ 3' Wide Vinyl Side Yard Access Gate. Typical.
- ⑤ Monument Wall with Signage Location.
- ⑥ Combination Block and Tubular Steel Water Basin Enclosure Fence
- ⑦ 3' Wide Dog Park Access Gate.
- ⑧ Combination Retaining and 6' High Block Wall with Cap.
- ⑨ 54" Tall 3-Rail Vinyl Trail Fence.
- ⑩ 6' High Chain-link Fence
- ⑪ 3' Wide Chain-link Gate
- ⑫ Exiting Chain-link Fence
- ⑬ 48" High Black Vinyl Coated Chain-link Fence
- ⑭ Basin Vehicle Maintenance Gate
- ⑮ Combination Retaining Wall and 6' High Vinyl Privacy Fence.



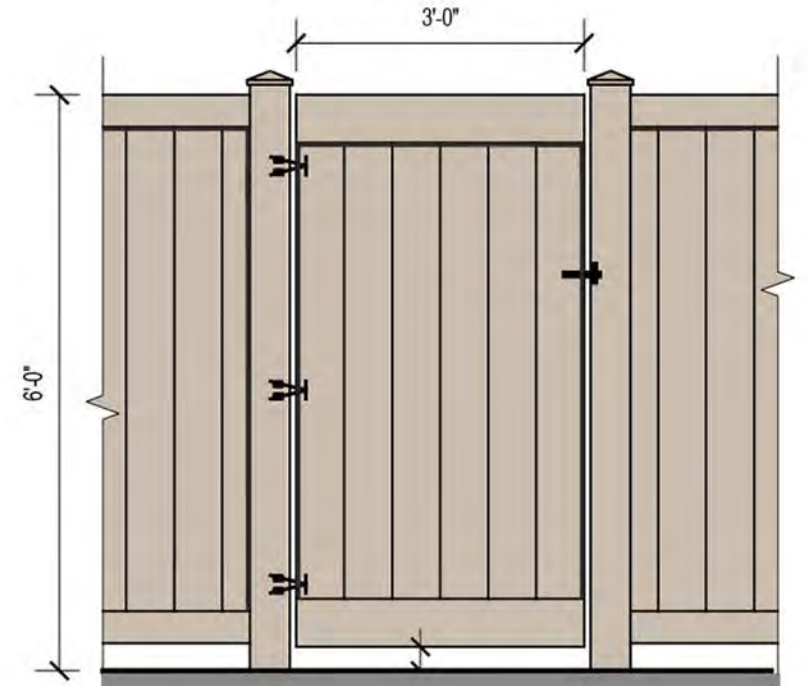
① 6' High Split-Face one-side/street facing Block Wall with Cap. SCALE: 1/2" = 1'-0"



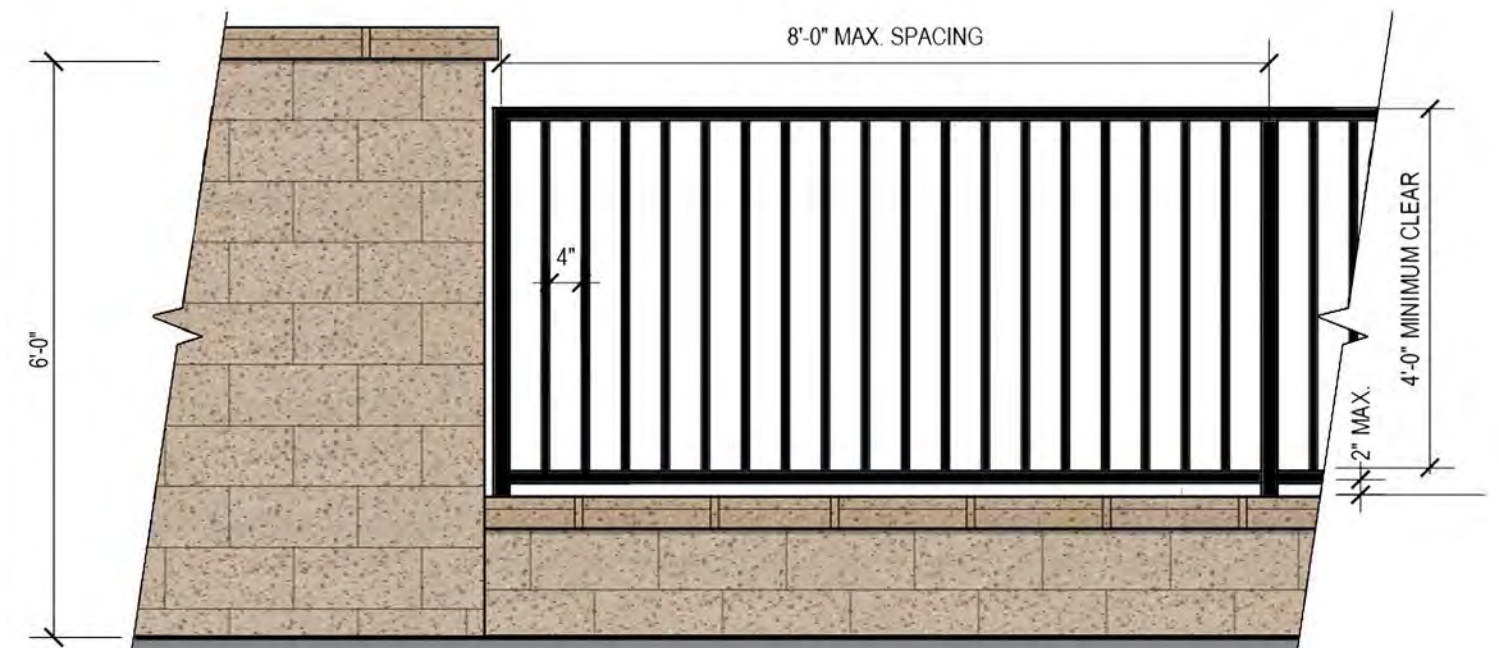
② 6' High Vinyl Privacy and Return Fence SCALE: 1/2" = 1'-0"



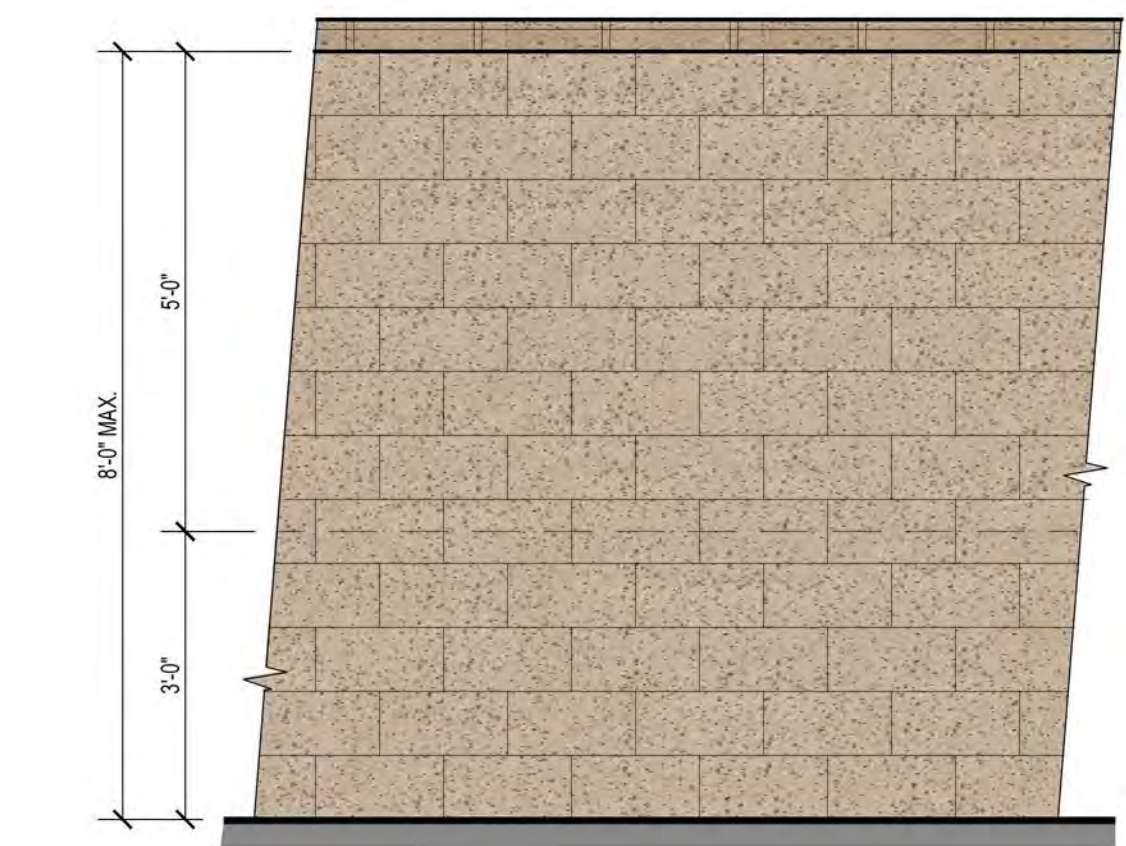
③ 16" Square Block Column Pilaster with Cap. SCALE: 1/2" = 1'-0"



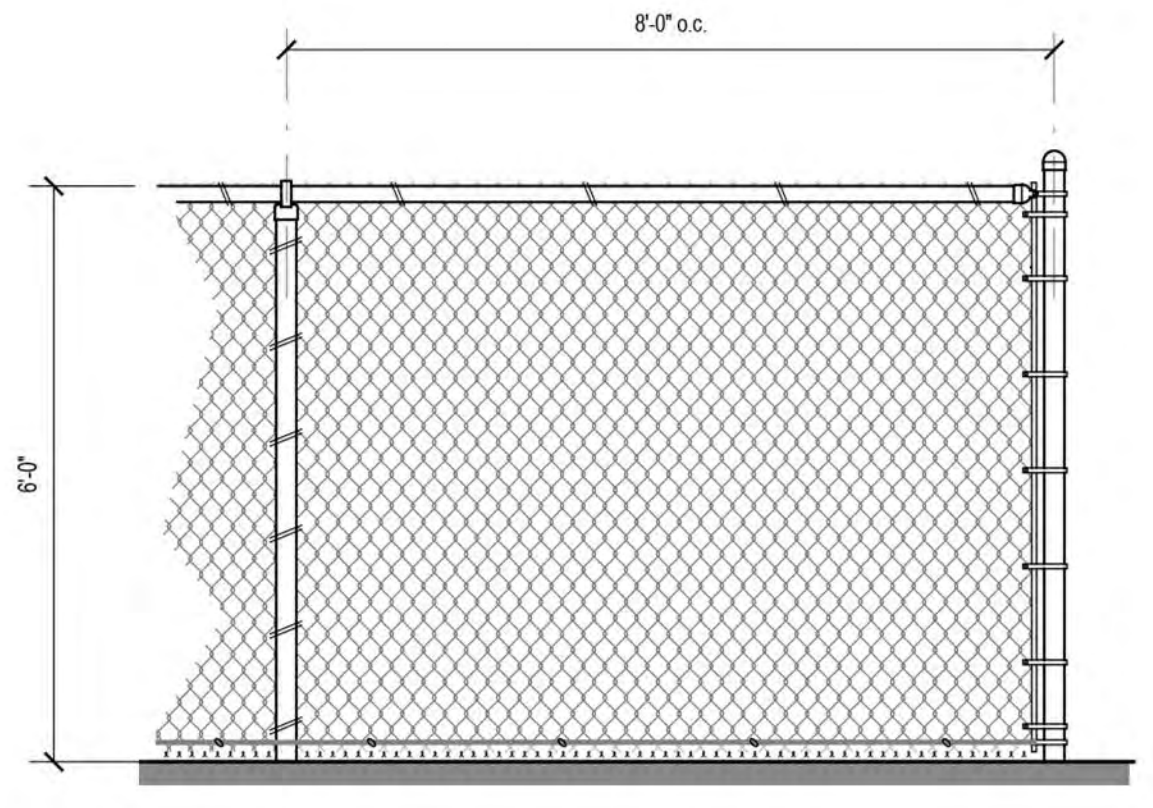
④ 3' Wide Vinyl Side Yard Access Gate SCALE: 1/2" = 1'-0"



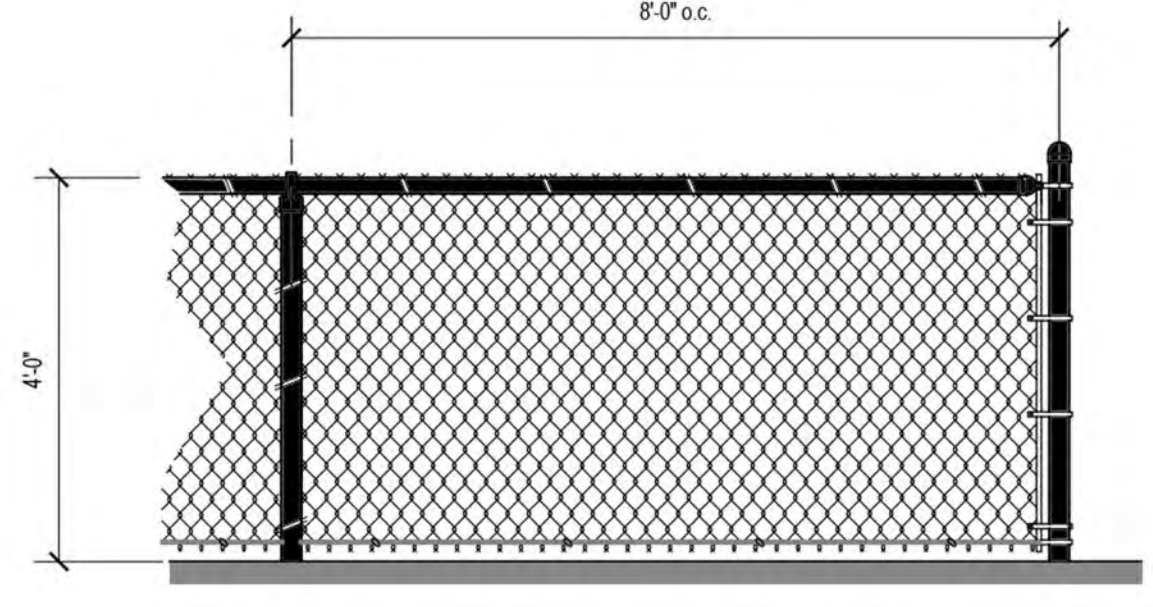
⑥ Combination Block and Tubular Steel Water Basin Enclosure Fence SCALE: 1/2" = 1'-0"



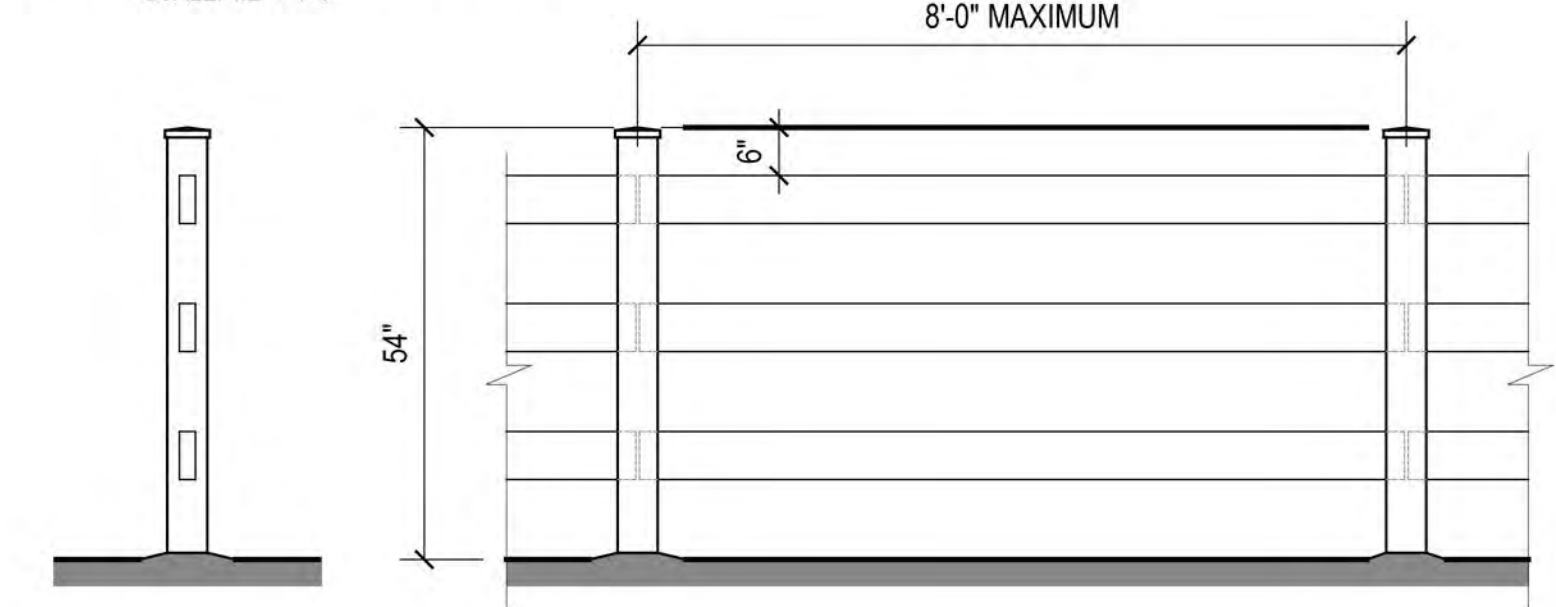
⑧ Combination Retaining and 6' High Block Wall with Cap. SCALE: 1/2" = 1'-0"



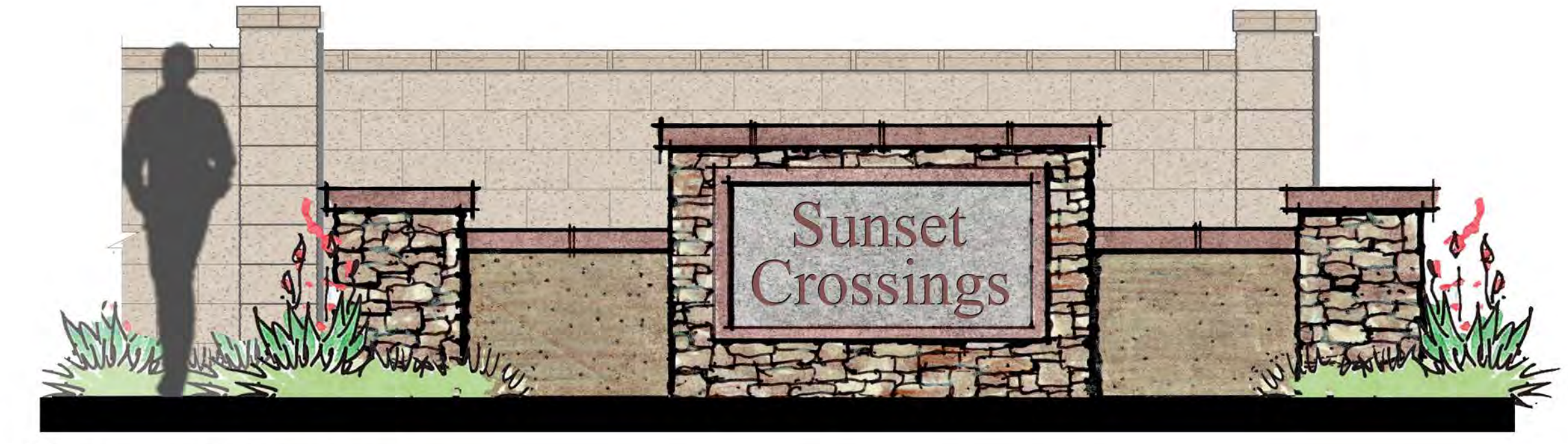
⑩ 6' High Chain-link Fence SCALE: 1/2" = 1'-0"



⑬ 48" High Black Vinyl Coated Chain-link Fence SCALE: 1/2" = 1'-0"



⑨ 54" Tall 3-Rail Vinyl Trail Fence SCALE: 1/2" = 1'-0"

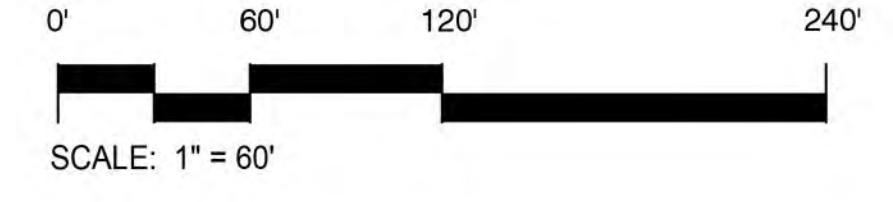


⑤ Monument Wall with Signage SCALE: 1/2" = 1'-0"

# SUNSET CROSSINGS - SOUTH, TRACT # 38442

## CONCEPTUAL WALL AND FENCE PLAN

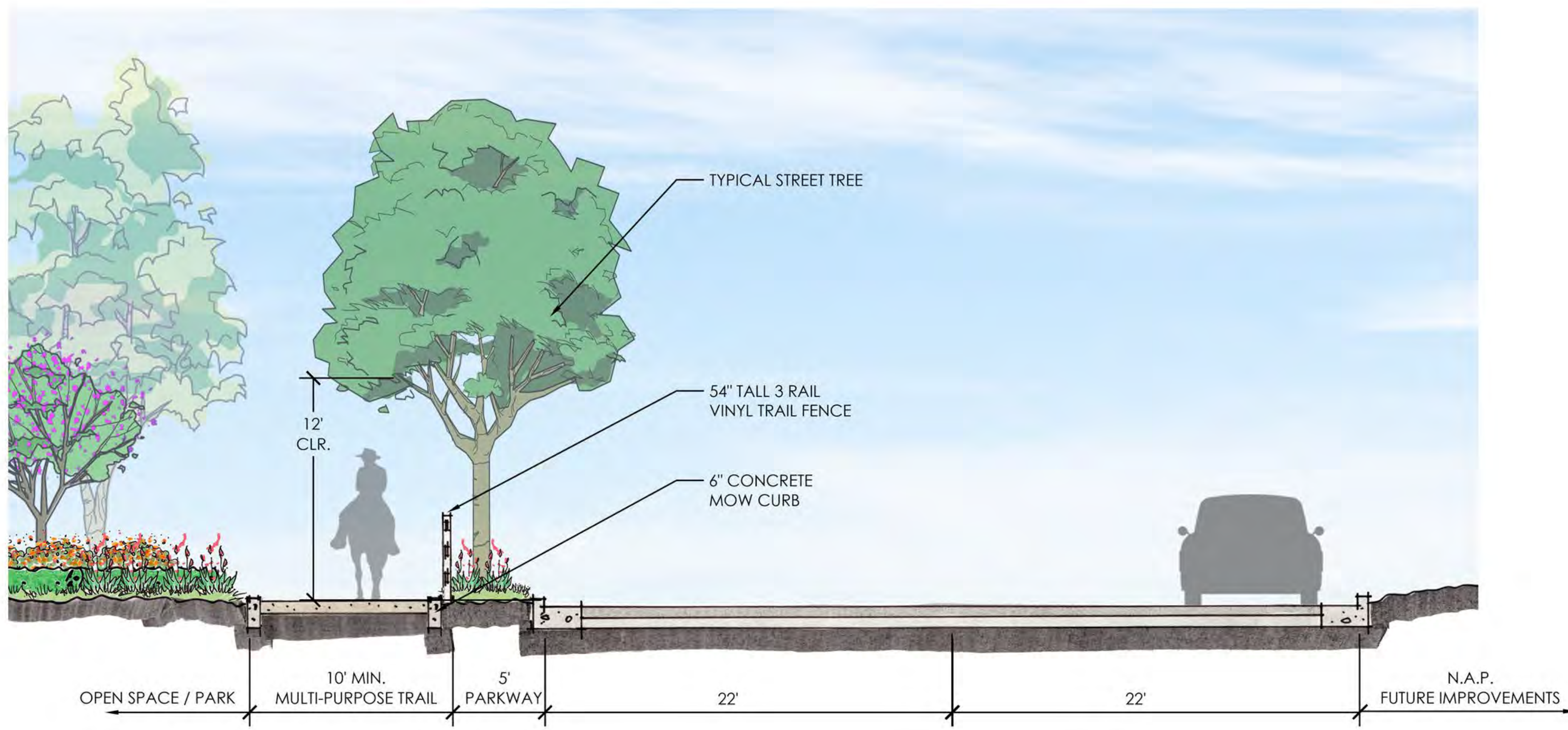
MORENO VALLEY, CA



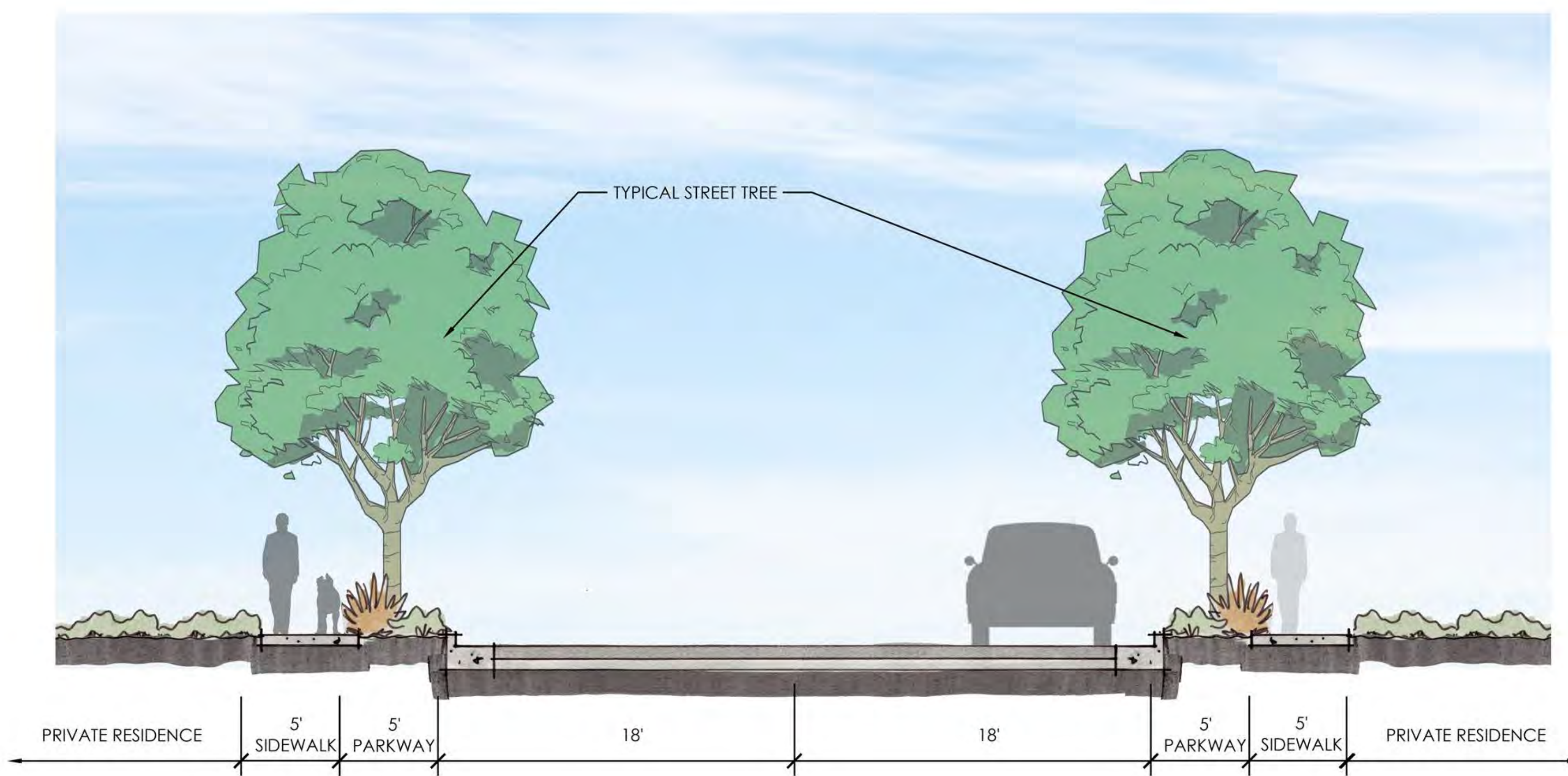
DATE: OCTOBER 18, 2023  
ADG JOB #: 2204



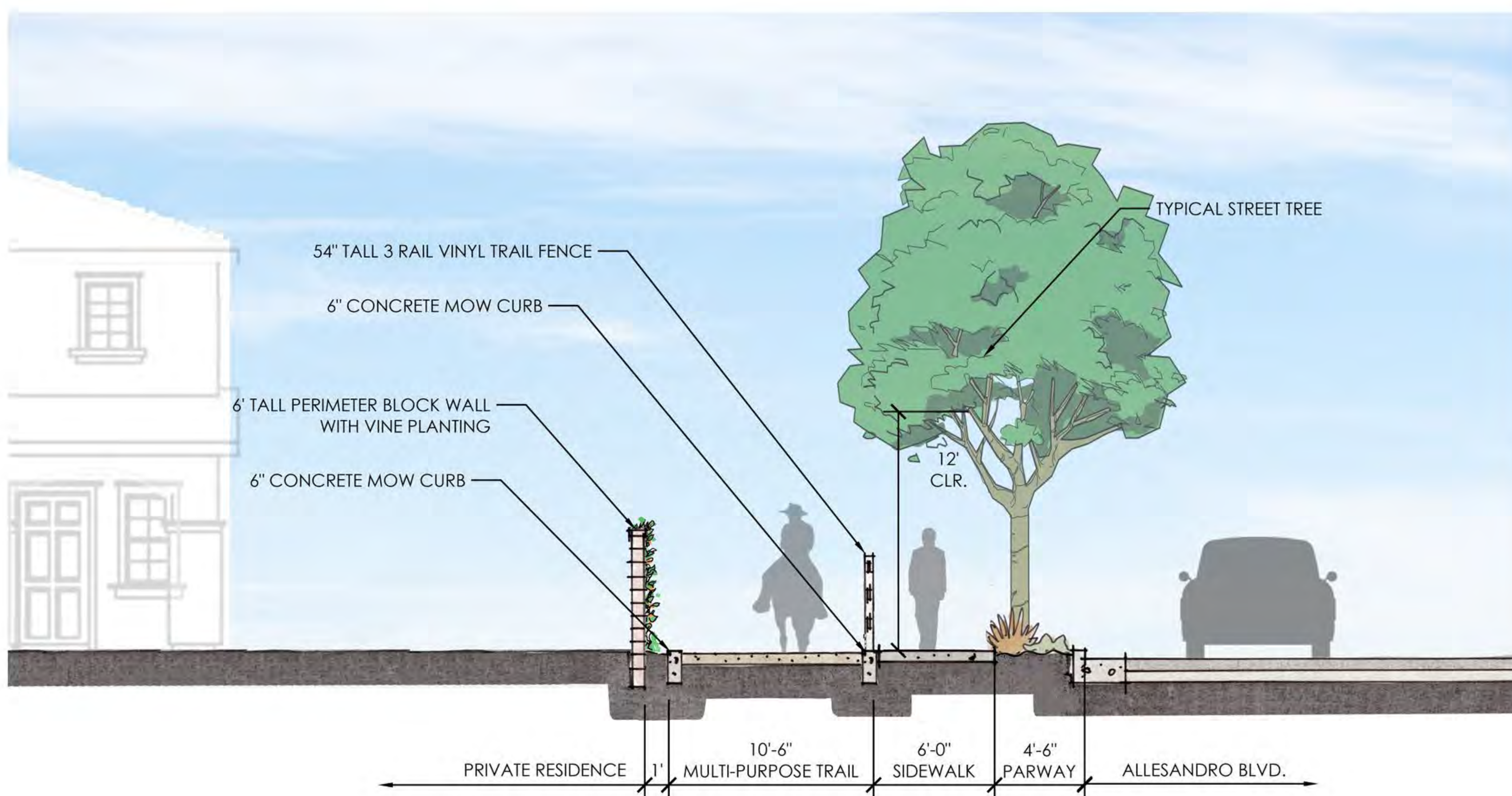
Attachment: Project Plans - Planned Unit Development (6225) - Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137)



SECTION A-A - STREET 'A' (SOUTH)  
SCALE: 1/4" = 1'-0"

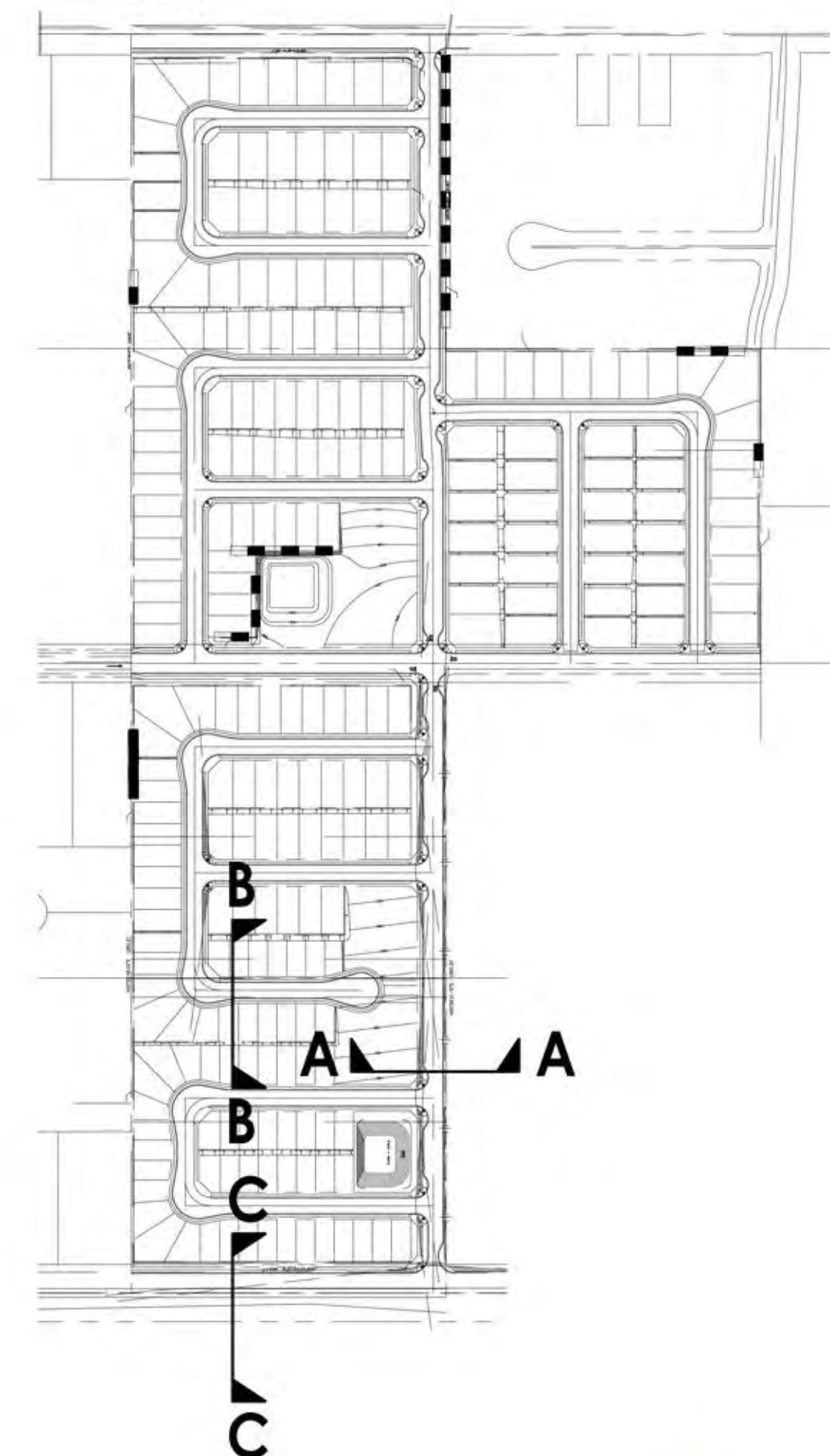


SECTION B-B - INTERIOR STREET 'M'  
SCALE: 1/4" = 1'-0"



SECTION C-C - ALESSANDRO BLVD.  
SCALE: 1/4" = 1'-0"

KEY MAP



SUNSET CROSSINGS - SOUTH, TRACT # 38442  
CONCEPTUAL LANDSCAPE SECTIONS  
MORENO VALLEY, CA



DATE: JUNE 2023  
ADG JOB #: 2204

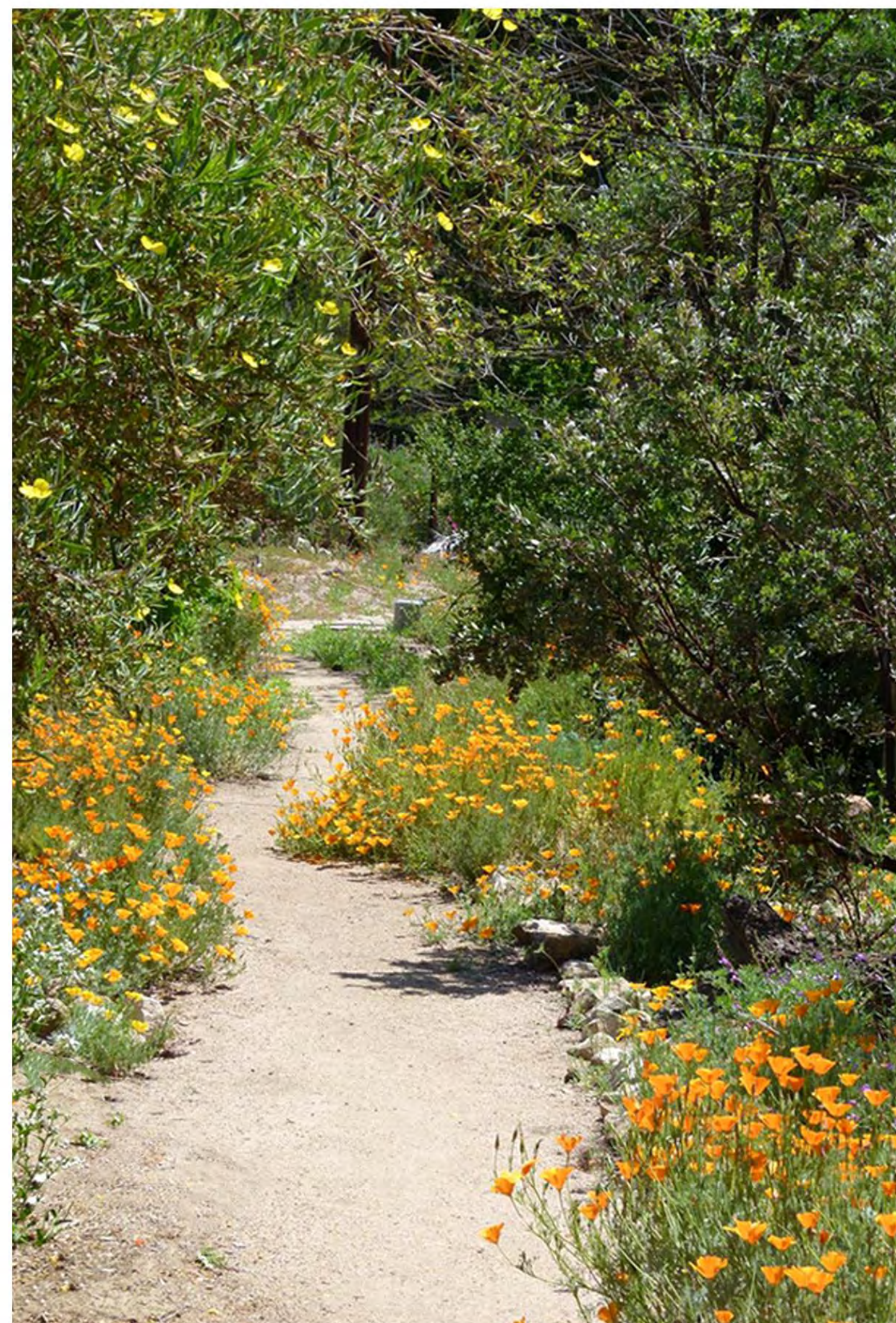


L-5

Attachment: Project Plans - Planned Unit Development (6225 : Tentative Tract Map 38442 (PEN02-0131) and Conditional Use Permit (PEN22-0137))



PICNIC TABLE AREA WITH DECOMPOSED GRANITE (PICNIC TABLES FROM OUTDOOR CREATION INC.)



CHILDRENS TOT-LOT WITH MULTIPLE AGE GROUP PLAY EQUIPMENT (2-5 YRS; 5-12 YRS) (FROM MIRACLE RECREATIONS)



DRINKING FOUNTAIN WITH PET BOWL AND BOTTLE FILLER FROM MOST DEPENDABLE FOUNTAINS INC.



STABILIZED DECOMPOSED GRANITE PATH



FITNESS AREA FROM KOMPAN INC



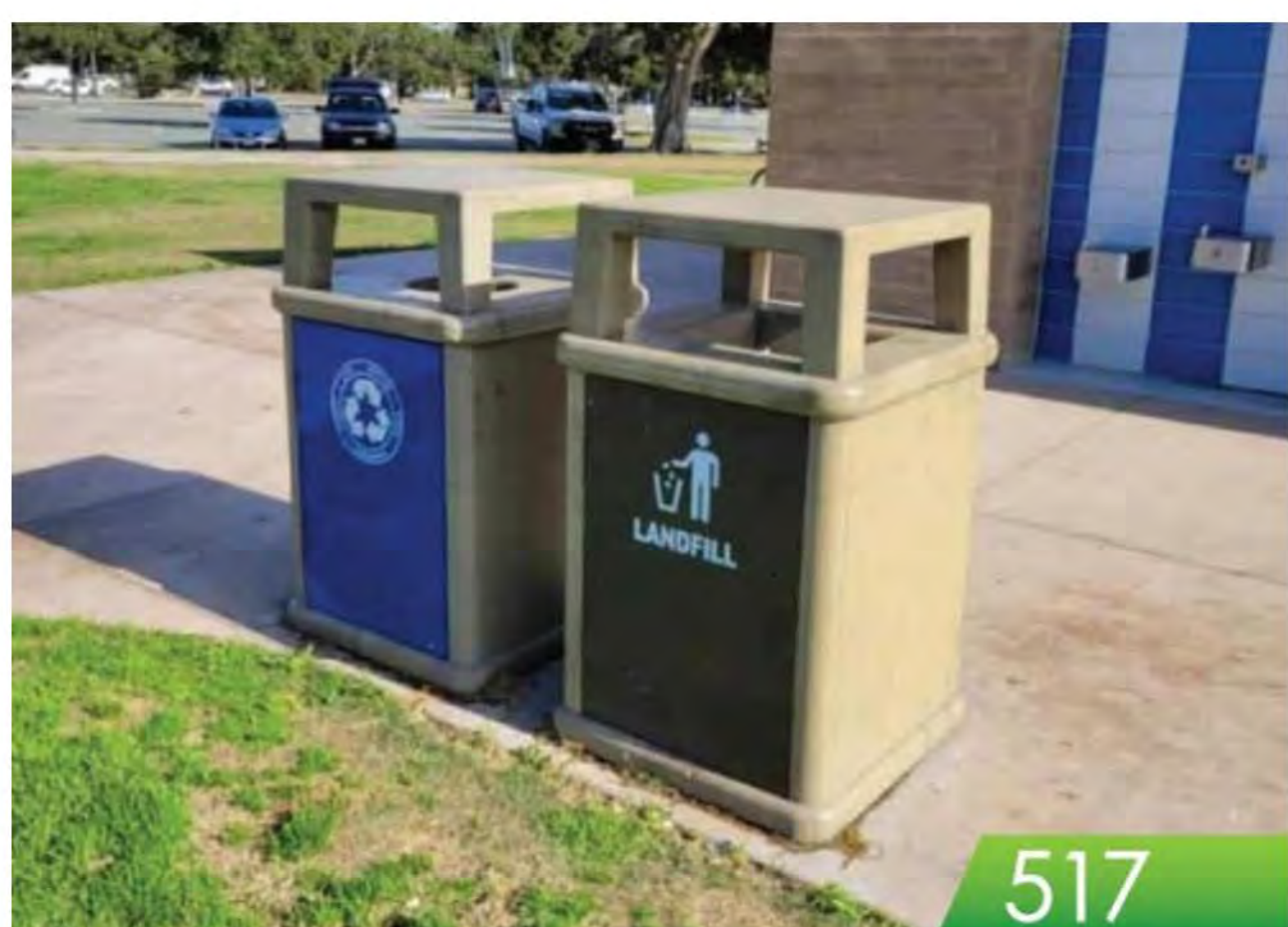
DOGGIE WASTE STATIONS FROM ZERO WASTE INC



CALSENSE IRRIGATION CONTROLLER - MODEL CS3000



LED WALKWAY SECURITY LIGHTING FROM KIM LIGHTING



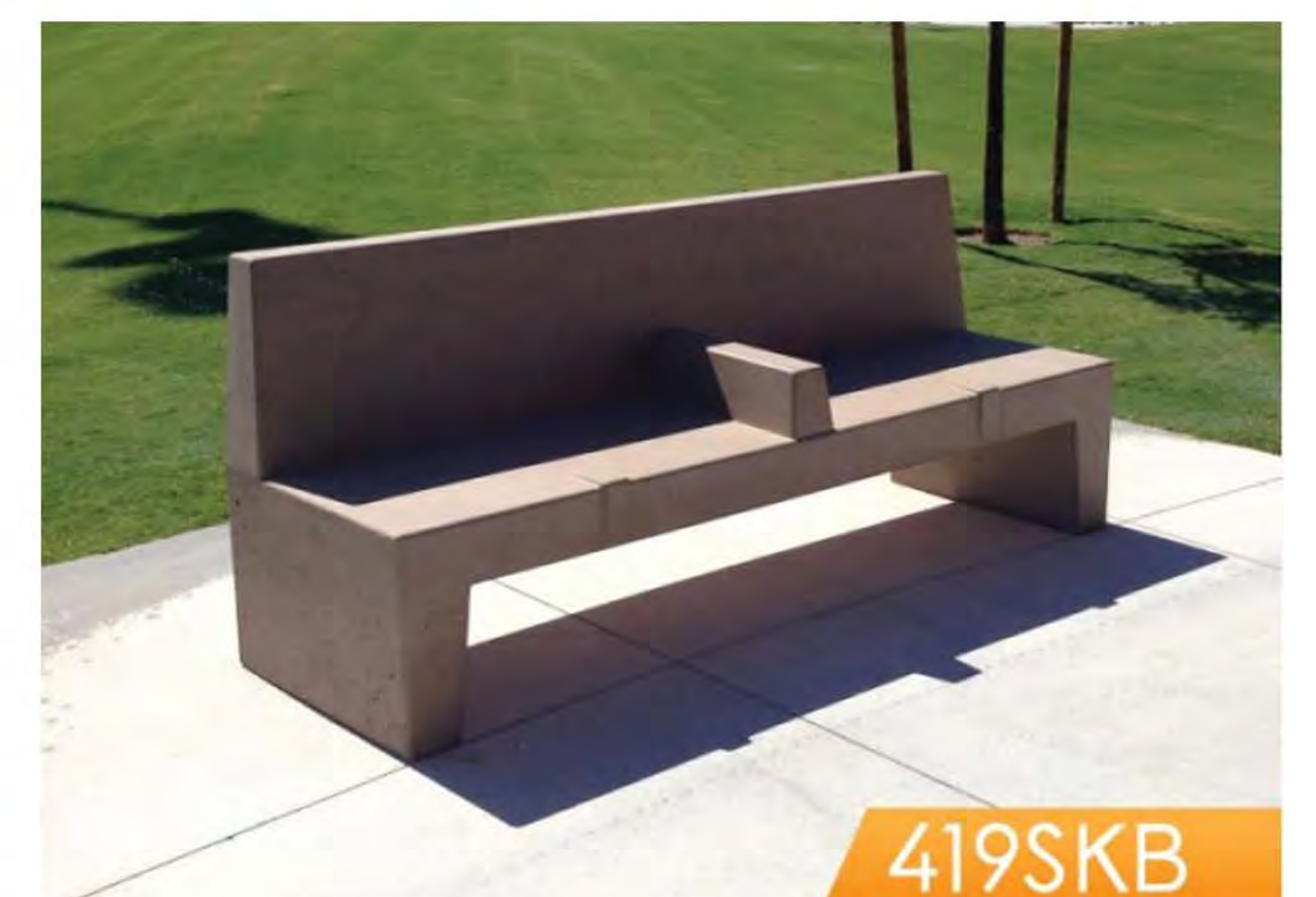
517



100S



3001A



419SKB

GROUP BARBEQUES; CONCRETE PICNIC TABLES, CONCRETE BENCHES; CONCRETE WASTE/RECYCLE CONTAINERS FROM OUTDOOR CREATIONS INC

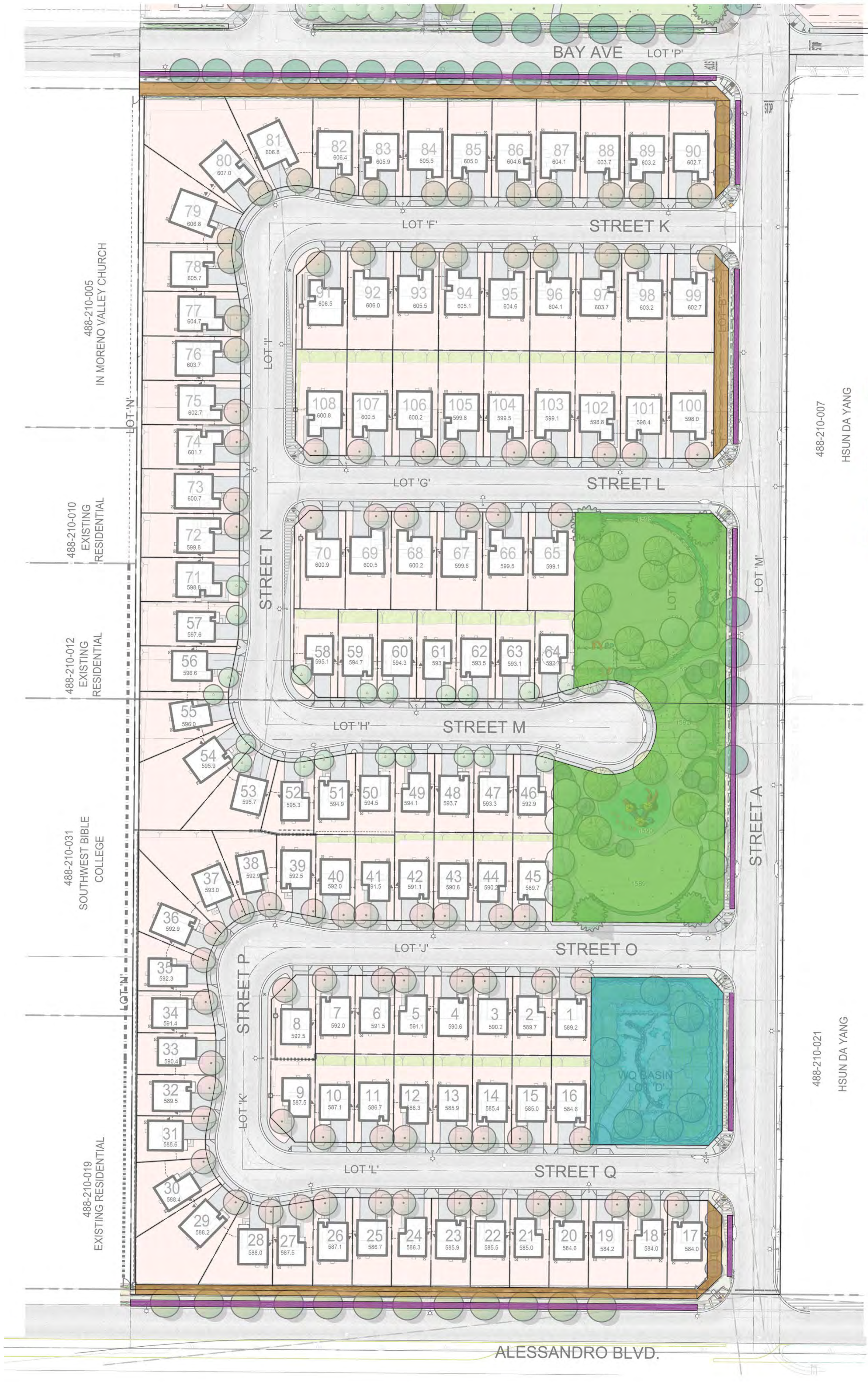


# SUNSET CROSSINGS - SOUTH, TRACT # 38442

## MATERIALS AND CONCEPTUAL IMAGE BOARD

MORENO VALLEY, CA





FEATURE LEGEND:

- 488-210-007 HSUN DA YANG
- 488-210-021 HSUN DA YANG

FINAL SQAURE FEET	FINAL ACREAGE
10,932 sq. ft.	0.25 ac
22,589 sq. ft.	0.52 ac
19,186 sq.ft.	0.44 ac
60,261 sq. ft.	1.38 ac
<b>TOTAL</b>	<b>2.59 ac</b>

PARKWAYS (HOA OWNED AND MAINTAINED).  
 NOTE: DECOMPOSED GRANITE TRAIL AND FENCING IS MAINTAINED BY PARKS DEPARTMENT. LANDSCAPE MAINTAINED BY HOA.

STORM DETENTION / WATER QUALITY BIO-RETENTION BASIN (HOA OWNED AND MAINTAINED).

OPEN SPACE (HOA OWNED AND MAINTAINED).

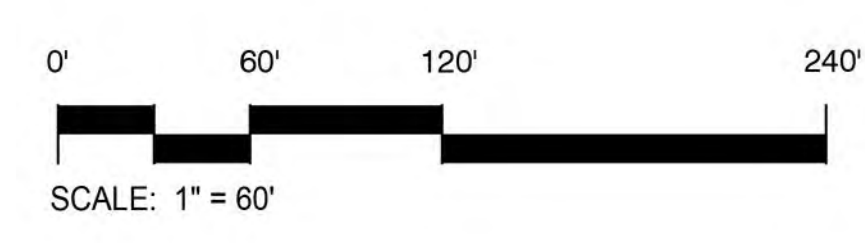
PUBLIC PARK (CITY OWNED AND CFD MAINTAINED).

Attachment: Project Plans - Planned Unit Development (6425 : Tentative Tract Map 38442 (PEN02-0131) and Conditional Use Permit (PEN22-0197))

# SUNSET CROSSINGS - SOUTH, TRACT # 38442

## MAINTENANCE EXHIBIT

MORENO VALLEY, CA



DATE: OCTOBER 20, 2023  
 ADG JOB #: 2204



**APPLICANT / OWNER**

HIGHPOINTE MV, LLC  
530 TECHNOLOGY, SUITE 100  
IRVINE, CA 92618  
ROSS YAMAGUCHI | 949.472.0800

**TOPO SOURCE:**

DON READ CORPORATION  
501 MERCURY LANE  
BREA, CA 92821  
(714) 529-9599  
JUNE 25, 2021

**ENGINEER**

PROACTIVE ENGINEERING  
200 S. MAIN STREET, STE. 300  
CORONA, CA 92882  
DILLON STRAND | 951.280.3319

**SOILS ENGINEER**

LEIGHTON GROUP  
17781 COWAN  
IRVINE, CA 92614  
JEFF L. HULL | 949.681.4265

**UTILITIES**

WATER \_\_\_\_\_ EASTERN MUNICIPAL WATER DISTRICT  
SEWER \_\_\_\_\_ EASTERN MUNICIPAL WATER DISTRICT  
ELECTRIC \_\_\_\_\_ SOUTHERN CALIFORNIA EDISON COMPANY  
GAS \_\_\_\_\_ SOUTHERN CALIFORNIA GAS COMPANY  
TELEPHONE \_\_\_\_\_ VERIZON  
TELEVISION \_\_\_\_\_ COMCAST

**ASSESSOR'S PARCEL NO.'S**

488-210-006 & 488-210-020

**LAND USE**

TOTAL AREA GROSS: 853,241 SF  
TOTAL AREA NET: 853,241 SF (GROSS) - 173,643 SF (STREET) - 60,261 SF (PARKS) = 619,337 SF  
DENSITY (DU/AC NET): 7.60  
EXISTING LAND USE: VACANT  
PROPOSED LAND USE: SINGLE FAMILY RESIDENTIAL  
EXISTING ZONING: DOWNTOWN CENTER  
PROPOSED ZONING: DOWNTOWN CENTER  
EXISTING GENERAL PLAN: DOWNTOWN CENTER  
PROPOSED GENERAL PLAN: DOWNTOWN CENTER

**NOTES**

- THIS AREA IS WITHIN THE MORENO VALLEY UNIFIED SCHOOL DISTRICT.
- PROJECT SITE IS LOCATED WITHIN ZONE X, AREA OF MINIMAL FLOODING, PER FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 065074 0765 DATED AUGUST 28, 2008 (RIVERSIDE COUNTY - PANEL 765 OF 3805).
- ALL GRADING AND DRAINAGE SHALL BE CONSISTENT WITH THE REQUIREMENTS OF THE CITY OF MORENO VALLEY.
- IMPROVEMENTS SHALL BE PER THE CITY OF MORENO VALLEY.
- NO KNOWN EXISTING WATER WELLS ARE ON THE PROPERTY, OR WITHIN 200 FEET OF THE PROPERTY BOUNDARY.
- THIS TRACT CONSISTS OF 108 SINGLE-FAMILY LOTS WITH TWO DIFFERENT LOT SIZES, 64 UNITS WITH A MINIMUM SIZE OF 3200 SF AND 44 UNITS WITH A MINIMUM SIZE OF 4500 SF. LOT AREAS SHOWN IN THE TABLE ON THE RIGHT.
- THIS TRACT IS LOCATED IN A NON-VFHSS ZONE, IN A STATE OR FEDERAL RESPONSIBILITY AREA.
- THE TENTATIVE MAP INCLUDES THE ENTIRE CONTIGUOUS OWNERSHIP OF THE LAND.
- THE ONGOING MAINTENANCE OF ANY WATER QUALITY BMP CONSTRUCTED IN THE PUBLIC RIGHT OF WAY SHALL BE THE RESPONSIBILITY OF A PROPERTY OWNER ASSOCIATION OR THE PROPERTY OWNER.
- ALL ADJACENT BUILDINGS AND STRUCTURES ARE TO REMAIN IN PLACE.
- ALL EXISTING DWELLINGS WITHIN THE SUBJECT PROPERTY ARE TO BE REMOVED.
- POWER POLES TO BE UNDERGROUND ALONG ALESSANDRO BLVD.

**BENCHMARK**

RIVERSIDE COUNTY BENCHMARK: (M-40-4 RESET) AT THE SOUTHEAST CORNER OF NASON STREET AND ALESSANDRO BOULEVARD; 66.0 FEET EAST 11' CENTERLINE OF NASON STREET; 48 FEET SOUTH OF ALESSANDRO BOULEVARD; 3' WEST OF PO; E #GT-70306, 1.0 FEET NORTH OF A 4"x4" MARKER POST; A BRASS DISK SET IN TOP OF A CONCRETE POST AND MARKED M-40-4 RESET 1976, ELEVATION (FEET): 1588.42 (NGVD29)

**BASIS OF BEARINGS**

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALIFORNIA STATE PLANE COORDINATE SYSTEM CS83, ZONE VII BASED LOCALLY ON CONTROL STATIONS "MAT2", "MLFP" & "PPBF" NAD83 (NRS2011) EPOCH 2010.00, RECORDS OF THE RIVERSIDE COUNTY SURVEYOR. ALL BEARINGS SHOWN ON THIS MAP ARE GRID, QUOTED BEARINGS AND DISTANCE FROM REFERENCE MAPS OR DEEDS ARE AS SHOWN PER THAT RECORD REFERENCE. ALL DISTANCES SHOWN ARE ROUND DISTANCES UNLESS SPECIFIED OTHERWISE. GRID DISTANCES, MAY BE OBTAINED BY MULTIPLYING THE GROUND DISTANCE BY A COMBINATION FACTOR OF .999946285.

**LEGAL DESCRIPTION**

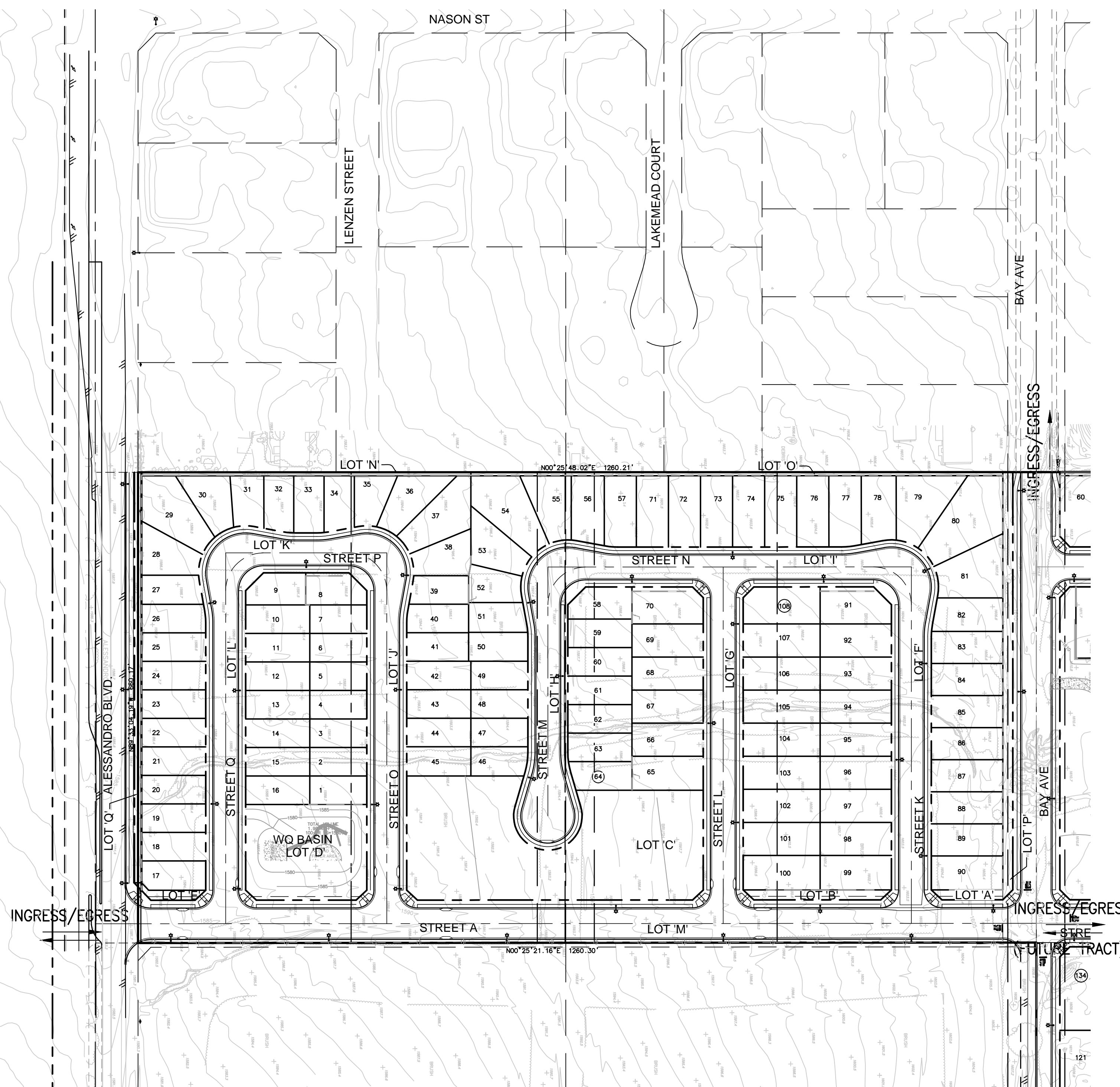
LOTS 3 AND 6, BLOCK 105 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY'S SUBDIVISION, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11, PAGE 10 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY

**GEOTECHNICAL NOTES**

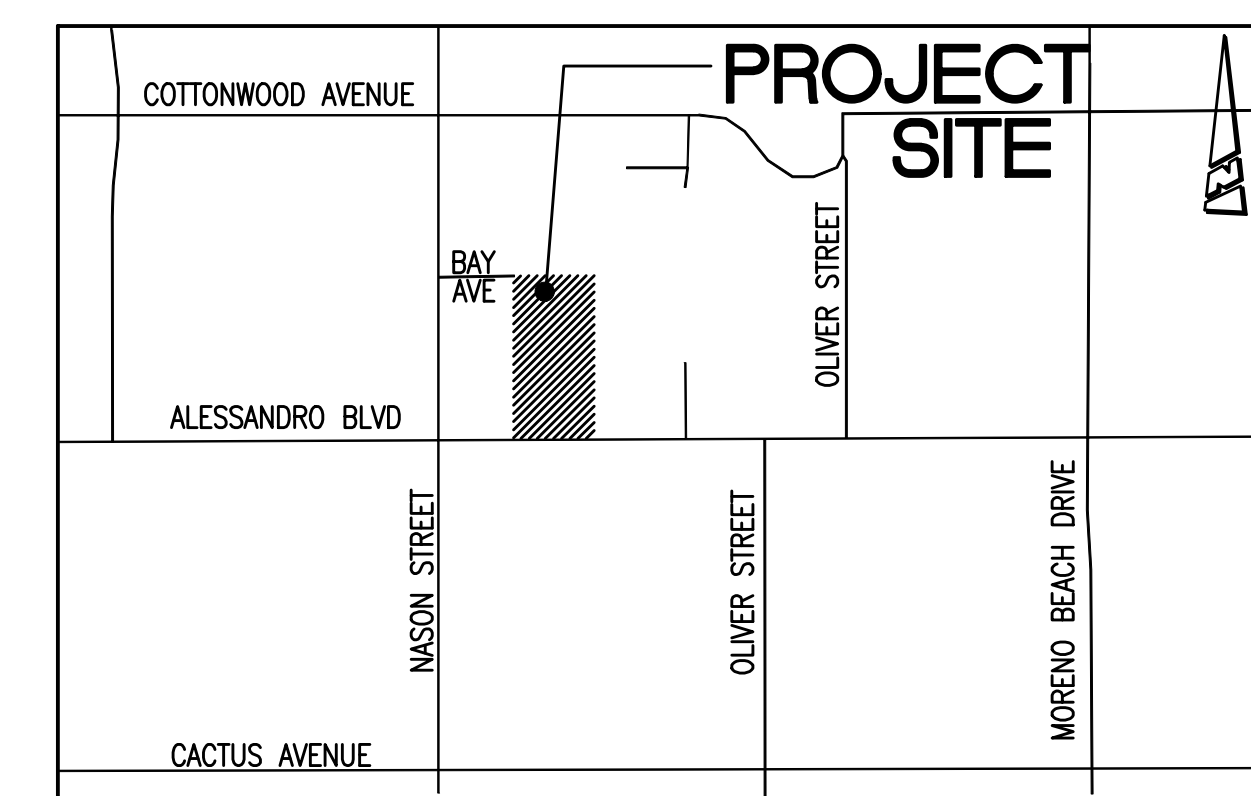
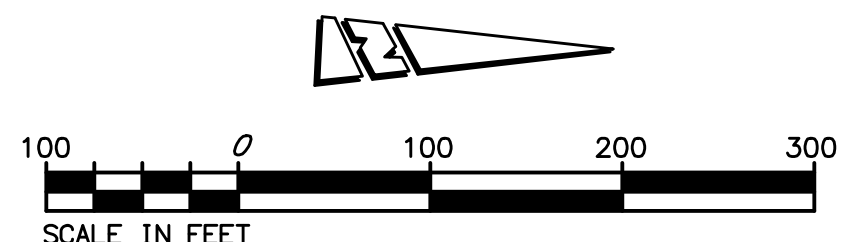
- THIS SITE IS LOCATED WITHIN A LOW TO MODERATE LIQUEFACTION SUSCEPTIBILITY ZONE.
- THERE ARE NO FAULT LINES RUNNING THROUGH OR NEAR THIS SITE.
- THIS SITE IS NOT LOCATED IN A FLOOD HAZARD ZONE.
- THIS SITE IS LOCATED IN A SUBSIDENCE SUSCEPTIBLE ZONE.
- SEE GEOTECHNICAL REPORT FOR MORE DETAILS.

# TENTATIVE TRACT MAP NO. 38442

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**INDEX MAP**



VICINITY MAP  
N.T.S.

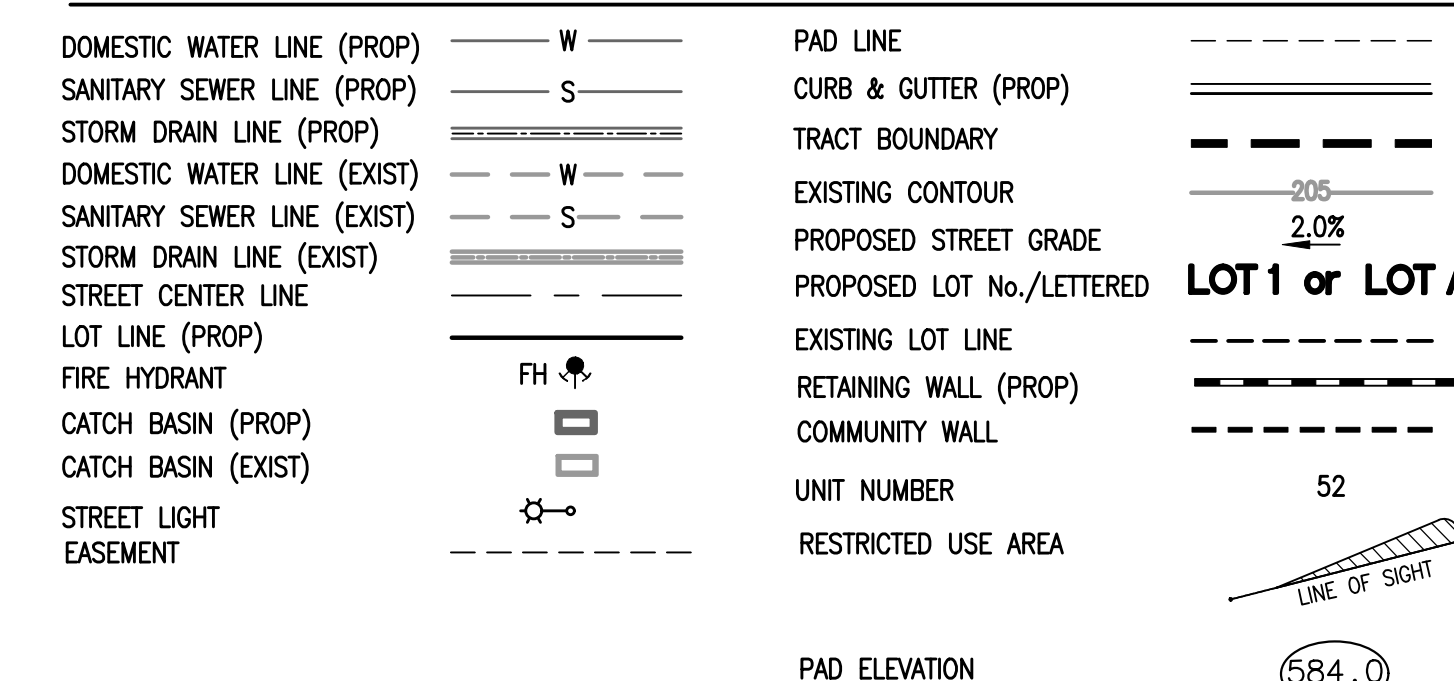
**PROPOSED LOT SUMMARY TABLE**

3200 SF MIN LOTS				4500 SF MIN LOTS			
LOT#	AREA	LOT#	AREA	LOT#	AREA	LOT#	AREA
1	3200 SF	33	3398 SF	65	4760 SF	97	4640 SF
2	3200 SF	34	3227 SF	66	4640 SF	98	4640 SF
3	3200 SF	35	3253 SF	67	4640 SF	99	4829 SF
4	3200 SF	36	4692 SF	68	4640 SF	100	5221 SF
5	3200 SF	37	6038 SF	69	4640 SF	101	5011 SF
6	3200 SF	38	3988 SF	70	5073 SF	102	5011 SF
7	3200 SF	39	3204 SF	71	4500 SF	103	5011 SF
8	3483 SF	40	3443 SF	72	4500 SF	104	5011 SF
9	3548 SF	41	3472 SF	73	4500 SF	105	5011 SF
10	3600 SF	42	3600 SF	74	4500 SF	106	5011 SF
11	3600 SF	43	3600 SF	75	4500 SF	107	5011 SF
12	3600 SF	44	3600 SF	76	4500 SF	108	5496 SF
13	3600 SF	45	3690 SF	77	4515 SF		
14	3600 SF	46	3216 SF	78	4531 SF		
15	3600 SF	47	3200 SF	79	6437 SF		
16	3600 SF	48	3200 SF	80	9046 SF		
17	3691 SF	49	3200 SF	81	6261 SF		
18	3600 SF	50	3369 SF	82	4250 SF		
19	3600 SF	51	3336 SF	83	4510 SF		
20	3600 SF	52	3381 SF	84	4511 SF		
21	3600 SF	53	4549 SF	85	4511 SF		
22	3600 SF	54	7188 SF	86	4511 SF		
23	3600 SF	55	4812 SF	87	4512 SF		
24	3600 SF	56	4355 SF	88	4512 SF		
25	3600 SF	57	4488 SF	89	4512 SF		
26	3571 SF	58	3740 SF	90	4775 SF		
27	3404 SF	59	3600 SF	91	4881 SF		
28	4375 SF	60	3200 SF	92	4640 SF		
29	6707 SF	61	3200 SF	93	4640 SF		
30	4236 SF	62	3200 SF	94	4640 SF		
31	3204 SF	63	3200 SF	95	4640 SF		
32	3236 SF	64	3200 SF	96	4640 SF		

LOT DESIGNATIONS*			
LOT#	AREA	OWNERSHIP	PURPOSE
A	0.03 AC	HOA	LANDSCAPE/TRAIL
B	0.06 AC	HOA	LANDSCAPE/TRAIL
C	1.38 AC	PARKS AND COMMUNITY SERVICES	RECREATION
D	0.52 AC	HOA	BASIN
E	0.03 AC	HOA	LANDSCAPE/TRAIL
F	0.31 AC	CITY OF MORENO VALLEY	STREET
G	0.34 AC	CITY OF MORENO VALLEY	STREET
H	0.32 AC	CITY OF MORENO VALLEY	STREET
I	0.63 AC	CITY OF MORENO VALLEY	STREET
J	0.33 AC	CITY OF MORENO VALLEY	STREET
K	0.37 AC	CITY OF MORENO VALLEY	STREET
L	0.33 AC	CITY OF MORENO VALLEY	STREET
M	1.40 AC	CITY OF MORENO VALLEY	STREET
N	0.05 AC	HOA	DRAINAGE
O	0.09 AC	HOA	DRAINAGE
P	0.19 AC	HOA	LANDSCAPE/TRAIL
Q	0.13 AC	HOA	LANDSCAPE/TRAIL

\*ALESSANDRO BLVD PARKWAY ALONG PROJECT FRONTAGE TO BE MAINTAINED BY HOA

**LEGEND**



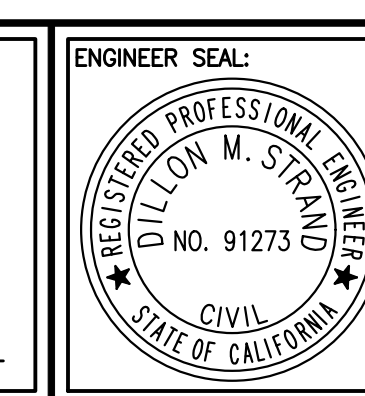
EXISTING EASEMENT LIST	DISPOSITION
① THE FOLLOWING MATTERS SHOWN OR DISCLOSED BY THE FILED OR RECORDED MAP REFERRED TO IN THE LEGAL DESCRIPTION: A STRIP OF LAND 80 FEET WIDE RUNNING THROUGH THE CENTER OF BLOCKS 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 239, AND 240 IS RESERVED FOR RAIL ROAD PURPOSES	QUITCLAIM
② PUBLIC UTILITIES AND INCIDENTAL PURPOSES (NON-PLOTTABLE), BOOK 277, PAGE 343 IN FAVOR OF: MORENO WATER COMPANY	QUITCLAIM
③ UTILITIES AND INCIDENTAL PURPOSES BOOK 854, PAGE 212 IN FAVOR OF: SOUTHERN SIERRAS POWER COMPANY, A CORPORATION	QUITCLAIM
④ UTILITIES AND INCIDENTAL PURPOSES INSTRUMENT NO. 19492346 IN FAVOR OF: CALIFORNIA ELECTRIC POWER COMPANY	QUITCLAIM
⑤ UTILITIES AND INCIDENTAL PURPOSES INSTRUMENT NO. 1956-81375 IN FAVOR OF: CALIFORNIA ELECTRIC POWER COMPANY	QUITCLAIM
⑥ PIPELINES AND APPURTENANCES INSTRUMENT NO. 1969-115832 IN FAVOR OF: EASTERN MUNICIPAL WATER DISTRICT LOCATION OF THE EASEMENT CANNOT BE DETERMINED FROM RECORD INFORMATION.	QUITCLAIM
⑦ DRAINAGE DITCH AND INCIDENTAL PURPOSES INSTRUMENT NO. 1978-15781 IN FAVOR OF: COUNTY OF RIVERSIDE LOCATION OF THE EASEMENT CANNOT BE DETERMINED FROM RECORD INFORMATION.	QUITCLAIM

PROPOSED EASEMENTS				
ID#	DEDICATION TYPE	GRANTED TO	CONVEYANCE METHOD	LEGAL PURPOSE
①	EASEMENT	CITY	FINAL MAP	MULTI-USE TRAIL PURPOSES
②	EASEMENT	CITY	FINAL MAP	MULTI-USE TRAIL PURPOSES
③	EASEMENT	CITY	FINAL MAP	MULTI-USE TRAIL PURPOSES
④	EASEMENT	CITY	FINAL MAP	MULTI-USE TRAIL PURPOSES
⑤	EASEMENT	CITY	FINAL MAP	MULTI-USE TRAIL PURPOSES
⑥	EASEMENT	CITY	FINAL MAP	MULTI-USE TRAIL PURPOSES
⑦	EASEMENT	EMWD	FINAL MAP	WATER AND SEWER PIPELINE MAINTENANCE AND ACCESS

REVISION	DATE	DESCRIPTION

PREPARED BY:  
**PROACTIVE**  
ENGINEERING CONSULTANTS  
200 South Main Street, Suite 300  
Corona, CA 92882 (951) 280-3300

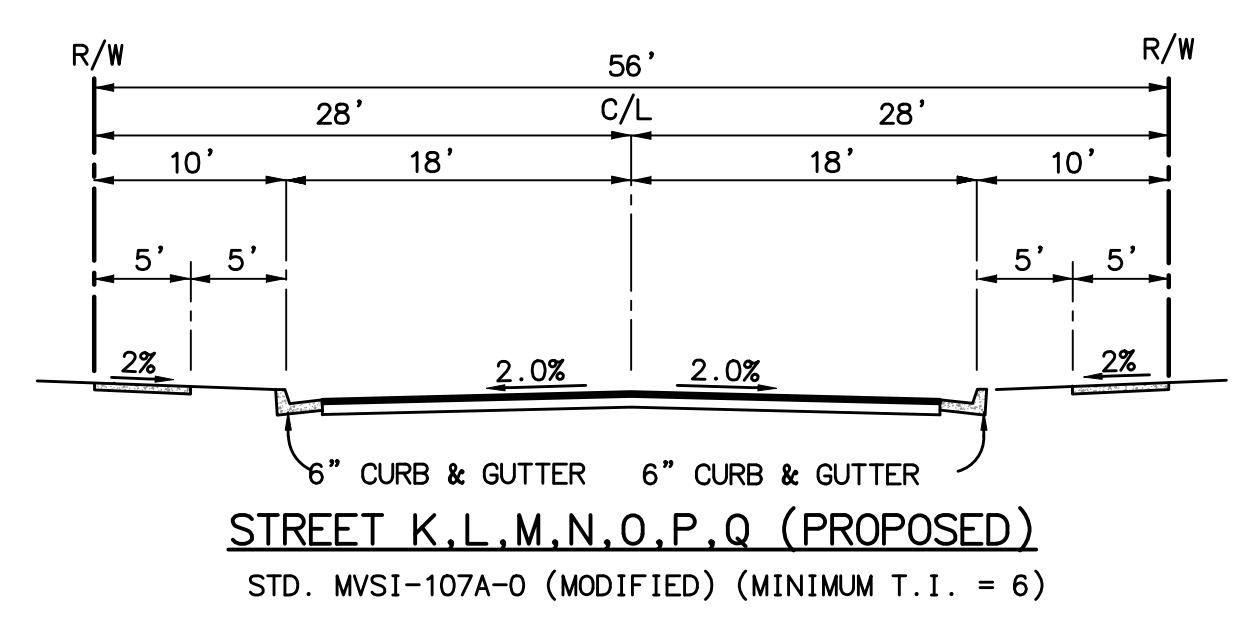
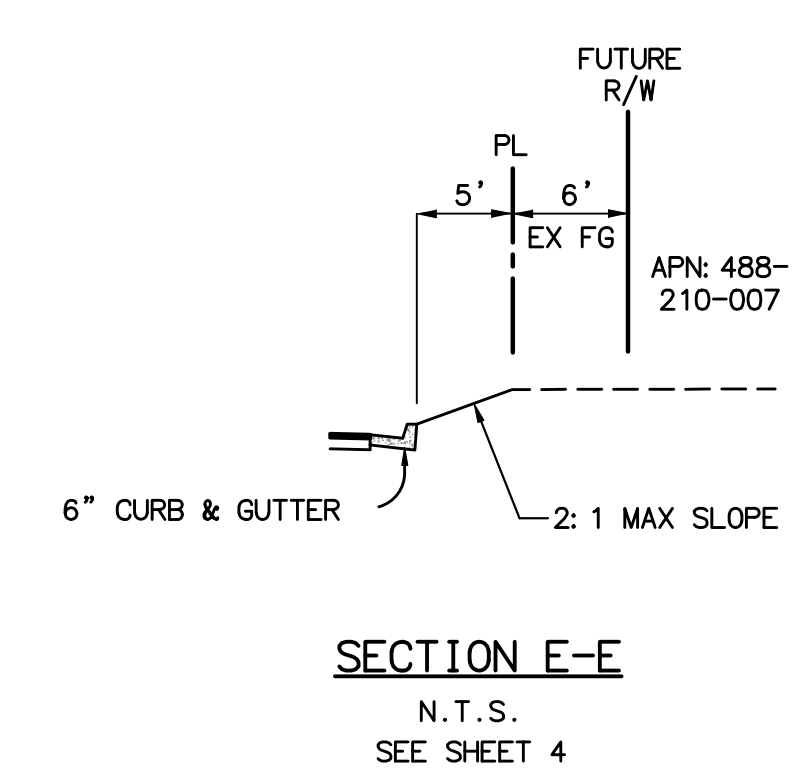
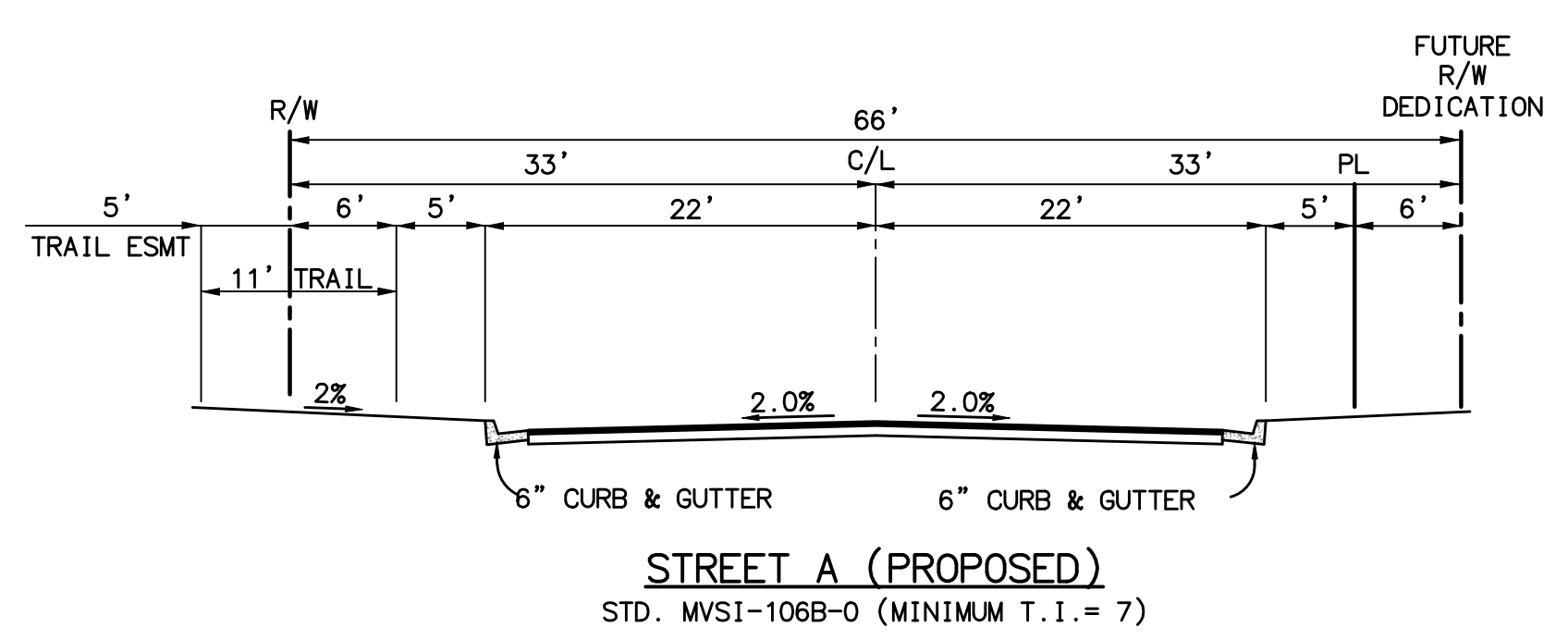
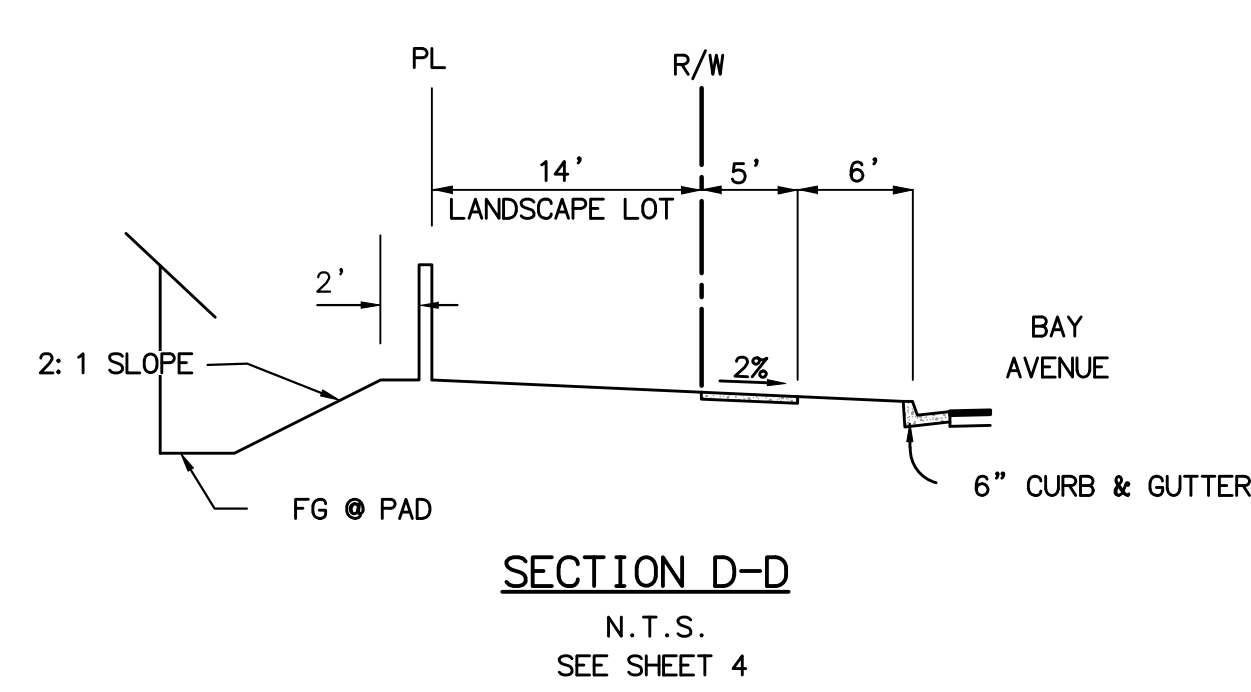
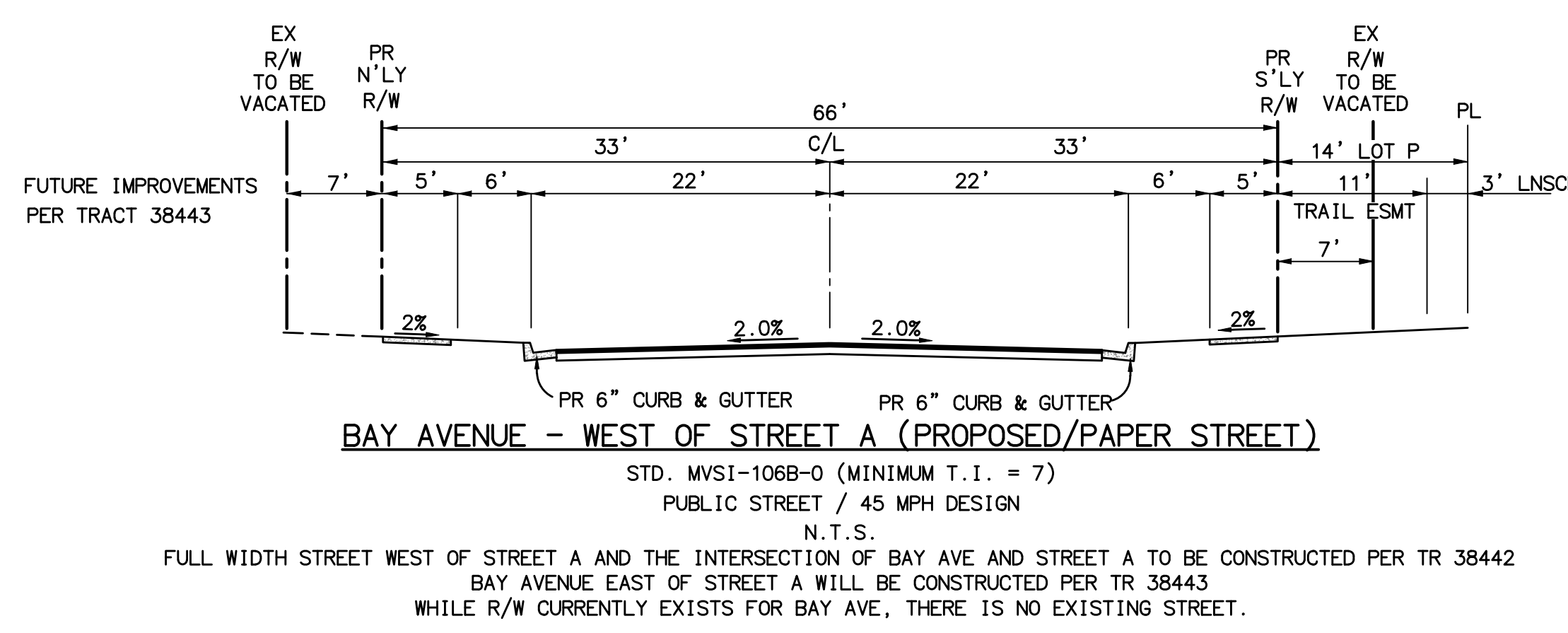
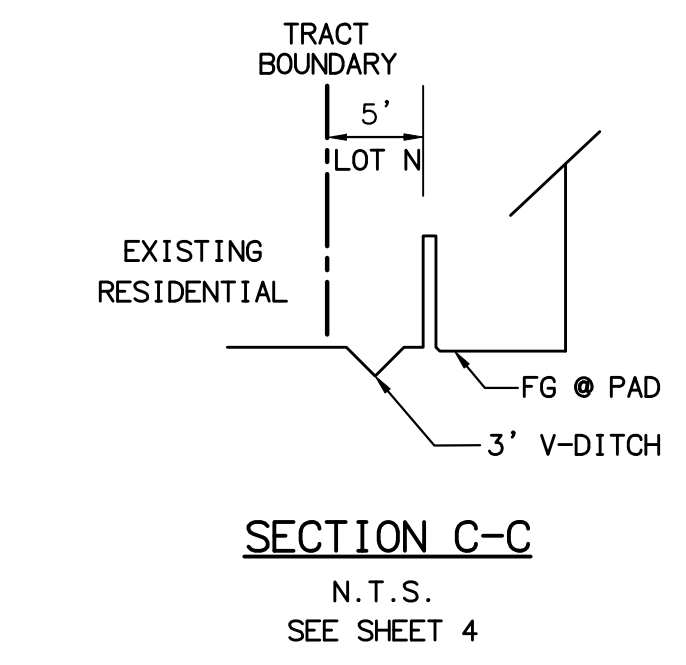
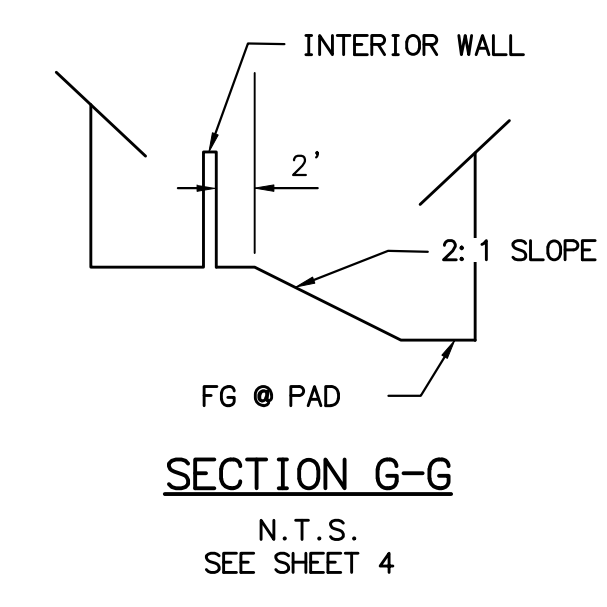
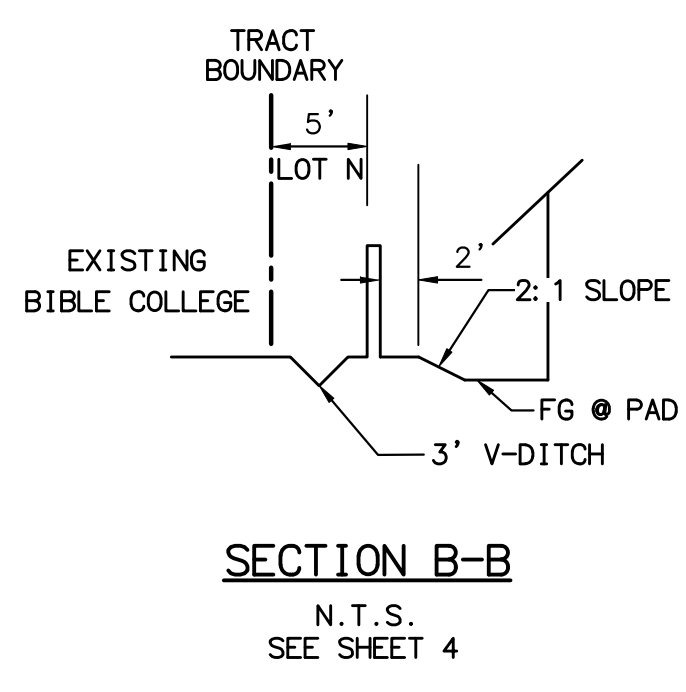
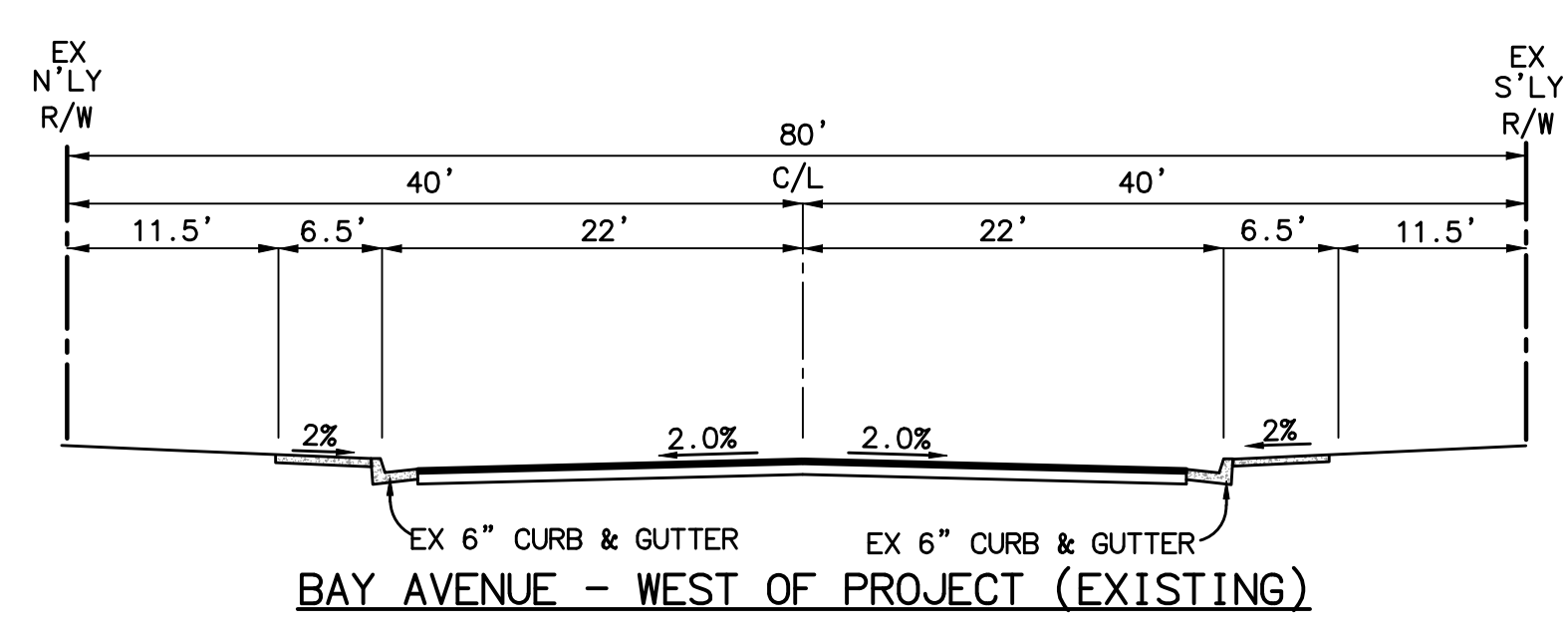
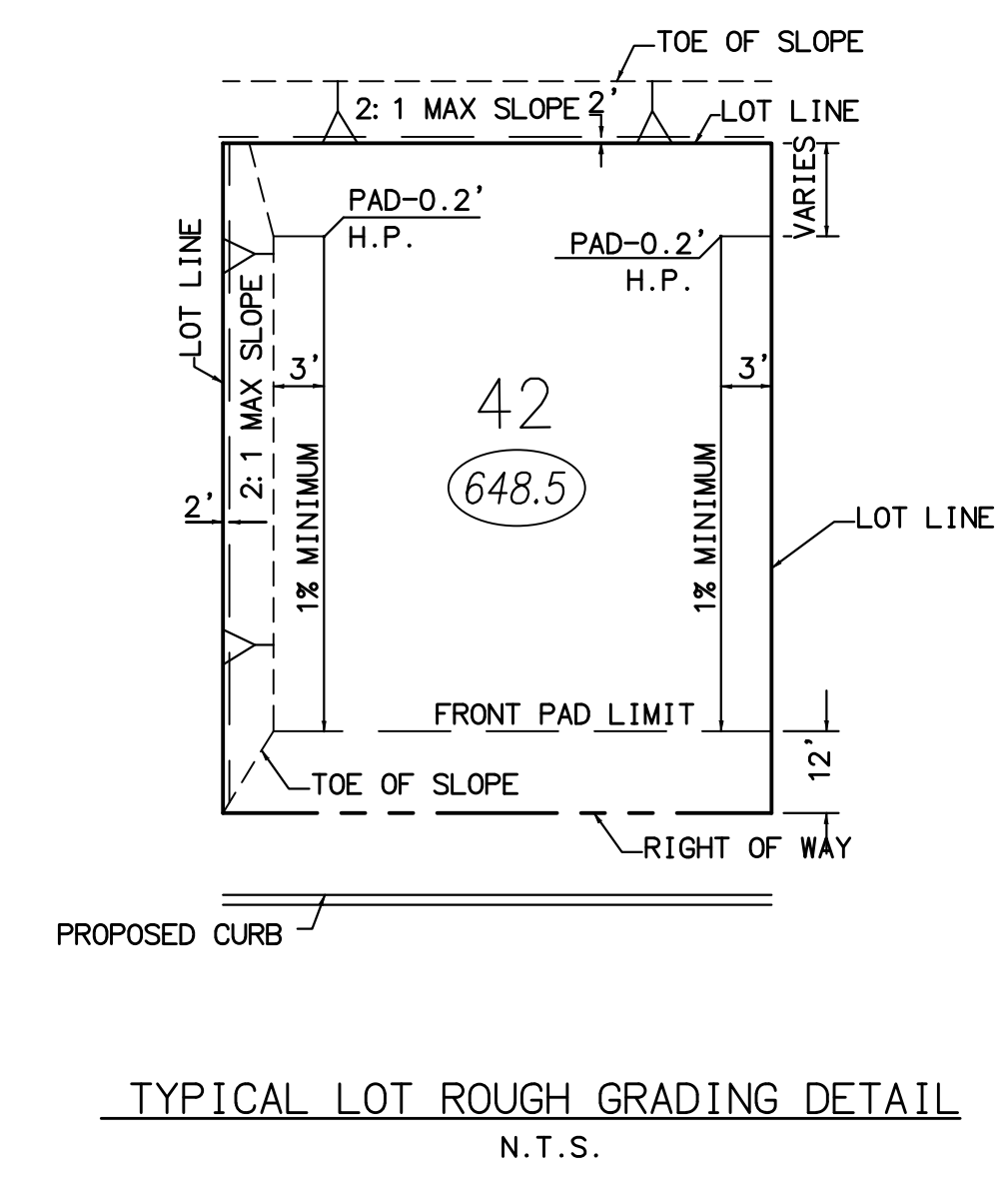
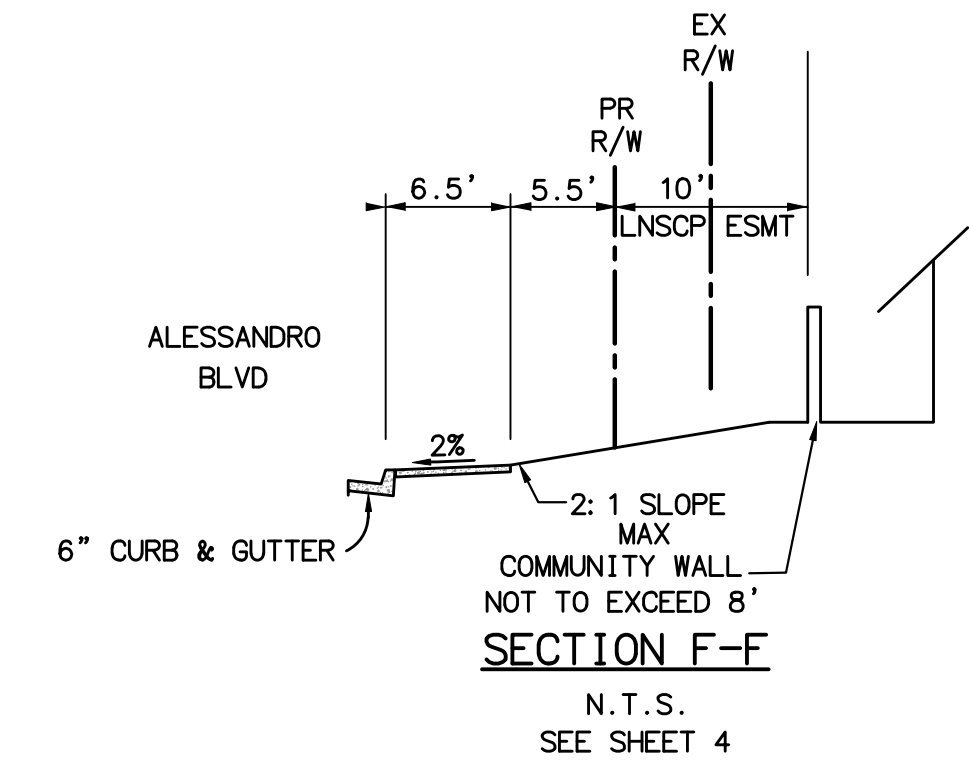
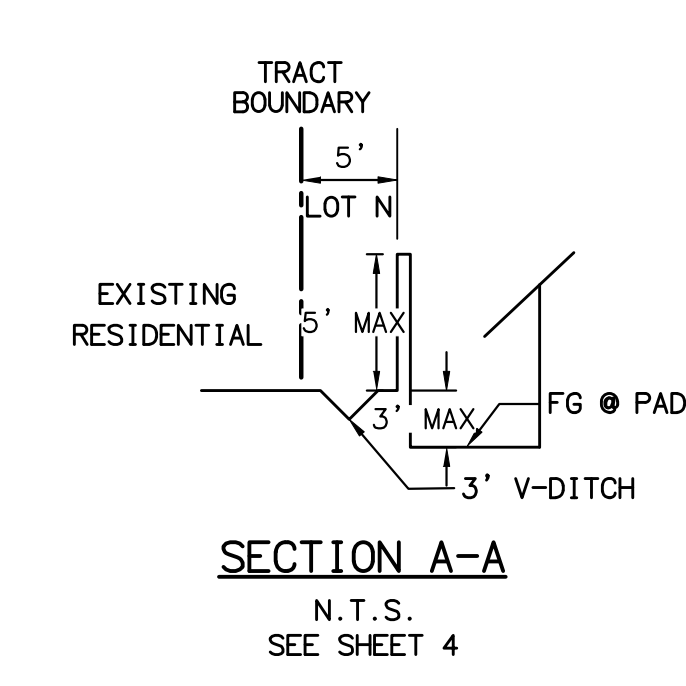
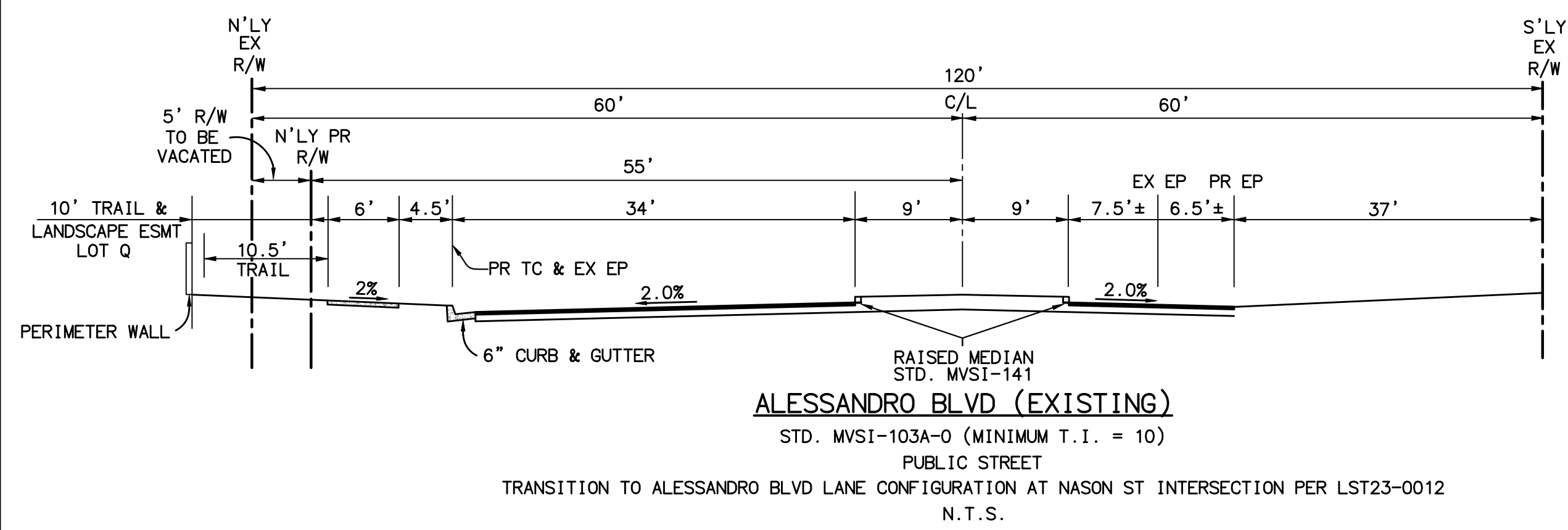
DILLON M. STRAND RCE #91273 DATE



**TENTATIVE TRACT MAP**  
**38442**  
TITLE SHEET  
MAY 2022

SHEET **1**  
OF **4**

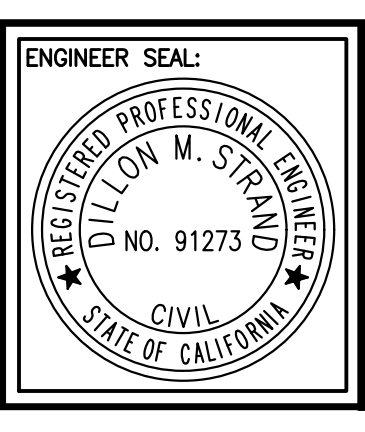
PEN22-0131



REVISION	DATE	DESCRIPTION

PREPARED BY:  
**PROACTIVE**  
 ENGINEERING CONSULTANTS  
 200 South Main Street, Suite 300  
 Corona, CA 92882 (951) 280-3300

DILLON M. STRAND RCE #91273 DATE

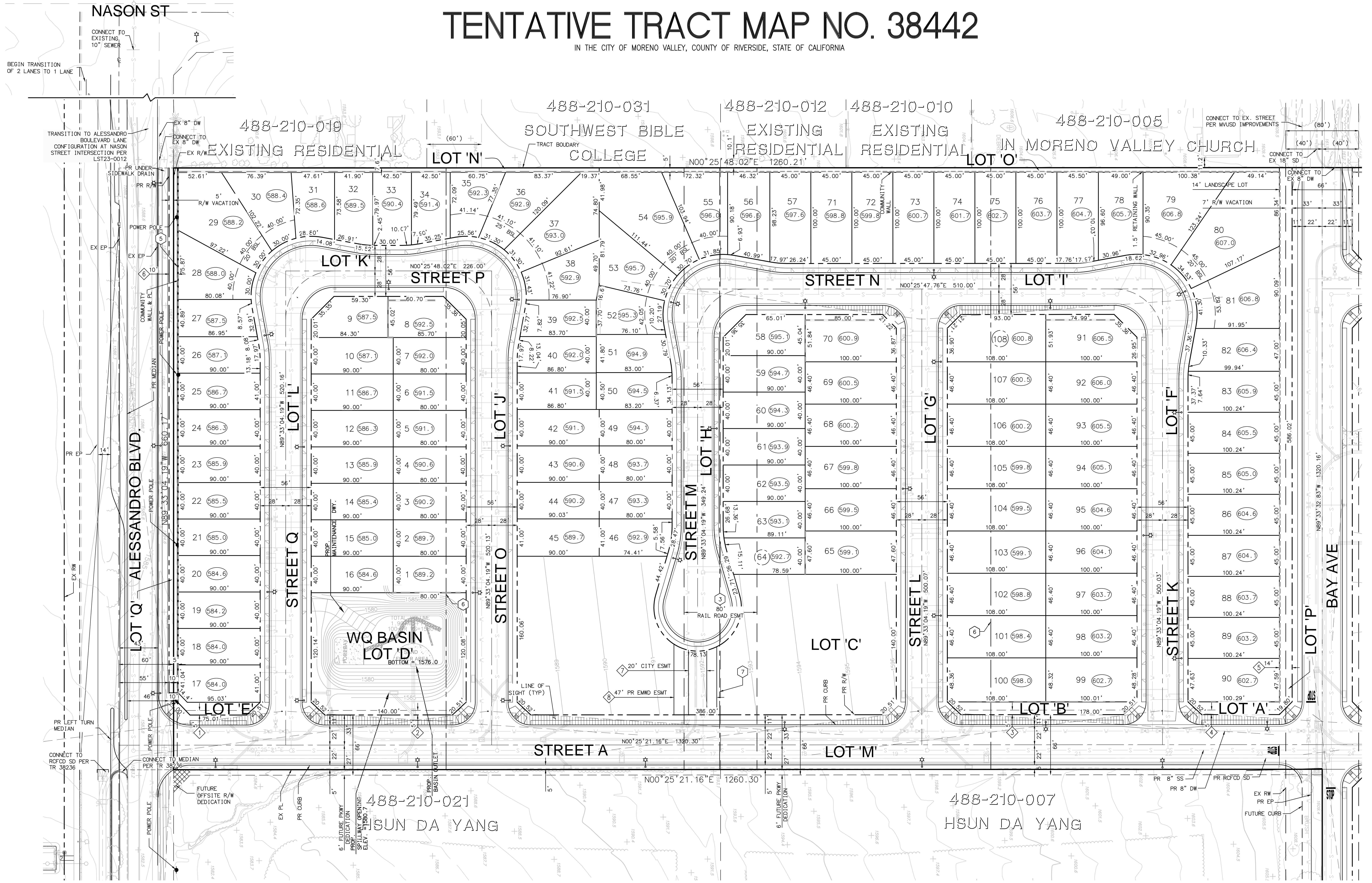


**TENTATIVE TRACT MAP**  
**38442**  
 SECTIONS/DETAILS  
 MAY 2022

SHEET **2**  
 OF **4**

# TENTATIVE TRACT MAP NO. 38442

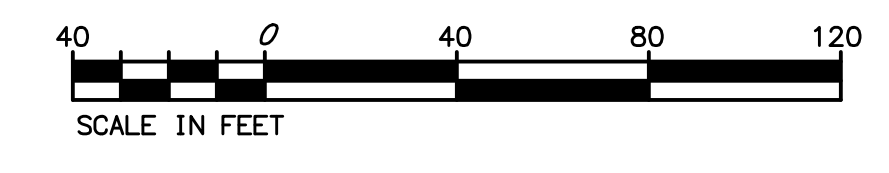
IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



FUTURE IMPROVEMENTS  
PER TRACT 38443

### LEGEND

DOMESTIC WATER LINE (PROP)	W	PAD LINE	---
SANITARY SEWER LINE (PROP)	S	CURB & GUTTER (PROP)	---
STORM DRAIN LINE (PROP)	SD	TRACT BOUNDARY	---
DOMESTIC WATER LINE (EXIST)	W	EXISTING CONTOUR	205
SANITARY SEWER LINE (EXIST)	S	PROPOSED STREET GRADE	2.0%
STORM DRAIN LINE (EXIST)	SD	PROPOSED LOT No./LETTERED	LOT 1 or LOT A
STREET CENTER LINE	---	EXISTING LOT LINE	---
LOT LINE (PROP)	---	RETAINING WALL (PROP)	---
FIRE HYDRANT	FH	COMMUNITY WALL	---
CATCH BASIN (PROP)	CB	UNIT NUMBER	52
CATCH BASIN (EXIST)	CB	RESTRICTED USE AREA	---
STREET LIGHT	---	PAD ELEVATION	(584.0)
EASEMENT	---	LINE OF SIGHT	---



REVISION	DATE	DESCRIPTION

PREPARED BY:  
**PROACTIVE**  
ENGINEERING CONSULTANTS  
200 South Main Street, Suite 300  
Corona, CA 92882 (951) 280-3300

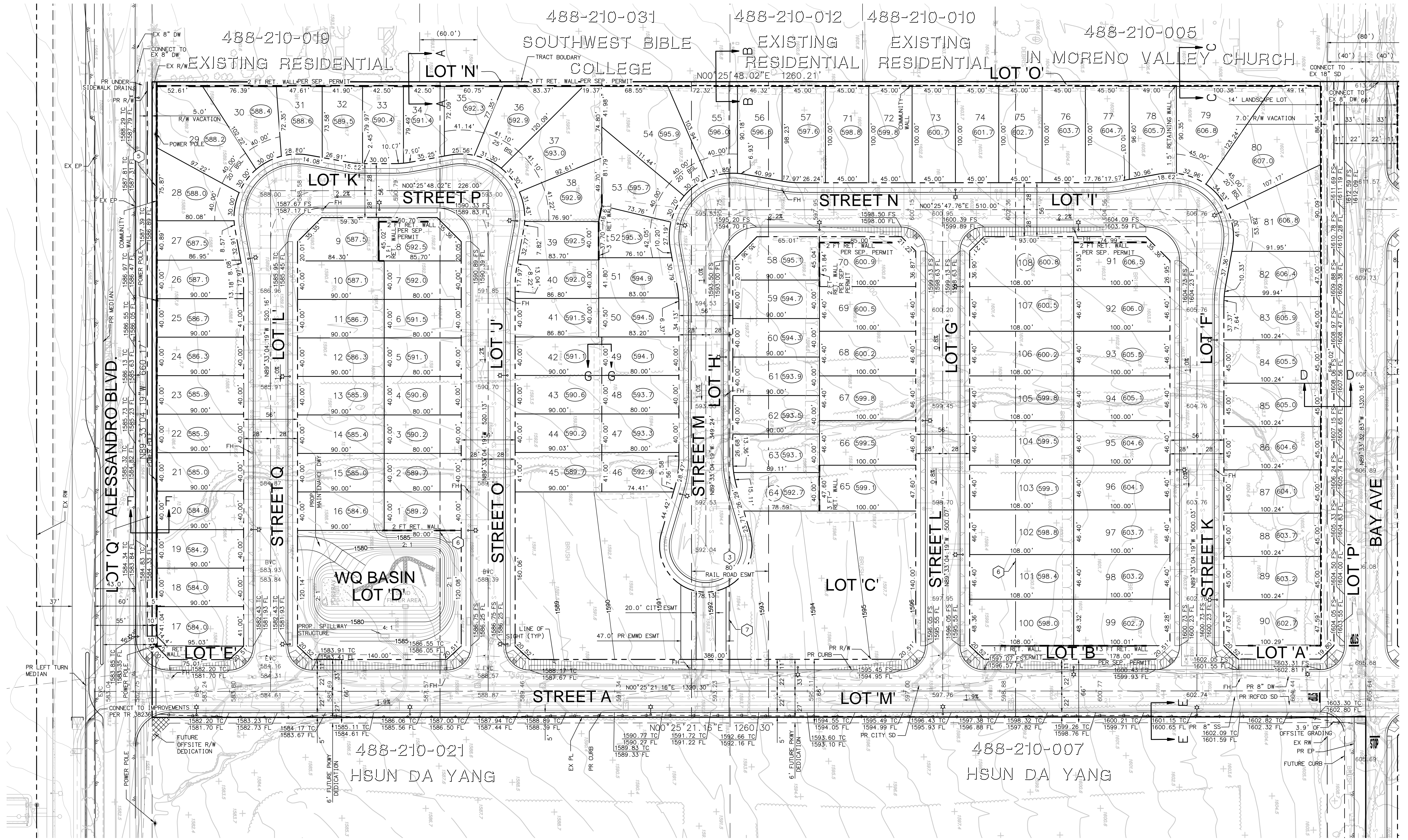
ENGINEER SEAL:  
DILLON M. STRAND  
REGISTERED PROFESSIONAL ENGINEER  
NO. 91273  
CIVIL  
STATE OF CALIFORNIA

**TENTATIVE TRACT MAP**  
**38442**  
TENTATIVE MAP  
MAY 2022

SHEET **3**  
OF **4**  
PEN22-0131

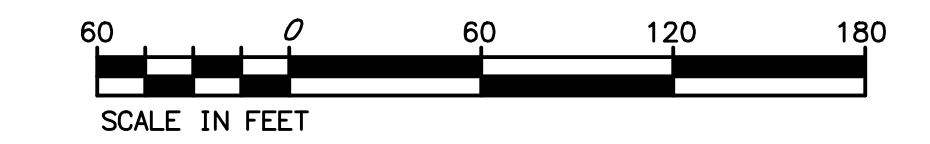


# PRELIMINARY GRADING AND UTILITY PLAN



**LEGEND**

DOMESTIC WATER LINE (PROP)	W	PAD LINE	---
SANITARY SEWER LINE (PROP)	S	CURB & GUTTER (PROP)	---
STORM DRAIN LINE (PROP)	SD	TRACT BOUNDARY	---
DOMESTIC WATER LINE (EXIST)	W	EXISTING CONTOUR	---
SANITARY SEWER LINE (EXIST)	S	PROPOSED STREET GRADE	---
STORM DRAIN LINE (EXIST)	SD	PROPOSED LOT No./LETTERED	---
STREET CENTER LINE	---	EXISTING LOT LINE	---
LOT LINE (PROP)	---	RETAINING WALL (PROP)	---
FIRE HYDRANT	FH	COMMUNITY WALL	---
CATCH BASIN (PROP)	CB	UNIT NUMBER	52
CATCH BASIN (EXIST)	CB	RESTRICTED USE AREA	---
STREET LIGHT	SL	PAD ELEVATION	584.0
EASEMENT	---		



REVISION	DATE	DESCRIPTION

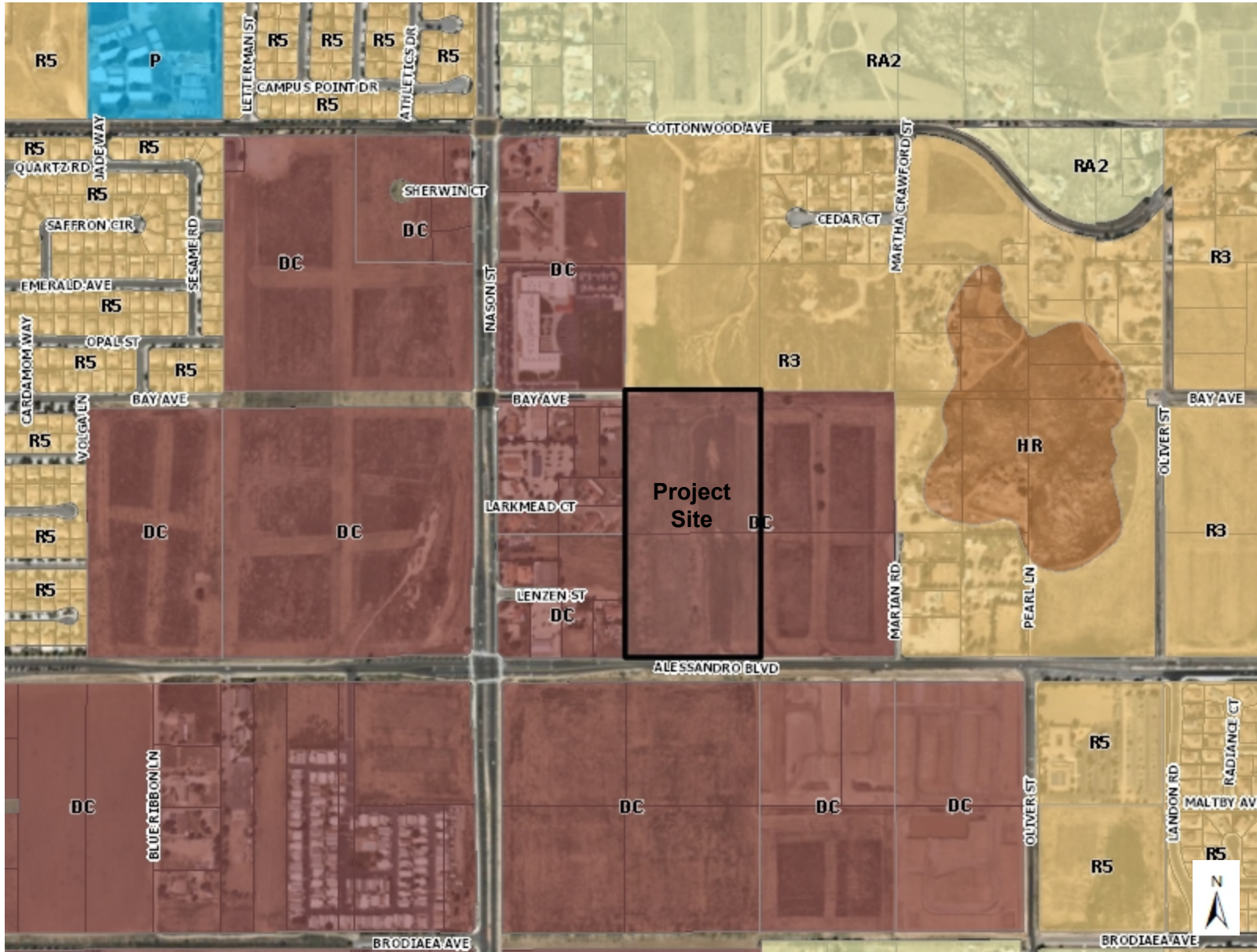
PREPARED BY:  
**PROACTIVE**  
 ENGINEERING CONSULTANTS  
 200 South Main Street, Suite 300  
 Corona, CA 92882 (951) 280-3300

ENGINEER SEAL:

**TENTATIVE TRACT MAP**  
**38442**  
 PRELIMINARY GRADING AND UTILITY PLAN  
 MAY 2022

PEN22-0131  
 SHEET **4**  
 OF **4**

# Zoning



## Legend

### Zoning

- Commercial
- Center Mixed Use
- Downtown Center
- Corridor Mixed Use
- Industrial/Business Park
- Public Facilities
- Highway Office/Commercial
- Office
- Business Flex
- Large Lot Residential
- Residential Agriculture 2 DU/AC
- Residential 2 DU/AC
- Suburban Residential
- Multi-family
- Open Space/Park
- Project Site

Image Source: Nearmap

## Notes:

PEN22-0131 & PEN22-0137

1,491.1 0 745.54 1,491.1 Feet

*DISCLAIMER: The information shown on this map was compiled from the City of Moreno Valley GIS and Riverside County GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map.*

# Rincon Band of Luiseño Indians

## CULTURAL RESOURCES DEPARTMENT

One Government Center Lane | Valley Center | CA 92082  
 (760) 749-1092 | Fax: (760) 749-8901 | rincon-nsn.gov



October 20, 2023

**Sent via email:**

Coty of Moreno Valley  
 Attn: John Moreno, Consultant Planner  
 Email : planningnotices@moval.org

**Re: Tentative Tract Map 38442 (PEN22-0131) Sunset Crossings Conditional Use Permit (PEN22-0137)**

Dear Mr. Moreno,

This letter is written on behalf of the Rincon Band of Luiseño Indians (“Rincon Band” or “Band”), a federally recognized Indian Tribe and sovereign government. Thank you for providing us with the Notice of Intent to Adopt a Mitigated Negative Declaration (MND) for the above referenced project. The identified location is within the Territory of the Luiseño people. As such, the Rincon Band is traditionally and culturally affiliated to the project area.

We have reviewed the provided documents and agree with the measures, which include archaeological and tribal monitoring, a monitoring report, and protocols for discovery of cultural material and human remains. We understand that other Tribes potentially have knowledge particular to this project site and may request additional measures. Please note that the Rincon Band supports all efforts to completely avoid cultural resources as preferred mitigation.

We do request that the Rincon Band be notified of any changes in project plans. In addition, we request a copy of the final monitoring report, when available and any Phase II or Phase III archaeological reports, if applicable.

If you have additional questions or concerns, please do not hesitate to contact our office at your convenience at (760) 749-1092.

Thank you for the opportunity to protect and preserve our cultural assets.

Sincerely,

Cheryl Madrigal  
 Tribal Historic Preservation Officer  
 Cultural Resources Manager



October 19, 2023

Mr. John Moreno, Contract Planner  
 City of Moreno Valley  
 14177 Frederick Street  
 PO Box 88005  
 Moreno Valley, CA 92552

**Subject:** EMWD Comments for the Sunset Crossings Project Notice of Intent to Adopt a Mitigated Negative Declaration

**Location:** North of Alessandro Boulevard, east of Nason Street, south of Bay Avenue in the City of Moreno Valley, Riverside County, California.

Dear Mr. Moreno:

Eastern Municipal Water District (EMWD) thanks you for the opportunity to comment on the Sunset Crossings Project (project) Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration (MND). The project proposes the development of 108 single-family detached residential units with minimum and maximum lot sizes to range from 3,200 to 4,500 square feet on an approximately 15.1-net-acre site. The proposed project includes a 1.38-acre park and a 0.52-acre water quality basin located in the southeastern portion of the site. The development would be supported by internal private streets, sewer and water access, and the installation of right-of-way improvements including curb, gutter, sidewalks, and streetlights. Additionally, ornamental water-efficient landscaping, including a variety of trees, shrubs, vines, and ground cover would be installed throughout the project site.

EMWD offers the following comments:

To define the impact(s) on the environment and on existing EMWD facilities, and as development within this area occurs over time, the proponents of implementing development projects shall consult EMWD's Development Services Department to compare proposed and existing water demands and sewer flows,

Board of Directors  
 Philip E. Paule, *President* | Stephen J. Corona, *Vice President* | Jeff Armstrong | Randy A. Record | David J. Slawson

2270 Trumble Road • P.O. Box 8300 • Perris, CA 92572-8300  
 T 951.928.3777 • F 951.928.6177 | [www.emwd.org](http://www.emwd.org)

Attachment: Comments Received for Notice of Intent (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-

EMWD Comments

October 19, 2023

Page 2

and prepare a Design Conditions report (DC), formally known as the Plan of Service (POS), to detail all pertinent facilities necessary to serve such implementing development projects, resulting in an approved DC, prior to final design and plan check of such facilities.

To help define EMWD's Design Conditions, EMWD requires beginning dialogue with project proponents at an early stage in the site design and development, via a one-hour complementary Due Diligence meeting. To set up this meeting the project proponent should complete a Project Questionnaire (form NBD-058) and submit to EMWD. To download this form or for additional information, please visit our web page [www.emwd.org](http://www.emwd.org), then select the "Developer" link, then select the "New Development Process Forms" link. This meeting will offer the following benefits:

1. Describe EMWD's development process
2. Identify project scope and parameters
3. Provide a preliminary review of the project within the context of existing infrastructure
4. Discuss potential candidacy for recycled water service
5. Identify project submittal requirements to start the Design Conditions review

Following the Due Diligence meeting, and to proceed with a project, the Design Conditions will need to be developed by the developer's engineer and reviewed/approved by EMWD prior to submitting improvement plans for Plan Check. The DC process and approval will provide the following:

1. Technical evaluation of the project's demands and existing system capacities
2. Identification of impacts to existing facilities
3. Identification of additional on-site and off-site facilities, necessary to serve the project
4. Identification of easement requirements, if necessary
5. Identification of potential EMWD's cost participation in facility oversizing, if applicable

If you have questions or concerns, please do not hesitate to contact Maroun El-Hage at (951) 928-3777, extension 4468 or by e-mail at [El-hagem@emwd.org](mailto:El-hagem@emwd.org).

Sincerely,

Alfred Javier  
Director of Environmental and Regulatory Compliance

ARJ: hs

Attachments: Copy of Public Notice

JASON E. UHLEY  
General Manager-Chief Engineer



1995 MARKET STREET  
RIVERSIDE, CA 92501  
951.955.1200  
951.788.9965 FAX  
www.rcflood.org

RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

249821

February 28, 2023

City of Moreno Valley  
Community Development Department Planning Division  
Post Office Box 88005  
Moreno Valley, CA 92552-0805

Attention: Mr. John Moreno

Re: TTM 38442 PEN 22-0131, CUP for  
PUD PEN 22-0137, APN 488-210-006  
and APN 488-210-020

The Riverside County Flood Control and Water Conservation District (District) does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check City land use cases or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District's review is based on the above-referenced project transmittal, received February 23, 2023. The District **has not** reviewed the proposed project in detail, and the following comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety, or any other such issue:

- This project would not be impacted by District Master Drainage Plan facilities, nor are other facilities of regional interest proposed.
- This project involves District proposed Master Drainage Plan facilities, namely, Moreno Master Drainage Plan Line H and Moreno Master Drainage Plan Line H-4 to protect the site from offsite flows and serve as an adequate outlet. A portion of Moreno Master Drainage Plan Line H (Project No. 4-0-00763 and Drawing No. 4-0867) is owned, operated and maintained by the District and located one mile south at the intersection of Oliver Street and Cactus Avenue. The District will accept ownership of such facilities on written request by the City. The Project Applicant shall enter into a cooperative agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required. All regulatory permits (and all documents pertaining thereto, e.g., Habitat Mitigation and Monitoring Plans, Conservation Plans/Easements) that are to be secured by the Applicant for both facility construction and maintenance shall be submitted to the District for review. The regulatory permits' terms and conditions shall be approved by the District prior to improvement plan approval, map recordation, or finalization of the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.
- This project proposes channels, storm drains 36 inches or larger in diameter, or other facilities that could be considered regional in nature and/or a logical extension a District's facility, the District would consider accepting ownership of such facilities on written request by the City. The Project Applicant shall enter into a cooperative agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required. The regulatory permits' terms and

City of Moreno Valley  
 Re: TTM 38442 PEN 22-0131, CUP for  
 PUD PEN 22-0137, APN 488-210-006  
 and APN 488-210-020

- 2 -

February 28, 2023

249821

shall be approved by the District prior to improvement plan approval, map recordation, or finalization of the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.

- This project is located within the limits of the District's Moreno Area Drainage Plan for which drainage fees have been adopted. If the project is proposing to create additional impervious surface area, applicable fees should be paid (in accordance with the Rules and Regulations for Administration of Area Drainage Plans) to the Flood Control District or City prior to issuance of grading or building permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.
- An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities, namely, Moreno Master Drainage Plan Line H. If a proposed storm drain connection exceeds the hydraulic performance of the existing drainage facilities, mitigation will be required. For further information, contact the District's Encroachment Permit Section at 951.955.1266.
- The District's previous comments are still valid.

#### GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy.

The project proponent shall bear the responsibility for complying with all applicable mitigation measures defined in the California Environmental Quality Act (CEQA) document (i.e., Negative Declaration, Mitigated Negative Declaration, Environmental Impact Report) and/or Mitigation Monitoring and Reporting Program, if a CEQA document was prepared for the project. The project proponent shall also bear the responsibility for complying with all other federal, state, and local environmental rules and regulations that may apply.

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Wildlife and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,



AMY MCNEILL  
 Engineering Project Manager

c: Riverside County Planning Department  
 Attn: Timothy Wheeler  
 EM:blm



2.v  
 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

## CASE TRANSMITTAL

Date: 2/16/2023

Project No.: Tentative Tract Map 38442 (PEN22-0131, CUP for PUD PEN22-0137 )

CITY OF MORENO VALLEY REVIEW (INTER-DEPARTMENTAL)

Please review the attached proposal and submit responses within 14 calendar days to the case planner.

<b>TRANSMITTALS</b>
<input type="checkbox"/>

OUTSIDE AGENCY REVIEW

Please review the attached proposal and submit responses within 30 calendar days. THIS MATERIAL MAY BE DIRECTED TO YOU AS A RESPONSIBLE OR TRUSTEE AGENCY UNDER CEQA AND IS INTENDED TO SOLICIT YOUR INPUT ON THE PROJECT. (TRIBAL REPRESENTATIVES - THIS MATERIAL IS PROVIDED TO INITIATE CONSULTATION UNDER GOVERNMENT CODE SECTION 65352.3 (SB18) OR GOVERNMENT CODE SECTION 21080.3.1 (AB52). Should you have questions regarding the project(s), please contact the case planner listed below at the Community Development Department (951) 413-3206.

STANDARD TRANSMITTALS		SPECIAL TRANSMITTALS	
<input checked="" type="checkbox"/> Verizon Telephone		<input checked="" type="checkbox"/> Tribal Consultation (AB52)	
<input checked="" type="checkbox"/> Riverside County Flood Control District		<input type="checkbox"/> Tribal Consultation (SB18)	
<input checked="" type="checkbox"/> Riverside Transit Agency		<input type="checkbox"/> Calif. State Dept. of Fish and Wildlife	
<input checked="" type="checkbox"/> Moreno Valley Unified School District		<input type="checkbox"/> Calif. State Dept. of Transportation	
<input type="checkbox"/> Val Verde School District		<input type="checkbox"/> Calif. State Dept. of Water Resources	
<input checked="" type="checkbox"/> Southern California Edison		<input type="checkbox"/> Regional Water Quality Control Board	
<input checked="" type="checkbox"/> The Gas Company		<input type="checkbox"/> Riverside County Parks and Recreation	
<input checked="" type="checkbox"/> Waste Management of Inland Valley		<input type="checkbox"/> U.S. Army Corps of Engineers	
<input checked="" type="checkbox"/> EMWD Water and Sewer		<input type="checkbox"/> U.S. Fish and Wildlife Service	
<input checked="" type="checkbox"/> U.S. Post Office		<input type="checkbox"/> Edgemont Community Services District	
<input checked="" type="checkbox"/> Airport Land Use Commission (ALUC)		<input type="checkbox"/> Box Springs Mutual Water Company	
		<input type="checkbox"/> UCR Archaeological Research Unit	
		<input type="checkbox"/> MJPA - Planning	
		<input type="checkbox"/> MARB - SB1462 - Military Bases	
<b>Project No.(s):</b>	Tentative Tract Map (PEN22-0131)	<b>A.P. Number:</b>	488210006
<b>Project Type(s):</b>	Tent Tract 38442		
<b>Applicant:</b>	Ross Yamaguchi	<b>Owner:</b>	Highpointe Mv I
<b>Representative:</b>	Ross Yamaguchi		
<b>Address:</b>			
<b>Proposal:</b>	Tentative Tract Map 38442 (PEN22-0131) consisting of 108 Single Family lots and CUP for a PUD (PEN22-0137), located between Bay Avenue and Alessandro Blvd east of Nason Street; APNs 488210006, & 020 in the Downtown Center District		
<b>Case Planner:</b>	John Moreno		
<b>PRSC Date:</b>	Contact: Julia Descoteaux juliad@moval.org	<b>Environmental Determination:</b>	
<b>Review Status:</b>	Route for Review 2		

RECEIVED

FEB 23 2023

RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

Attachment: Comments Received for Notice of Intent (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-0137))



JASON E. UHLEY  
General Manager-Chief Engineer



1995 MARKET STREET  
RIVERSIDE, CA 92501  
951.955.1200  
FAX 951.788.9965  
www.rcflood.org  
252170

## RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

August 3, 2023

Mr. Michael Lloyd  
Public Works Director/City Engineer  
City of Moreno Valley  
14177 Frederick Street  
Moreno Valley, CA 92552

Dear Mr. Lloyd:

Re: Tentative Tract Maps 38442 and 38443  
Tentative Review No. 2  
Account No. 137-0-3-90331

As requested by the City of Moreno Valley (City), the Riverside County Flood Control and Water Conservation District (District) received the following for review on June 13, 2023:

1. Tentative Tract Map 38442 and 38443 dated July 11, 2023;
2. Preliminary Grading Plan dated July 11, 2023;
3. Preliminary Drainage Report dated March 7, 2023; and
4. Response Letter dated March 7, 2023.

### FLOOD HAZARD REPORT

Tentative Tract Maps (TTM) 38442 and 38443 propose the construction of 241 single-family homes, sidewalks, streets, open space areas, two detention/extended detention basins and a storm drain network. The project is in the city of Moreno Valley and is bounded by Cottonwood Avenue to the north, Nason Street to the west, Alessandro Boulevard to the south and Oliver Street to the east.

The site is generally flat and is surrounded by steep hills to the northeast and to the east. The site has a mild slope toward the south and is not within a mapped 100-year floodplain. The area has been studied and is within a Federal Emergency Management Agency (FEMA) Zone Unshaded X as shown on Panel No. 06065C0765G of the Flood Insurance Rate Maps issued in conjunction with the National Flood Insurance Program administered by FEMA. The site is also located within the Moreno Master Drainage Plan (MDP) and Moreno Area Drainage Plan (ADP) and is impacted by offsite flows from approximately 25 acres from the northwest, 46 acres from the northeast and 31 acres from the east.

The project proposes to construct a portion of Moreno MDP Line H to capture offsite runoff from the north by constructing an offsite inlet structure and tying into an existing 36" corrugated metal pipe culvert north of Cottonwood Avenue, which will convey flows into a proposed 72" reinforced concrete pipe (RCP). The proposed 72" RCPs will then transition into a proposed 84" RCP that will continue south in Street A along the eastern boundary of Tract 38443. The 84" pipe will continue south along Street A and then transition into an 87" pipe across Bay Avenue and continue along the eastern boundary of Tract 38442. Midway through Tract 38442, the pipe will transition into a 90" RCP and is proposed to tie into Line H, Stage 2, a 96" cast in place pipe (CIPP), in Alessandro Boulevard proposed by TR 38263. The portion of Line H is not yet existing, but plans are currently being plan checked by the District. Onsite runoff is proposed to be captured by onsite drainage facilities that will convey flows into two proposed onsite water quality basins and eventually discharge into the proposed Line H in Alessandro Boulevard as well.

Per the preliminary hydrology report provided, the project is proposing to convey approximately 710.4 CFS into Line H, however, the drainage plans for the 96" CIPP Line H, in Alessandro Boulevard proposed by Tract 38263, show a 100-year ultimate flowrate of 650 CFS. Additionally, the preliminary drainage report did not include the offsite drainage area north of Cottonwood Avenue in the hydrology analysis nor did it include a pre-development hydrology analysis of the site. Since the site is impacted by offsite flows from the north, the drainage area must be

Mr. Michael Lloyd  
 Re: Tentative Tract Map (TTM) 38442 and 38443  
 Tentative Review No. 2  
 Account No. 137-0-3-90331

-2-

August 3, 2023

analyzed to verify that the site will be adequately protected and to also verify that the flow rates obtained from the MDP to size Line H are accurate. Please revise the preliminary drainage report to include the analysis of the offsite drainage area to the north and the pre-development condition and, if required, a hydraulic analysis of the 96" CIPP Line H, in Alessandro Boulevard proposed by TR 38263, to confirm that the increase in flow will not negatively affect the capacity of the downstream system.

Otherwise, if additional flow is proposed into Line H, in Alessandro Boulevard, then the applicant shall also demonstrate a route down of the Q100 storm event to an acceptable level that can be safely conveyed without affecting downstream property owners and meet the current capacity of the downstream Line H.

The route down option would likely require a route down basin which should be designed per Appendix C – Basin Guidelines of Design Handbook for Low Impact Development Best Management Practices. Final design of the basin, including a complete hydrology study, will not be required until the improvement plan stage of this development. Please note, that since the basin will need to route down the 100-year flow rate, the design will need to include an access road around the entire perimeter of the basin, including the portions adjacent to the roadways.

The revised Tract Map 38443 still shows the proposed inlet structure north of Cottonwood Avenue as being located outside the project boundary. Per the response letter provided, this inlet location will remain within City right of way and/or an easement. For future submittals, please ensure that all easement or right of way widths are clearly shown. In addition, future submittals shall also depict all proposed flood control and drainage facilities, including watercourses, retention basins, channel, storm drains, culverts, grades, and Centerline curve radii and typical sections, shall be shown for all open channel facilities. The exhibit also shall depict all points of concentration where offsite runoff enters the site and points of discharge from the site, including the drainage area in acres and the one-percent annual chance (100-year) discharge at each point.

The property's grading should be designed in a manner that perpetuates the existing natural drainage patterns and conditions with respect to tributary drainage area and outlet points and outlet conditions. All pads should be located outside of the low.

The extension of the Moreno MDP Line H will be larger than 36" and, therefore, will be maintained by the District and shall be designed to District standards. District Standard Drawings are available here: <https://rcflood.org/Business/Engineering-Tools>. This includes providing access and a turnaround area for the proposed inlet north of Cottonwood Avenue.

All other proposed storm drain improvements collecting and/or conveying the 100-year storm event shall be maintained by the City of Moreno Valley or the District and shall be designed to the corresponding standards.

Please provide information regarding the operation and maintenance of proposed flood control facilities, such as any proposed access roads and turnaround areas. See comment 6 ITEMS TO ACCEPT FACILITY(IES) attachment. Additionally, our District Standard Drawings are available here: <https://rcflood.org/Business/Engineering-Tools>

The District has reviewed the submitted items listed above and has the following comments that shall be addressed prior to the issuance of recommended conditions of approval:

1. Please revise the preliminary drainage report to include the analysis of the offsite drainage area to the north and the pre-development condition and, if required, a hydraulic analysis of the 96" CIPP Line H, in Alessandro Boulevard proposed by TR 38263, to confirm that the increase in flow will not negatively affect the capacity of the downstream system.

Otherwise, if additional flow is proposed into Line H, in Alessandro Boulevard, then the applicant shall also demonstrate a route down of the Q100 storm event to an acceptable level that can be safely conveyed without affecting downstream property owners and meet the current capacity of the downstream MDP Line H.

Mr. Michael Lloyd  
Re: Tentative Tract Map (TTM) 38442 and 38443  
Tentative Review No. 2  
Account No. 137-0-3-90331

-3-

August 3, 2023

2. For future submittals please ensure that all easement or right of way widths clearly shown.
3. Please provide information regarding the operation and maintenance of proposed flood control facilities, such as any proposed access roads and turnaround areas.

The site is located within the bounds of the Moreno Area Drainage Plan (ADP) for which drainage fees and mitigation fees have been established by the Board of Supervisors. Applicable ADP/mitigation fees will be due (in accordance with the Rules and Regulations for Administration of Area Drainage Plans) prior to permits for this project. Although the current fee for this ADP is \$6,715 per acre, the fee due will be based on the fee in effect at the time of payment. The fee is payable to the District by cashier's check or money order only. The District will not accept personal or company checks. The drainage fee is required to be paid prior to the issuance of the grading permits or issuance of the building permits if grading permits are not issued.

Every effort has been made to identify all potential areas of concern. However, the District may provide further corrections if additional public safety and health issues are discovered during review of subsequent submittals.

Any questions pertaining to this project may be directed to Daniel Aguirre at 951.955.1348 or [danaguir@rivco.org](mailto:danaguir@rivco.org).

Very truly yours,

*for Amy McNeill*

ALBERT MARTINEZ  
Chief of Developer Services Division

Attachment

c: City of Moreno Valley  
Attn: Mr. Michael Lloyd, Public Works Director/City Engineer

DA:blm

Attachment: Comments Received for Notice of Intent (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-

#### 6 ITEMS TO ACCEPT FACILITY(IES)

Inspection and maintenance of the flood control facility(ies) to be constructed with this development must be performed by the District. In event the District is willing to maintain the proposed facility(ies), the following six (6) items must be accomplished prior to the issuance of a grading permit or starting construction of the drainage facility(ies):

1. Plans shall be prepared in strict accordance with District drafting, engineering, operations and maintenance standards.
2. The Applicant shall submit to the District the preliminary title reports, plats, and legal descriptions for all right-of-way that is to be conveyed to the District and shall secure that right of way to the satisfaction of the District. All right of way transfer issues shall be coordinated with the District's Right of Way Section.
3. The Applicant shall enter into an agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. The Applicant shall submit a completed Application for Agreement Preparation to the District's Contract Services Section.
4. All regulatory permits (and all documents pertaining thereto, e.g., Habitat Mitigation and Monitoring Plans, Conservation Plans/Easements) that are to be secured by the Applicant for both facility construction and maintenance shall be submitted to the District for review. The regulatory permits' terms and conditions shall be approved by the District prior to improvement plan approval, map recordation, or finalization of the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.
5. Plans for the facility must be signed by the District's General Manager-Chief Engineer (the plans will not be signed prior to execution of the above referenced agreement).
6. A pre-construction meeting shall be scheduled with the District's Construction Management Section. Prior to scheduling the pre-construction meeting, the Applicant must submit proof of flood control facility bonds and a certificate of insurance to the District's Contract Services Section.

JASON E. UHLEY  
General Manager-Chief Engineer



1995 MARKET STREET  
RIVERSIDE, CA 92501  
951.955.1200  
951.788.9965 FAX  
www.rcflood.org

RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

253364

October 18, 2023

City of Moreno Valley  
Community Development Department Planning Division  
Post Office Box 88005  
Moreno Valley, CA 92552-0805

Attention: John Moreno

Re: TTM 38442, PEN 22-0131, PEN 22-0137,  
Sunset Crossings, APNs 488-210-006, and  
488-210-020

The Riverside County Flood Control and Water Conservation District (District) does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check City land use cases or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District's review is based on the above-referenced project transmittal, received September 21, 2023. The District **has not** reviewed the proposed project in detail, and the following comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety, or any other such issue:

- This project would not be impacted by District Master Drainage Plan facilities, nor are other facilities of regional interest proposed.
- This project involves District proposed Master Drainage Plan facilities, namely, Moreno Master Drainage Plan Line H and Moreno Master Drainage Plan Line H-4 to protect the site from offsite flows and serve as an adequate outlet. A portion of Moreno Master Drainage Plan Line H (Project No. 4-0-00763 and DWG No. 4-0867) is owned, operated and maintained by the District and located one mile south at the intersection of Oliver Street and Cactus Avenue. The District will accept ownership of such facilities on written request by the City. The Project Applicant shall enter into a cooperative agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required. All regulatory permits (and all documents pertaining thereto, e.g., Habitat Mitigation and Monitoring Plans, Conservation Plans/Easements) that are to be secured by the Applicant for both facility construction and maintenance shall be submitted to the District for review. The regulatory permits' terms and conditions shall be approved by the District prior to improvement plan approval, map recordation, or finalization of the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.
- This project proposes channels, storm drains larger than 36 inches in diameter, or other facilities that could be considered regional in nature and/or a logical extension a District's facility, and the District would consider accepting ownership of such facilities on written request by the City. The Project Applicant shall enter into a cooperative agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. Facilities must be

Attachment: Comments Received for Notice of Intent (6425 : Tentative Tract Map 38442 (PEN22-0131) and Conditional Use Permit (PEN22-

City of Moreno Valley  
 Re: TTM 38442, PEN 22-0131, PEN 22-0137,  
 Sunset Crossings, APNs 488-210-006, and  
 488-210-020

- 2 -

October 18, 2023

253364

constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required. The regulatory permits' terms and conditions shall be approved by the District prior to improvement plan approval, map recordation, or finalization of the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.

- This project is located within the limits of the District's Moreno Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.
- An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities, namely, Moreno Master Drainage Plan Line H. If a proposed storm drain connection exceeds the hydraulic performance of the existing drainage facilities, mitigation will be required. For further information, contact the District's Encroachment Permit Section at 951.955.1266.
- The District's previous comments dated February 28, 2023 are still valid. Also, see detailed comments for this project (TTM 38442) in the latest letter dated August 3, 2023.

#### GENERAL INFORMATION


This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy.

The project proponent shall bear the responsibility for complying with all applicable mitigation measures defined in the California Environmental Quality Act (CEQA) document (i.e., Negative Declaration, Mitigated Negative Declaration, Environmental Impact Report) and/or Mitigation Monitoring and Reporting Program, if a CEQA document was prepared for the project. The project proponent shall also bear the responsibility for complying with all other federal, state, and local environmental rules and regulations that may apply.

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Wildlife and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,



AMY MCNEILL

Engineering Project Manager

Attachment

EM:mm

# AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



03-024-2023-003

September 29, 2023

[VIA EMAIL TO:planningnotices@moval.org]  
 City of Moreno Valley  
 John Moreno  
 14177 Frederick St P.O. Box 88005  
 Moreno Valley, CA 92552

## Re: Sunset Crossing MND

Dear John Moreno,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the TTM 38442 project. We have reviewed the documents and have the following comments:

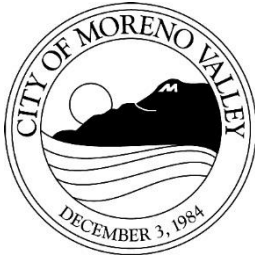
\*The Mitigated Negative Declaration document included standard mitigation measures to address impacts to cultural resources. We found these measures to be sufficient.

\*At this time the concerns of the ACBCI THPO have been addressed and proper mitigation measures have been proposed to ensure the protection of tribal cultural resources. This letter shall conclude our AB52 consultation efforts.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760) 423-3485. You may also email me at ACBCI-THPO@aguacaliente.net.

Cordially,

Xitlaly Madrigal  
 Cultural Resources Analyst  
 Tribal Historic Preservation Office  
 AGUA CALIENTE BAND  
 OF CAHUILLA INDIANS



## PLANNING COMMISSION

### STAFF REPORT

Meeting Date: November 9, 2023

MUNICIPAL CODE AMENDMENT TO AMEND VARIOUS SECTIONS WITHIN TITLE 9 (PLANNING AND ZONING) INCLUDING CHAPTER 9.02 (PERMITS AND APPROVALS), CHAPTER 9.03 (RESIDENTIAL DISTRICTS), CHAPTER 9.05 (INDUSTRIAL DISTRICTS), CHAPTER 9.14 (LAND DIVISIONS), AND CHAPTER 9.16 (DESIGN GUIDELINES)

Case: Municipal Code Amendment (PEN23-0125)

Applicant: City of Moreno Valley

Case Planner: Claudia Manrique, Associate Planner  
Danielle Harper-Scott, Associate Planner

Council District: All Districts

Proposed Project The proposed Omnibus Municipal Code amendment includes various updates and text clean-ups for the purpose of complying with State Law and clarifying and streamlining various development standards within Title 9 (Planning and Zoning), including Chapter 9.02 (Permits and Approvals), Chapter 9.03 (Residential Districts), Chapter 9.05 (Industrial Districts), Chapter 9.14 (Land Divisions), and Chapter 9.16 (Design Guidelines) of the Moreno Valley Municipal Code.

CEQA: The Proposed amendments are exempt from the California Environmental Quality Act in accordance with Section 15061(b)(3) of the CEQA Guidelines in that the amendments involve general policy and procedure making, and it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment.



## **SUMMARY**

This Municipal Code Amendment revises various sections of Title 9 Planning and Zoning, related to the following areas:

- A. Updates to comply with State requirements related to housing, as well as assisting the City in complying with its housing element.
- B. Other minor clarifications and clean-up items.

## **PROJECT DESCRIPTION**

The discussion of the sections below corresponds to the order of the text amendments set forth in the attached Planning Commission resolution.

### **Section 9.02.020 (Permitted Uses)**

This proposed amendment will add “Truck Charging Facilities” to Table 9.02.020-1 within the Permitted Uses Section, permitted within Industrial (I) and Light Industrial District (LI), and as a conditionally permitted use within the Community Commercial District (CC).

### **Section 9.03.040 (Residential Site Development Standards)**

This proposed amendment will remove duplicate information from Section 9.03.040.

### **Section 9.03.055 (Density Bonus Program for Green Building and Energy Efficiency)**

This section currently provides for a five percent residential density bonus incentive to multifamily residential developments within the R10, R15, R20, R30, and SP204-Village Residential Districts that achieve certain green building standards. This proposed amendment would extend that incentive to new multifamily developments within the MUN, MUC, MUI, H-OC, COMU, and DC Districts.

### **Section 9.03.070 (Streamlined Ministerial Approval Process (Senate Bill 35))**

This new section will establish a streamlined ministerial review and public oversight process for the final review and approval of SB 35 applications to help address the state’s continuing housing crisis.

### **Section 9.03.080 (Streamlined Ministerial Approval Process (Senate Bills 330 and 8))**

This new section will establish a streamlined ministerial review and public oversight process for the final review and approval of SB 330 applications to help address the state’s continuing housing crisis.

### **Section 9.05.040 (Industrial Site Development Standards)**

This proposed amendment provides additional site development requirements for Industrial zoning districts. These new standards will require a minimum of 10% of the required truck parking stalls with appropriately sized conduit(s) to allow for the installation of future truck charging facilities for all new industrial buildings with more than 30 required truck parking stalls. As well as installing directional signage, solar-ready roofs, and electrical room sizing.

### **Section 9.14.100 (Land Division Dedications, Improvements, Fees and Reservations)**

This proposed amendment revises language in Section 9.14.100 to require subdivision street improvements to be constructed to full-width.

Section 9.16.170 (Applications for Hillside Development Permit)

This proposed amendment will require the construction of full-width street improvements along the right-of-way for which most new subdivisions and development projects abut.

**ENVIRONMENTAL**

The proposed Municipal Code Amendments are exempt from the California Environmental Quality Act. The proposed amendments are exempt from the California Environmental Quality Act in accordance with Section 15061(b)(3) of the CEQA Guidelines in that the amendments involve general policy and procedure making, and it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment, as the enacting ordinance is expressly not to be considered a “project” under CEQA.

**NOTIFICATION**

The amendment to the Municipal Code is City-wide. As such, the public hearing notice for the proposed Municipal Code Amendments was published in the Press-Enterprise newspaper on October 27, 2023.

**STAFF RECOMMENDATION**

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2023-46, and thereby **RECOMMEND** that the City Council:

1. **FIND** the amendments exempt from the California Environmental Quality Act; and
2. **APPROVE** the Municipal Code Title 9 Amendments (PEN23-0125), based on the findings contained set forth and/or referenced in this Resolution and **INTRODUCE** and **ADOPT** an ordinance to effectuate the amendments included in this Resolution.

Prepared by:  
Danielle Harper-Scott  
Associate Planner

Approved by:  
Sean P. Kelleher  
Community Development Director

**ATTACHMENTS**

To view large attachments, please click your “bookmarks”  on the left hand side of this document for the necessary attachment.

1. Resolution Number 2023-46
2. Omnibus Redlines

## RESOLUTION NUMBER 2023-46

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL AMEND VARIOUS SECTIONS WITHIN TITLE 9 (PLANNING AND ZONING), CHAPTER 9.02 (PERMITS AND APPROVALS), CHAPTER 9.03 (RESIDENTIAL DISTRICTS), CHAPTER 9.05 (INDUSTRIAL DISTRICTS), CHAPTER 9.14 (LAND DIVISIONS), AND CHAPTER 9.16 (DESIGN GUIDELINES) OF THE MORENO VALLEY MUNICIPAL CODE**

**WHEREAS**, the City of Moreno Valley (“City”) is a general law city and a municipal corporation of the State of California; and

**WHEREAS**, pursuant to the authority granted the City by Article XI, Section 7 of the California Constitution, the City has the police power to adopt regulations designed to promote the public convenience or the general prosperity, as well as regulations designed to promote the public health, morals and/or safety; and

**WHEREAS**, Section 9.02.050 (Amendments to zoning districts or other provisions of Title 9) of Chapter 9.02 (Permits and Approvals) of Title 9 (Planning and Zoning) of the Municipal Code provides that either the staff or the Planning Commission may initiate amendments to the provisions of Title 9; and

**WHEREAS**, staff has recommended to the Planning Commission that it recommend that the City Council adopt several amendments to Title 9, which include revising certain provisions of Chapter 9.02 (Permits and Approvals), Chapter 9.03 (Residential Districts), Chapter 9.05 (Industrial Districts), Chapter 9.14 (Land Divisions) and Chapter 9.16 (Design Guidelines) (collectively referred to herein as “PEN23-0125”); and

**WHEREAS**, PEN23-0125 will clarify various development standards to provide some flexibility regarding existing requirements, make it less costly for the public with respect to processing certain entitlements and streamline certain entitlement procedures for efficiency purposes, all of which will promote economic development within the City; and

**WHEREAS**, staff has determined that PEN23-0125 is consistent with the MOVAL 2040 General Plan and its goals, objectives, policies, and programs, and with any applicable specific plan; and

**WHEREAS**, staff has further determined that PEN23-0125 will not adversely affect the public health, safety or general welfare; and

**WHEREAS**, staff has also determined that PEN23-0125 is consistent with the purposes and intent of Title 9; and

**WHEREAS**, staff has determined that PEN23-0125 amendments are exempt from

the California Environmental Quality Act in accordance with Section 15061(b)(3) of the CEQA Guidelines in that the amendments involve general policy and procedure making, and it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment; and

**WHEREAS**, on November 9, 2023, a duly noticed public hearing was conducted by the Planning Commission at which time all interested persons were provided an opportunity to testify and to present evidence; and

**WHEREAS**, on November 9, 2023, in accordance with the provisions of the California Environmental Quality Act (CEQA<sup>1</sup>) and CEQA Guidelines,<sup>2</sup> the Planning Commission considered and recommended that the City Council approve PEN23-0125.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1. Recitals and Exhibits**

That the foregoing Recitals and attached exhibits are true and correct and are hereby incorporated by this reference.

**Section 3. Evidence**

That the Planning Commission has considered all of the evidence submitted into the administrative record for the Municipal Code update, including, but not limited to, the following:

- (a) MOVAL 2040 General Plan
- (b) Text Amendments to Title 9 as proposed herein, and Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all relevant provisions referenced therein;
- (c) Staff Report prepared for the Planning Commission's consideration and all documents, records, and references related thereto, and Staff's presentation at the public hearing; and
- (d) Testimony comments and/or correspondence from all persons that were provided in written format or correspondence, at, or prior to, the public hearing.

**Section 4. Findings**

That based on the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission hereby finds as follows:

- (a) That the proposed Municipal Code amendments are consistent with the existing goals, objectives, policies, and programs of the General Plan;

<sup>1</sup> Public Resources Code §§ 21000-21177

<sup>2</sup> 14 California Code of Regulations §§15000-15387

- (b) The proposed Municipal Code amendments are exempt from the California Environmental Quality Act. The proposed amendments are exempt from the California Environmental Quality Act in accordance with Section 15061(b)(3) of the CEQA Guidelines in that the amendments involve general policy and procedure making, and it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment;
- (c) The proposed Municipal Code amendments will not adversely affect the public health, safety, or general welfare; and
- (d) The proposed Municipal Code amendments are consistent with the purposes and intent of Title 9.

**Section 5.                    Approval**

That based on the foregoing Recitals, Evidence in the Administrative Record and Findings, as set forth herein, the Planning Commission hereby recommends that the City Council approve the draft ordinance including all Municipal Code Amendments attached hereto as Exhibit A, which are on file with the Community Development Department.

**Section 6.                    Repeal of Conflicting Provisions**

That all the provisions as heretofore adopted by the Planning Commission that are in conflict with the provisions of this Resolution are hereby repealed.

**Section 7.                    Severability**

That the Planning Commission declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

**Section 8.                    Effective Date**

That this Resolution shall take effect immediately upon the date of adoption.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

**Section 9. Certification**

That the Secretary of the Planning Commission shall certify to the passage of this Resolution.

**PASSED AND ADOPTED THIS 9<sup>th</sup> day of November, 2023.**

CITY OF MORENO VALLEY  
PLANNING COMMISSION

\_\_\_\_\_  
Alvin DeJohnette, Chairperson

ATTEST:

\_\_\_\_\_  
Sean P. Kelleher,  
Community Development Director

APPROVED AS TO FORM:

\_\_\_\_\_  
Steven B. Quintanilla,  
City Attorney

Exhibits:  
Exhibit A: Draft Ordinance

Attachment: Resolution Number 2023-46 [Revision 4] (6428 : 2023 Winter Omnibus)

Exhibit A  
DRAFT ORDINANCE

## ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING VARIOUS SECTIONS WITHIN TITLE 9 (PLANNING AND ZONING), INCLUDING CHAPTER 9.02 (PERMITS AND APPROVALS), CHAPTER 9.03 (RESIDENTIAL DISTRICTS), CHAPTER 9.05 (INDUSTRIAL DISTRICTS), CHAPTER 9.14 (LAND DIVISIONS), AND CHAPTER 9.16 (DESIGN GUIDELINES) OF THE MORENO VALLEY MUNICIPAL CODE**

**WHEREAS**, the City of Moreno Valley (“City”) is a general law city and a municipal corporation of the State of California; and

**WHEREAS**, pursuant to the authority granted the City by Article XI, Section 7 of the California Constitution, the City has the police power to adopt regulations designed to promote the public convenience or the general prosperity, as well as regulations designed to promote the public health, morals and/or safety; and

**WHEREAS**, Section 9.02.050 (Amendments to zoning districts or other provisions of Title 9) of Chapter 9.02 (Permits and Approvals) of Title 9 (Planning and Zoning) of the Municipal Code provides that either the staff or the Planning Commission may initiate amendments to the provisions of Title 9; and

**WHEREAS**, staff has recommended to the Planning Commission that it recommend that the City Council adopt several amendments to Title 9, which include revising certain provisions of Chapter 9.02 (Permits and Approvals), Chapter 9.03 (Residential Districts), Chapter 9.05 (Industrial Districts), Chapter 9.14 (Land Divisions) and Chapter 9.16 (Design Guidelines) (collectively referred to herein as “PEN23-0125”); and

**WHEREAS**, PEN23-0125 will clarify various development standards to provide some flexibility regarding existing requirements, make it less costly for the public with respect to processing certain entitlements and streamline certain entitlement procedures for efficiency purposes, all of which will promote economic development within the City; and

**WHEREAS**, staff has determined that PEN23-0125 is consistent with the MOVAL 2040 General Plan and its goals, objectives, policies, and programs, and with any applicable specific plan; and

**WHEREAS**, staff has further determined that PEN23-0125 will not adversely affect the public health, safety or general welfare; and

**WHEREAS**, staff has also determined that PEN23-0125 is consistent with the purposes and intent of Title 9; and

**WHEREAS**, staff has determined that PEN23-0125 amendments are exempt from the California Environmental Quality Act in accordance with Section 15061(b)(3) of the



CEQA Guidelines in that the amendments involve general policy and procedure making, and it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY DOES ORDAIN AS FOLLOWS:**

**Section 1. RECITALS**

That the above recitals are true and correct and are incorporated herein as though set forth at length herein.

**Section 2. AUTHORITY**

That this Ordinance is adopted pursuant to the authority granted by Article XI, Section 7 of the Constitution of the State of California and California Government Code Section 37100, and it is not intended to be duplicative of state law, or be preempted by state legislation.

**Section 3. AMENDMENT TO SECTION 9.02.020 (PERMITTED USES)**

Section 9.02.020 (Permitted Uses) of Chapter 9.02 (Permits and Approvals) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit A.

**Section 4. AMENDMENT TO SECTION 9.03.040 (RESIDENTIAL SITE DEVELOPMENT STANDARDS)**

Section 9.03.040 (Residential Site Development Standards) of Chapter 9.03 (Residential Districts) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit B.

**Section 5. AMENDMENT TO SECTION 9.03.055 (DENSITY BONUS PROGRAM FOR GREEN BUILDING AND ENERGY EFFICIENCY)**

Section 9.03.055 (Density Bonus Program for Green Building and Energy Efficiency) of Chapter 9.03 (Residential Districts) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit C.

**Section 6. ADDING SECTION 9.03.070 (STREAMLINED MINISTERIAL APPROVAL PROCESS (SENATE BILL 35)) TO CHAPTER 9.03 (RESIDENTIAL DISTRICTS)**

Section 9.03.070 (Streamlined Ministerial Approval Process (Senate Bill 35)) of Chapter 9.03 (Residential Districts) of Title 9 (Planning and Zoning) is hereby added to Chapter 9.03 (Residential Districts) as set forth in Exhibit D.

**Section 7.                    ADDING SECTION 9.03.070 (9.03.080 STREAMLINED MINISTERIAL APPROVAL PROCESS (SENATE BILLS 330 AND 8) TO CHAPTER 9.03 (RESIDENTIAL DISTRICTS)**

Section 9.03.080 (Streamlined Ministerial Approval Process (Senate Bills 330 and 8)) of Chapter 9.03 (Residential Districts) of Title 9 (Planning and Zoning) is hereby added to Chapter 9.03 (Residential Districts) as set forth in Exhibit E.

**Section 8.                    AMENDMENT TO SECTION 9.05.040 (INDUSTRIAL SITE DEVELOPMENT STANDARDS)**

Section 9.05.040 (Industrial Site Development Standards) of Chapter 9.05 (Industrial Districts) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit F.

**Section 9.                    AMENDMENT TO SECTION 9.14.100 (LAND DIVISION DEDICATIONS, IMPROVEMENTS, FEES AND RESERVATIONS)**

Section 9.14.100 (Land Division Dedications, Improvements, Fees and Reservations) of Chapter 9.14 (Land Divisions) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit G.

**Section 10.                    AMENDMENT TO SECTION 9.16.170 (APPLICATIONS FOR HILLSIDE DEVELOPMENT PERMIT)**

Section 9.16.170 (Applications for Hillside Development Permit) of Chapter 9.16 (Design Guidelines) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit H.

**Section 11.                    CEQA COMPLIANCE**

That PEN23-0125 Amendments are exempt from the California Environmental Quality Act in accordance with Section 15061(b)(3) of the CEQA Guidelines in that the amendments involve general policy and procedure making, and it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment.

**Section 12.                    FINDINGS**

The ordinance is consistent with the City's 2040 General Plan.

**Section 13.                    SEVERABILITY**

That the City Council declares that, should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance as hereby adopted shall remain in full force and effect.

**Section 14. REPEAL OF CONFLICTING PROVISIONS**

That all the provisions of the Municipal Code as heretofore adopted by the City of Moreno Valley that are in conflict with the provisions of this Ordinance are hereby repealed.

**Section 15. EFFECTIVE DATE**

That this Ordinance shall take effect thirty (30) days after its second reading.

**Section 16. CERTIFICATION**

That the City Clerk shall certify to the passage and adoption of this Ordinance, enter the same in the book for original ordinances of the City, and make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which this Ordinance is passed and adopted.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

DRAFT

INTRODUCED at a regular meeting of the City Council on \_\_\_\_ \_\_, \_\_\_\_, and PASSED, APPROVED, and ADOPTED by the City Council on \_\_\_\_\_ \_\_, \_\_\_\_, by the following vote:

\_\_\_\_\_  
Ulises Cabrera, Mayor  
City of Moreno Valley

**ATTEST:**

\_\_\_\_\_  
Jan Halstead, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Steven B. Quintanilla, Interim City Attorney

DRAFT

ORDINANCE JURAT

STATE OF CALIFORNIA )

COUNTY OF RIVERSIDE )

ss. CITY OF MORENO VALLEY

)

I, \_\_\_\_\_, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. 2023 - XX was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and

Mayor)

CITY CLERK

(SEAL)

Attachment: Resolution Number 2023-46 [Revision 4] (6428 : 2023 Winter Omnibus)

**Permitted Uses Table 9.02.020-1**

- X - Indicates stated use is permitted subject to district requirements.
- C - Indicates stated use is allowed with a conditional use permit.
- ◆ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
- A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.
- S - Indicates a use is permitted, providing the requirements of 9.09.280 (Smoke Shops) of this title are met. A conditional use permit is required if dictated by the distance criteria.
- M - Indicates a use is allowed with a conditional use permit, providing the requirements of 9.09.290 (Commercial Cannabis Activities) of this title are met.

	Residential Zones												Mixed Use Overlay			Commercial & Office Zones					Industrial Zones						
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN <sup>(9,11)</sup>	MUC <sup>(9,11)</sup>	MUJ <sup>(8,10,11)</sup>	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS	
Adult Businesses																	A		A	A	A	A					
Agricultural Uses—Crops Only <sup>18</sup>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																						X					
Aircraft Landing Facilities (including helipads and facilities for quadcopters) <sup>18</sup>																	C		C	C	C	C	C	C	C		
Ambulance Service																	◆					◆	X	X	X	X	
Amusement Parks, Fairgrounds <sup>18</sup>																	◆						X				
Animal Raising (see Section 9.09.090 of this title) <sup>18</sup>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Appliance and Electronic Repair Shops													X	X	X	X	X						X	X		X	
Arcades, Video Machines																◆	X	◆									
Athletic Clubs, Gymnasiums and Spas <sup>18</sup>													X	X	X	X	X		X			X	X	X	X		
Auction Houses <sup>18</sup>																	X									X	
Auditoriums <sup>18</sup>													◆	◆	◆		◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Auto Electronic Accessories and Installation																	X						X	X		X	
Automobile Fleet Storage																						X	X				
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations																	◆						X	X			
Auto Service Stations																	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)																	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Automotive, Boat, Motorcycle and RV Repair—Minor (includes brake, muffler and tire installation and repair)																	◆	X					X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul																	◆						X				
Auto Rentals																	X							X	X	X	
Auto Supply Stores													X	X	X	X	X						X	X		X	
Bakery Shops													X	X	X	X	X	X								X	
Bakery—Commercial <sup>18</sup>																						X					
Banks—Financial Institutions <sup>18</sup>													X	X	X	X	X	X	X	X				X	X		
Barber and Beauty Colleges <sup>18</sup>													X	X	X	X	X		X	X				X	X		
Bars (Drinking Establishments) <sup>18</sup>																											
Bars													C	C	C	C	C	C	C								
Bars, with Limited Live Entertainment													C	C	C	C	C	C									

Attachment: Resolution Number 2023-46 [Revision 4] (6428 : 2023 Winter Omnibus)

**Permitted Uses Table 9.02.020-1**

- X - Indicates stated use is permitted subject to district requirements.
- C - Indicates stated use is allowed with a conditional use permit.
- ◆ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
- A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.
- S - Indicates a use is permitted, providing the requirements of 9.09.280 (Smoke Shops) of this title are met. A conditional use permit is required if dictated by the distance criteria.
- M - Indicates a use is allowed with a conditional use permit, providing the requirements of 9.09.290 (Commercial Cannabis Activities) of this title are met.

	Residential Zones												Mixed Use Overlay			Commercial & Office Zones					Industrial Zones						
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN <sup>(9,11)</sup>	MUC <sup>(9,11)</sup>	MUJ <sup>(8,10,11)</sup>	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS	
Boat Sales New and Used Including Repairs and Accessory Installation																	◆						X				
Boarding and Rooming Houses <sup>18</sup>									X	X	X	X	X	X													
Bowling Alley													◆	◆	◆	X	X										
Building Material Sales <sup>18</sup>																	◆										
With outdoor storage <sup>18</sup>																	◆						X	X			
Building Material Storage Yards <sup>18</sup>																							X				
Bus, Rail and Taxi Stations <sup>18</sup>																	◆										
Business Equipment Sales (includes repairs)													X	X	X	X	X	X	X							X	
Business Schools <sup>18</sup>													X	X	X	X	X	X	X	X				X	X	X	
Business Supply Stores													X	X	X	X	X		X				X	X		X	
Cabinet Shop																							X	X	X	X	
Caretakers Residence <sup>1</sup>																	◆	◆	C	◆	◆	◆	◆	◆	◆	◆	
Car Wash																	X	X					X				
Accessory to auto related use																	◆	◆					X				
Catering Service													X	X	X	X	X	X							X	X	
Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C	C															
Churches <sup>2, 18</sup>	C	C	C	C	C	C	C	C	C	C	C	C	◆	◆	◆	◆	◆	C	◆	◆	◆	◆	◆	◆	◆	◆	
Clubs <sup>18</sup>									◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆					C
Commercial Cannabis Activities <sup>17, 18</sup>																											
Cultivation																									M	M	M
Dispensary																M	M										M
Manufacturing																								M	M	M	
Testing																								M	M	M	
Microbusiness																	M									M	
Distribution Center																M	M							M	M	M	
Commercial Radio or Television Stations																											
With on-site antenna																	◆						◆	◆	◆	◆	
Without on-site antenna																	X						X	X	X	X	
Communications Facilities (See Section 9.09.040 of this title)																											
Computer Sales and Repairs													X	X	X	X	X		X				X	X	X	X	
Contractors Storage Yard																							X				

Attachment: Resolution Number 2023-46 [Revision 4] (6428 : 2023 Winter Omnibus)

**Permitted Uses Table 9.02.020-1**

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- M - Indicates a use is allowed with a conditional use permit, providing the requirements of 9.09.290 (Commercial Cannabis Activities) of this title are met.

	Residential Zones												Mixed Use Overlay			Commercial & Office Zones					Industrial Zones							
	HR	RR	R1	RA2	R2	R3	CR5	CRS10	CR10	CR15	CR20	CR30	MUN <sup>(9,11)</sup>	MUC <sup>(9,11)</sup>	MUJ <sup>(8,10,11)</sup>	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS		
Convalescent Homes/Assisted Living <sup>18</sup>													◆	◆	◆	◆	◆	◆	◆	◆	◆							
Convenience Stores																												
With drive-through																X	X											
Without drive-through													X	X	X	X	X											
With alcohol sales													◆	◆	◆	◆	◆											
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services <sup>18</sup>															C		◆		◆		◆				◆	◆		
Copy Shops													X	X	X	X	X	X	X	X		X	X	X	X			
Country Club <sup>18</sup>	C	C	C	C	C	C	C	C	C	C	C	C																
Dancing, Art, Music and Similar Schools <sup>18</sup>													X	X	X	X	X	X	X	X			X	X	X			
Day Care Centers <sup>18, 19</sup>	X	X	X	X	X	X	X	X	X	X	X	X	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆		C
Delicatessens <sup>18</sup>													X	X	X	X	X	X	X				X	X	X			
Diaper Supply Service																						X						
Laundry with fleet storage <sup>18</sup>																						X						
Disposal company																						X						
Drapery Shops													X	X	X	X	X	X										
Dressmaking Shops													X	X	X	X	X	X										
Driving School <sup>18</sup>													X	X	X	X	X		X	X			X	X	X			
Drug Stores													X	X	X	X	X	X										
Dry Cleaning or Laundry <sup>18</sup>																												
a. Dry Cleaning													X	X	X	X	X	X	X								X	
b. Laundromat													X	X	X	X	X	X	X									
c. Laundry Commercial																												
Emergency Shelters <sup>14</sup>													X	X	X		C		C	C	X	X	X				C	
Employee Housing <sup>18</sup>									X	X	X	X																
Equestrian Centers, Riding Academies, Commercial Stables (including incidental sales of feed and tack) <sup>18</sup>	C	C	C	C													◆											C
Exterminators																	C					X	X	X	X			
Feed and Grain Stores																X	X	X										
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X	X	X					X						
Fraternity/Sorority <sup>18</sup>								C	C	C	C	C																
Frozen Food Locker																						X	X					

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**Permitted Uses Table 9.02.020-1**

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- A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.
- S - Indicates a use is permitted, providing the requirements of 9.09.280 (Smoke Shops) of this title are met. A conditional use permit is required if dictated by the distance criteria.
- M - Indicates a use is allowed with a conditional use permit, providing the requirements of 9.09.290 (Commercial Cannabis Activities) of this title are met.

	Residential Zones												Mixed Use Overlay			Commercial & Office Zones					Industrial Zones							
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN <sup>(9,11)</sup>	MUC <sup>(9,11)</sup>	MUJ <sup>(8,10,11)</sup>	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS		
Gasoline Dispensing - Non-retail accessory to an auto-related use <sup>18</sup>																	X						X	X	X	X		
Glass Shops and Glass Studios—Stained, etc.																	X	X						X	X		X	
Golf Courses or Golf Driving Ranges with Incidental Commercial Uses <sup>18</sup>	C	C	C	C	C	C	C	C	C	C	C	C															◆	
Handicapped Housing <sup>18</sup>								X	X	X	X	X	X	X	X													
Heavy Equipment Sales and Rentals																	X							X	X			
Hospitals <sup>18</sup>																	◆		◆	◆					C	C	C	
Hotels <sup>18</sup>																												
a. With 20% or less of the units containing kitchens													X	X	X		X		C				X	X	X			
b. With over 20% of the units containing kitchens													C	C	C		C		C				C	C	C			
Ice Cream Stores—Including Yogurt Sales													X	X	X	X	X	X	X							X		
Impound Yards																							X					
Jewelry Stores													X	X	X	X	X	X										
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		◆	◆	◆	◆	C					
Laboratories (medical and dental) <sup>18</sup>													X	X	X	X	X		X	X		X	X	X	X			
Libraries <sup>18</sup>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X			
Liquor Stores													◆	◆		◆	◆											
Live/Work Unit <sup>12, 18</sup>													X	X	X													
Locksmith Shops													X	X	X	X	X	X					X	X	X	X		
Lodge Halls and Similar Facilities <sup>18</sup>													◆	◆	◆	◆	◆		◆					◆	◆			
Low Barrier Navigation Centers <sup>18</sup>													X	X	X		X		X	X	X					X		
Lumberyards																	X						X					
Mail Order House																	X						X	X	X	X		
Manufacturing and Assembly <sup>18</sup>																												
a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																							X	X	X	X		
b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																							X	X				
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																							X	X				
d. Retail sales of goods produced or warehoused on-site <sup>3</sup>																							X	X	X	X		

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	Residential Zones												Mixed Use Overlay			Commercial & Office Zones					Industrial Zones						
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Medical Clinics/Medical Care <sup>18</sup>																											
Inpatient care													X	X	X	X	X		X	X			X	X	X	X	
Urgent care													X	X	X	X	X		X	X							
Medical device services and sales (retail), including, but not limited to, fittings for and sale of prosthetic and orthotic devices															X	X	X		X								
Medical equipment supply, including retail sales for in-home medical care, such as wheelchairs, walkers, and respiratory equipment															X	X	X		X								
Mobile Home Parks <sup>18</sup>	C	C	C	C	C	C	C	C	C	C	C	C															
Mobile Home Sales or Rentals (outdoor display)																	C										
Mortuaries																											
With cremation services																								X	X		
No cremation services			C	C	C	C	C	C	C	C	C	C			◆	◆	◆							X	X		
Museums <sup>18</sup>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops													X	X	X	X	X						X	X	X	X	
Nightclubs <sup>18</sup>														C	C		C										
Nursery, (Plant), Wholesale and Distribution	X	X	X	X																			X	X			X
Offices (administrative and professional) <sup>18</sup>													X	X	X	X	X	X	X	X			X	X	X		
Open Air Theaters <sup>18</sup>															C							C					C
Orphanages <sup>18</sup>	C	C	C	C	C	C	C	C	C	C	C	C															
Painting Contractor																							X	X			
Parcel Delivery Terminals <sup>18</sup>																							X	X	X	X	
Parking Lot															C	C	X	X	C						X		
Parks and Recreation Facilities (public) <sup>18</sup>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, spa facilities <sup>15</sup> , barber and beauty shops, and tattoo parlors) <sup>18</sup>													X	X	X	X	X	X	X							X	
Pharmacy <sup>4</sup>													X	X	X	X	X	X	X							X	
Photo Studios													X	X	X	X	X	X	X							X	
Plumbing Shops																	X									X	
Plumbing Supply Stores for Contractors																							X	X	X		
Pool Hall <sup>18</sup>														◆	◆	◆	◆										
Postal Services													X	X	X	X	X	X	X				X	X	X		
Pottery Sales with Outdoor Sales													X	X	X	X	X	X					X		X		

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- M - Indicates a use is allowed with a conditional use permit, providing the requirements of 9.09.290 (Commercial Cannabis Activities) of this title are met.

	Residential Zones												Mixed Use Overlay			Commercial & Office Zones					Industrial Zones						
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN <sup>(9,11)</sup>	MUC <sup>(9,11)</sup>	MUJ <sup>(8,10,11)</sup>	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS	
Public Administration, Buildings and Civic Centers <sup>18</sup>													X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices <sup>18</sup>	C	C	C	C	C	C	C	C	C	C	C	C	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	X	X	◆	◆	C
Racetracks <sup>18</sup>																	C					C					
Record Store													X	X	X	X	X	X									
Recording Studio													X	X	X	X	X	X	X	X			X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, with Limited Associated Incidental Uses <sup>18</sup>	C	C	C	C	C	C	C	C	C	C	C	C	◆	◆	◆	◆	◆	◆									
Recycling, Large Collection Facility <sup>5</sup>																	◆					X	X				
Recycling, Small Collection Facility													X	X	X	X	X	X					X	X	X	X	
Recycling Processing Centers													X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Refreshment Stands													X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service													X	X	X	X	X	X					X	X	X	X	
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X	X	X					X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)																	◆	◆					X	X			
Research and Development <sup>18</sup>													X	X	X				X	X		X	X	X	X		
Residential <sup>18</sup>																											
Single-Family	X	X	X	X	X	X	X	X	X	X	X	X															
Multiple-Family									X	X	X	X	X	X	X												
Affordable Housing in Commercial Zones <sup>20</sup>													X	X	X	X	X	X	X								
Manufactured home park (see mobile home parks)																											
Residential Care Facility																											
for six (6) or less persons <sup>18</sup>	X	X	X	X	X	X	X	X	X	X	X	X															
for seven or more persons <sup>18</sup>	C	C	C	C	C	C	C	C	C	C	C	C	C	C	X												
Restaurants (Eating and Drinking Establishments) <sup>18</sup>																											
Without entertainment													X	X	X	X	X	X	X							X	
With Limited Live entertainment													X	X	X	X	X	X	X								
With alcoholic beverage sales													X	X	X	X	X	X	X							X	
With outdoor seating <sup>13</sup>													X	X	X	X	X	X	X							X	
Restaurants (fast-food) <sup>18</sup>																											
With drive-through																	◆	◆								◆	
Without drive-through													X	X	X	X	X									X	
Retails Sales													X	X	X	X	X	X									
Support Retail Sales													X	X	X				X							X	

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Exhibit A

Permitted Uses Table 9.02.020-1

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- M - Indicates a use is allowed with a conditional use permit, providing the requirements of 9.09.290 (Commercial Cannabis Activities) of this title are met.

	Residential Zones												Mixed Use Overlay			Commercial & Office Zones					Industrial Zones						
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN <sup>(9,11)</sup>	MUC <sup>(9,11)</sup>	MUJ <sup>(8,10,11)</sup>	NC	CC	VC	OC	X <sup>6</sup> O	P	I	LI	BP	BPX	OS	
Sandwich Shops <sup>6</sup>													X	X	X	X	X	X	X	X <sup>6</sup>							
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	C	◆	◆	◆	◆	◆		◆	◆					◆	◆	
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X							
Shoe Shine Stands													X	X	X	X	X			X	X			X	X		
Shoe Repair Shop													X	X	X	X	X	X									
Sign Shop													X	X	X	X	X	X					X	X	X	X	
Single room occupancy (SRO) facility <sup>18</sup>												C	C	C	C		X										
Skating Rinks <sup>18</sup>														X			X										
Smoke Shops <sup>16</sup>																S	S	S	S								
Stationery Stores													X	X	X	X	X	X	X					X	X		
Statue Shop -Outdoor display																	◆						X	X			
Storage Lots and Mini-Warehouses																											
	Indoor																C						X				
	Outdoor																C						X				
Supportive and Transitional Housing	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X							
Swim Schools/Center with Incidental Commercial Uses <sup>18</sup>	C	C	C	C	C	C	C	C	C	C	C	C					X			X	X						
Taxidermist																	X						X	X			
Theaters (excludes open air) <sup>18</sup>													X	X	X	X	X	X									
Tire Recapping																							X				
Trade and Vocational Schools <sup>18</sup>													X	X	X		X		X	X			X	X	X		
Transfer, Moving and Storage Facilities																							X	X			
Truck Charging Facilities																	C						X	X			
Truck Wash																							X	X			
Upholstery Shops																	X						X	X		X	
Vehicle Storage Yards																											
	Indoor																X						X	X			
	Outdoor																C						X	X			
Vending Machine Service and Repair																							X	X	X	X	
Veterinarian (including animal hospital) <sup>18</sup>																											
	All activities within an enclosed structure												X	X	X	X	X								X	X	
	With outdoor activities																								◆	◆	
Weight Reduction Center													X	X	X	X	X	X	X								
Wholesale, Storage, and Distribution <sup>18</sup>																											
	All activities indoors (50,000 square feet or less)																						X	X	X	X	

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	Residential Zones											Mixed Use Overlay			Commercial & Office Zones					Industrial Zones						
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN <sup>(9,11)</sup>	MUC <sup>(9,11)</sup>	MUI <sup>(8,10,11)</sup>	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
All activities indoors (more than 50,000 square feet)																						X	X			
All activities outdoors																						X				
Retail sale of goods warehoused on-site <sup>7</sup>																						X	X	X		
Wrecking Yard																						♦				

- Notes:
- (1) Do not consider residential use per distance requirement.
  - (2) The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.
  - (3) Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).
  - (4) Permitted in the OC and VOR districts only as a support medical office facility.
  - (5) Large collection facilities may be established within an existing building through the “tenant improvement” process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.
  - (6) Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.
  - (7) Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).
  - (8) In the MUI district, mixed use (commercial uses on first floor with office uses or residential uses on upper floors) are (a) required to on lots at street intersections and within 300 feet in any direction from a street intersection, as measured from the corner formed by the lot’s property lines, and (b) are allowed, but not required on the other lots.
  - (9) In the MUC and MUN districts, mixed use (commercial uses on first floor with office uses or residential uses on upper floors) are (a) required to on lots at street intersections and within 150 feet in any direction from a street intersection, as measured from the corner formed by the lot’s property lines, and (b) are allowed, but not required on the other lots.
  - (10) See Section 9.07.40 (Medical Use Overlay District)
  - (11) See Section 9.09.260 (Mixed Use Development)
  - (12) See Section 9.09.250 (Live-Work Development)
  - (13) See Section 9.09.270 (Outdoor Dining)
  - (14) Use is also permitted in the Moreno Valley Industrial Area Plan (SP 208)
  - (15) For Spa Facilities refer to Title 11, Chapter 11.96 of the Municipal Code.
  - (16) See Section 9.09.280.C (Smoke Shops) for distance requirements that require a Conditional Use Permit.
  - (17) See Section 9.09.290 (Commercial Cannabis Activities) for all Commercial Cannabis Activities regulations.
  - (18) See Section 9.07.060 Airport Land Use Compatibility Plan for Airport Land Use Compatibility Plan (ALUCP) requirements for actions proposed on property located within an Airport Compatibility Zone. When located within an Airport Land Use Compatibility Zone, greater land use, restrictions for airport compatibility may apply per the applicable ALUCP.
  - (19) For Day Care uses in the Moreno Valley Industrial Area Plan (SP 208), See Section 9.07.060 Airport Land Use Compatibility Plan for Airport Land Use Compatibility Plan (ALUCP) requirements for actions proposed on property located within an Airport Compatibility Zone. When located within an Airport Land Use Compatibility Zone, greater land use, restrictions for airport compatibility may apply per the applicable ALUCP.
  - (20) See Section 9.04.050 (Affordable Housing in Commercial Zones)

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(21) See Section 9.09.320. 9.09.320 Low barrier navigation centers.

Zoning District Key			
HR	Hillside Residential District	MU	Mixed Use Overlay District
RR	Rural Residential District	MUN	Mixed-Use Neighborhood Overlay District
R1	Residential 1 District (40,000 square feet minimum lot size)	MUC	Mixed-Use Community Overlay District
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)	MUI	Mixed-Use Institutional Anchor Overlay District
R2	Residential 2 District (20,000 square feet minimum lot size)	NC	Neighborhood Commercial District
R3	Residential 3 District (10,000 square feet minimum lot size)	CC	Community Commercial District
R5	Residential 5 District (7,200 square feet minimum lot size)	VC	Village Commercial District
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)	OC	Office Commercial District
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)	O	Office District
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)	P	Public District
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)	I	Industrial District
R30	Residential 30 District (Up to 30 Dwelling Units per net acre)	LI	Light Industrial
		BP	Business Park District
		BPX	Business Park-Mixed Use District
		OS	Open Space District

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**Exhibit B****9.03.055 Density bonus program for green building and energy efficiency.**

- A. Purpose and Intent. The purpose of this section is to provide an incentive for residential housing units that are constructed to green building standards that exceed the requirements of the city's building code, which is a greenhouse gas reduction measure included in the city's Energy Efficiency and Climate Action Strategy.
- B. Applicability. Developers of multifamily residential housing dwelling units in the R10, R15, R20, R30, MUN, MUC, MUI, H-OC, COMU, DC, and SP204-Village Residential zone on sites of at least one acre minimum.
- C. Incentive. Developers may request a density bonus of five percent above the calculated number of units for qualified projects.
- D. Energy Efficiency Requirements. A project must meet the applicability requirement in subsection B. For projects that meet the applicability requirement, the developer may request the incentive in subsection C if the project complies with the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) certification criteria for LEED "Certified" level or higher, or an equivalent green building rating system as approved by the community development director. LEED Certified level represents the minimum level of certification under the USGBC Leadership Energy and Environmental Design rating system, and shall be consistent with the USGBC published criteria on the date the project application to the city is deemed complete.
- E. Implementation.
  - 1. The total number of dwelling units allowed under a density bonus shall be calculated by multiplying the maximum density allowed under the applicable zoning designation (i.e., the maximum density listed in Table 9.03.040-6 of this title or the applicable specific plan designation), and multiplying the result by 1.05, for a five percent density bonus. If the result, including the density bonus, contains a fraction of a unit, the number of allowable units shall be determined by rounding down to the nearest whole number if the fraction is below one-half. Calculations containing fractions of one-half or above shall be rounded up.
  - 2. This density bonus shall not be cumulative with any other density bonus program included in this section.
  - 3. The development standards for density bonus projects shall be those of the applicable zoning classification.

**9.03.040 Residential site development standards.**

The following standards shall apply to land and permitted or conditionally permitted buildings and structures located within the herein described residential districts. The standards stated herein are not intended to prevent more restrictive private site development standards contained in the covenants, conditions and restrictions or other private consensual restrictions imposed on any property or dwelling unit. However, in no case shall private deed or other property restrictions be applied or recognized so as to permit a lesser standard than the minimum standards established in this title or to otherwise revise the standards established by this title.

**A. Rural Residential Requirements.**

1. Slope-Density-Natural Area Relationship. The maximum density (du/ac) and the minimum percent of a site to remain in a natural state shall be determined by a slope analysis applied to the Slope-Density-Natural Area Table, as defined below.

- a. Slope-Density-Natural Area Table 9.03.040-4.

Slope Class	Allowable Density (DU/Acre)	Amount of Open Space Required
Greater than 25%	0.05 (1 du/20 ac)	60%
15.1% to 25%	0.10 (1 du/10 ac)	50%
10% to 15%	0.20 (1 du/5 ac)	35%
Less than 10%	0.40 (1 du/2.5 ac)	n/a

- b. Slope analysis calculations and mapping shall be provided by the applicant as described under subsection C of this section. The slope analysis shall be certified by a qualified civil engineer or licensed surveyor.
    - c. The total number of dwelling units permitted within a project area shall be the sum of the allowable dwelling units within each slope class. For example, if ten (10) acres of the project falls within the ten (10) to fifteen (15) percent slope class and five acres falls within the fifteen and one-tenth (15.1) percent to twenty-five (25) percent slope class, then the total permitted yield shall be two dwelling units (10 ac x 0.10 du/ac plus 5 ac x 0.20 du/ac).
2. Minimum Lot Size. Minimum lot size shall be one dwelling unit per two and one-half acres within a slope category of ten (10) percent or less unless determined to be reduced by an approved slope analysis. Based on the outcome of a slope analysis, minimum lot size within the rural residential district may be reduced to twenty thousand (20,000) square feet, or the minimum lot size of the adjacent zone, whichever is greater, if clustered on slopes of less than ten (10) percent and the lots are part of a project that preserves the steeper slope classes as natural open space by dedication to an appropriate governmental entity, open space easement, transfer of development rights or other means approved by the city. The ongoing maintenance of such open space areas shall be ensured through a mechanism approved by the city.
3. Subdivision Design and Future Land Divisions.

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- a. Subdivisions shall be compatible with the surrounding development pattern. A subdivision shall be considered compatible if the lots created along the outside boundary of the project are no smaller than the average lot size within three hundred (300) feet of the project boundary. Parcels greater than five acres in area shall be excluded from the calculations when determining the average lot size within three hundred (300) feet of the project boundary.
- b. Subdivisions shall be designed in such a way as to transfer development density to the lower slope classes and preserve the steeper slopes for very low density and/or open space. Subdivisions created in this way are prohibited from further division so as not to circumvent the density transfer and the purpose of the district. This restriction shall be binding on the subdivider and subsequent land owners. Therefore, this restriction shall be secured by development agreement or other type of recorded deed restriction approved by the city.
- 4. Building Height. Dwellings and other accessory structures shall not exceed thirty (30) feet in overall height, provided that on slopes of less than ten (10) percent, the overall height shall not exceed thirty-five (35) feet.
- 5. Setbacks and Other Site Development Criteria. Front, side and rear setbacks and other site development standards not specifically referenced in this section shall be subject to the following standards:

Lot Size	Standards
Under 40,000 s.f.	R2 district standards
40,000 s.f. or greater	R1 district standards

- 6. Grading within the rural residential district shall be performed as described under the hillside residential requirements, subsection (B)(6) of this section.
- B. Hillside Residential Requirements.
  - 1. Slope-Density-Natural Area Relationship. The maximum density (du/ac) and the percent of a site to remain in a natural state shall be determined by a slope analysis applied to the Slope-Density-Natural Area Table, as defined below.
    - a. Slope-Density-Natural Area Table 9.03.040-5.

Slope Class	Allowable Density (DU/Acre)	Minimum Amount of Open Space Required
Greater than 25%	0.10 (1 du/10 ac)	60%
15.1% to 25%	0.25 (1 du/4 ac)	50%
10% to 15%	0.50 (1 du/2 ac)	35%
Less than 10%	1.00 (1 du/ac)	n/a

- b. Slope analysis calculations and mapping shall be provided by the applicant as described under subsection C of this section. The community development director may require the slope analysis to be certified by a qualified civil engineer or licensed surveyor.

- c. The total number of dwelling units permitted within a project area shall be the sum of the allowable dwelling units within each slope class. For example, if ten (10) acres of the project falls within the fifteen and one-tenth (15.1) percent to twenty-five (25) percent slope class and five acres falls within the greater than twenty-five (25) percent slope class, then the total permitted yield shall be three dwelling units (10 ac x 0.25 du/ac plus 5 ac x 0.10 du/ac).
- 2. Minimum Lot Size. Minimum lot size shall be one acre within a slope category of ten (10) percent or less unless determined to be reduced by an approved slope analysis. Based on the outcome of a slope analysis, the lot size within the hillside residential district may be reduced to ten thousand (10,000) square feet or the minimum lot size of the adjacent zone, whichever is greater, if clustered on slopes of less than ten (10) percent and the lots are part of a project that preserves the steeper slope classes as natural open space by dedication to an appropriate governmental entity, open space easement, transfer of development rights or other means approved by the city. The ongoing maintenance of such open space areas shall be ensured through a mechanism approved by the city.
- 3. Subdivision Design and Future Land Divisions.
  - a. Subdivisions shall be compatible with the surrounding development pattern. A subdivision shall be considered compatible if the lots created along the outside boundary of the project are no smaller than the average lot size within three hundred (300) feet of the project boundary. Parcels greater than five acres in area shall be excluded from the calculations when determining the average lot size within three hundred (300) feet of the project boundary.
  - b. Subdivisions shall be designed in such a way as to transfer development density to the lower slope classes and preserve the steeper slopes for very low density and/or open space. Subdivisions created in this way are prohibited from further division so as not to circumvent the density transfer and the purpose of the district. This restriction shall be binding on the subdivider and subsequent land owners. Therefore, this restriction shall be secured by development agreement or other type of recorded deed restriction approved by the city.
- 4. Building Height. Dwellings and other accessory structures shall not exceed thirty (30) feet in overall height, provided that on slopes of less than ten (10) percent, the overall height shall not exceed thirty-five (35) feet.
- 5. Setbacks and Other Site Development Criteria. Front, side and rear setbacks and other site development standards not specifically referenced in this section shall be subject to the following standards:

Lot Size	Standards
Less than 20,000 s.f.	R-3 district standards
20,000 s.f. to 40,000 s.f.	R-2 district standards
40,000 s.f. or greater	R-1 district standards

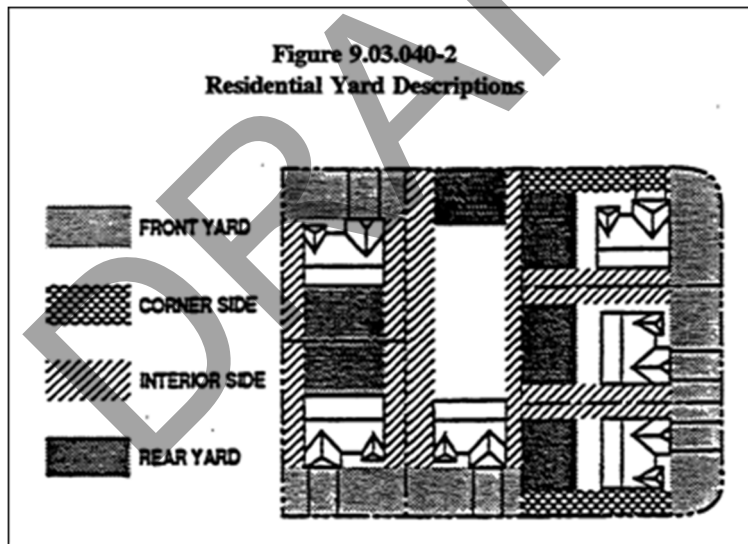
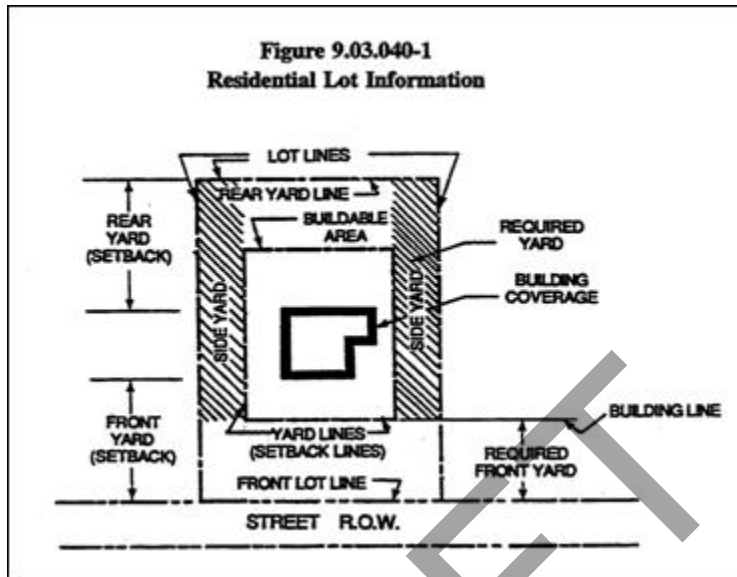
- 6. Grading of any site shall be minimized and shall conform to the provisions contained in the city of Moreno Valley design guidelines, Ch. 9.16, under applications for hillside development, Article IV, Sections 9.16.170 through 9.16.235 of this title, and the following standards:

Slope Class	Standards
15.1—25%	Padded building sites may be allowed, but maximum use of custom foundations and split level designs shall be employed to reduce the need for large, padded building areas.
Above 25%	Mass grading is not permitted. Special hillside architectural and design techniques are expected in order to conform to the natural landform. Homes constructed on lots within this terrain shall use custom, multiple-level foundations.
For all areas	All graded areas shall be protected from wind and water erosion through acceptable slope stabilization methods such as planting, walls or jute netting.

- C. Slope Calculations. For the purposes of this section, the following method will be used to determine slope.
  - 1. “Slope” is defined as the relationship between the change in elevation (rise) of the land and the horizontal distance (run) over which that change in elevation occurs. The percent of any given slope is determined by dividing the rise by the run on the natural slope of land, multiplied by one hundred (100).
  - 2.
    - a. For the purpose of determining the amount and location of land falling into each slope category, the applicant shall submit to the community development department, at the time of application, a base topographic map of the subject site prepared and signed by a registered civil engineer or licensed land surveyor. Such a map shall have a scale of not less than one inch to two hundred (200) feet and a contour interval of not more than ten (10) feet.
    - b. This base topographic map shall include all adjoining properties within three hundred (300) feet of the site boundaries. Slope bands in the range of less than ten (10) percent, ten (10) to fifteen (15) percent, fifteen (15) to twenty-five (25) percent, and greater than twenty-five (25) percent shall be delineated on the topographic map. The map shall be accompanied by a tabulation of the land area in each slope category specified in acres. The exact method for computing the percent slope and area by percent slope category is to be sufficiently described and presented so that a review can readily be made.
  - 3. Slope Mapping Method.
    - a. The percent slope of any particular piece of land shall be plotted on the map as described in this subsection.
    - b. In preparing a slope map, those portions of ravines, ridges and terraces of less area generally sloping at twenty-five (25) percent slope or greater, shall be regarded as part of the bordering twenty-five (25) percent slope or greater band.
- D. General Residential Requirements. The following tables sets forth minimum site development standards for residential development projects in the specified

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residential districts. In addition, projects must comply with the special development standards enumerated in this section, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and standards.



**Table 9.03.040-6  
Residential Site Development Standards  
Single-Family Standards**

Requirement	R1	R2	RA2	R3	R5	RS10
1. Maximum density (DUs* per net acre)	1	2	2	3	5	10
2. Minimum lot size (sq. ft. net area)	40K**	20K	20K	10K	7,200	4,500
3. Minimum lot width, in feet	150	100	100	90	70	45
Cul-de-sac/knuckle lot frontage	50	50	50	50	50	45
4. Minimum lot depth, in feet	170	120	120	100	100	85
5. Minimum front yard setback	25	25	25	25	20	20
Front-facing garages						10

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Buildings other than front-facing garages						10
6. Minimum side yard setback, in feet***						
a. Interior side yard	See Note 1	See Note 1	See Note 1	See Note 1	See Note 2	See Note 3
b. Street side yard	20	20	20	15	15	10
7. Minimum rear yard setback, in feet***	40	35	35	30	15	15
8. Maximum lot coverage	25%	30%	30%	40%	40%	50%
9. Maximum building and structure height, in feet	Two stories not to exceed 35 feet.					
10. Minimum dwelling size (sq. ft.)	1500	1500	1500	1250	1250	1000
11. Minimum distance between buildings, in feet (including main DUs and accessory structures)	20	15	15	10	10	10
12. Floor area ratio						
a. One-story home	0.25	0.30	0.30	0.40	0.40	0.50
b. Multi-story home	0.50	0.60	0.60	0.70	0.70	0.75

\* The term "DUs" means dwelling units.

\*\* The term "K" means thousands.

\*\*\* See Section 9.08.030 regarding accessory structures and room additions.

**Notes to Residential Site Development Standards Table 9.03.040-6.**

1. Combined interior side yard setbacks of twenty (20) feet shall be provided with a minimum of five feet on one side.
2. Combined interior side yard setbacks of fifteen (15) feet shall be provided with a minimum of five feet on one side.
3. In the RS10 district the minimum street side setback shall be ten (10) feet. The interior side setback shall be five feet, except in the case of zero lot line developments with houses placed on an interior side lot line. When a house is placed on an interior side lot line, the other minimum side yard setback shall be ten (10) feet. Where applicable, an easement at least five feet in width shall be provided along the common lot line. The easement shall guarantee the right to use and occupy the easement for a roof overhang(s), stormwater drainage and for building maintenance and repair.
4. The minimum front yard setback from private streets within the R1, R2 and R3 districts shall be fifty-five (55) feet measured from the center line of the street. The minimum front yard setback from private streets within the R5 district shall be fifty (50) feet measured from the center line of said street.

**Table 9.03.040-7  
Residential Site Development Standards  
Multifamily Standards**

Requirement	R10	R15	R20	R30
1. Maximum density (DUs*/net acre)	10	15	20	30
2. Minimum lot size (net area in sq. ft.)**	1 acre	1 acre	1 acre	1 acre
3. Minimum lot width in ft.	200	200	200	200
4. Minimum lot depth in ft.	175	175	175	175
5. Minimum front yard setback, in ft.	20	25	30	30
6. Minimum side yard setback, in ft.				
Interior side yard	10	10	10	10 ft. plus 2 ft. for every 5 ft. in height over 30 ft.
Street side yard	20	20	20	20
7. Minimum rear yard setback, in ft.	15	20	25	10 ft. plus 2 ft. for every 5 ft. in height over 30 ft.
8. Maximum lot coverage	40%	45%	50%	50%
9. Maximum building and structure height, in ft.	50 feet			
10. Minimum dwelling size (sq. ft.)	See Note 1			

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11. Minimum distance between buildings, in ft. (including main DUs and accessory structures)	20	20	20	20
12. Floor area ratio	0.75	0.75	0.75	1.0
* The term "DUs" means dwelling units.				
** Minimum lot size only applies to newly subdivided multifamily lots; existing lots can be developed under the multifamily development standards.				

E. Special Single-Family Residential Development Standards.

1. In any residential district, front yard setbacks in subdivision developments may be reduced by twenty (20) percent provided the mean of all such setbacks in the development is not less than the minimum required for the district.
2. In the R2, RA2, R3 and R5 districts, developments of five or more dwelling units shall include front and street side yard landscaping and shall consist predominantly of plant materials, except for necessary walks, drives and fences.
3. In the RS10 district, driveways and fire hydrants shall be designed and located to maximize on-street parking opportunities in front of each residence.
4. Within the RS10 district, small lot single-family subdivisions on less than fifteen (15) gross acres shall provide landscaping and decorative walls along the street side of corner lots and at least two of the following amenities throughout the project:
  - a. Front porches;
  - b. Automatic garage door openers;
  - c. Electronic security systems.
5. Within the RS10 district, small lot single-family subdivisions on fifteen (15) gross acres or more shall include usable common open space encompassing a minimum of ten (10) percent of each development. Usable common open space does not include individually owned lots, parking areas, nor vehicular rights-of-way. Usable common open space is open space and/or recreational amenities under joint (common) ownership, including, but not necessarily limited to, landscaped areas, trails, playgrounds, tennis courts, swimming pools and recreational buildings. A homeowners' association shall be established to provide continual maintenance of the commonly owned facilities.
6. For all developments within the R5 land use district, a buffer of lots held to the development standards of the R3 land use district shall be included for all portions of a subdivision located adjacent to lower density single-family residential land use districts, including the R1, R2, RA-2, and RR zones.
7. For all single-family residential developments in the R10, R15, R20, and R30 districts a planned unit development application shall be submitted to establish the applicable development standards.
8. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the

property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

F. Special Multiple-Family Residential Development Standards.

1. In the R10, R15, R20 and R30 districts, buildings exceeding one story in height shall maintain a minimum building setback of fifty (50) feet from any single-family district. Any single-story building within the R10, R15, R20 or R30 district shall maintain a minimum setback of twenty (20) feet from any single-family district.
2. In any residential district, front yard setbacks in subdivision developments may be reduced by twenty (20) percent provided the mean of all such setbacks in the development is not less than the minimum required for the district.
3. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.
4. In the RS10, R10, R15, R20 and R30 districts, developments of five or more dwelling units shall include front and street side yard landscaping and shall consist predominantly of plant materials, except for necessary walks, drives and fences.
5. In the RS10, R10, R15, R20 and R30 districts, a minimum of thirty-five (35) percent of the net site area, exclusive of private patio and yard areas, shall be landscaped. Turf shall not exceed fifty (50) percent of this area. Required setback areas and outdoor recreation areas may be counted toward this minimum. Landscaping shall consist predominately of plant materials to include water efficient native plants, except for necessary walks and fences. Landscape areas shall be designed to promote water retention and allow runoff from impervious surfaces. Hardscape areas are recommended to be constructed with pervious surfaces where feasible to reduce run off.
6. Where a multiple-family project abuts property in a single-family district, a decorative masonry wall at least six feet in height and screening landscaping within a planter of at least five-foot interior width shall be erected and maintained between such uses and the single-family district. Decorative walls composed of block, brick, stone, stucco-treated masonry or concrete panels are acceptable. The community development director may approve alternative materials, provided that the materials are decorative and comparable to masonry walls or concrete panels in durability and ability to attenuate light and sound.

7. Parking for each use shall comply with the requirements of Chapter 9.11 of this title.
8. In the R30 District, Landscape Trees. One tree per twenty (20) linear feet of building dimension for the portions of building visible from parking lot or ROW and one tree per twenty (20) linear feet of perimeter planter areas.
9. In the R30 district, for a development of three acres or greater, up to sixty (60) percent of the units may be in buildings with three or four stories, fifty (50) feet maximum height subject to planning commission approval.

**Table 9.03.040-8**

Designation	Minimum Density*	Maximum Density
R10	8 units/acre	10 units/acre
R15	12 units/acre	15 units/acre
R20	16 units/acre	20 units/acre
R30	24 units/acre	30 units/acre
* Eighty (80) percent of allowable density must be achieved by all multiple-family residential developments.		

- G. General Multiple-Family Guidelines.
1. Opposing garages or carports should be turned to avoid the monotony of alley-like parking corridors.
  2. Parking areas should be staggered and landscaped to add visual interest, and opportunities for accent treatments.
  3. Parking spaces within multifamily areas shall be located within two hundred fifty (250) feet of the dwellings they serve.
  4. Multifamily parking lots shall be limited to two double aisles of cars to help reduce expanses of paving. Parking lots shall provide openings in curbs to convey surface drainage into landscape areas for water quality, retention and absorption.
  5. Open parking areas should be clustered and treated as landscaped plazas and courts.
  6. Landscaping shall be used around the perimeter of the lot, as well as within the lot, reducing paved area and providing for a more pedestrian oriented site.
  7. No more than four units for a two-story structure should be served by one entry.
  8. Each multiple-family unit shall have at least one hundred fifty (150) square feet of private open space per downstairs unit and a minimum of one hundred (100) square feet of private open space per upstairs unit. Private open space may consist of a fenced yard area, patio or balcony. Fenced yards and patios shall have a minimum dimension of at least eight feet. Balconies shall be at least five feet deep.
  9. Common open space at a minimum of three hundred (300) square feet per each residential dwelling in the project is required.
  10. Individual units should have a porch or porch-like space at the front door.
  11. Trash enclosures shall be located to provide a maximum walking distance of two hundred fifty (250) feet from the units they serve.

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12. Trash enclosures shall include solid roofs and be designed to be compatible with the project's architecture.
13. Trash enclosures shall not be located on dead end drive aisles, unless adequate turnaround is provided for collection vehicles.
14. There shall be at least one double-bin trash enclosure for every forty-eight (48) residential units.
15. Mail boxes should be located at various places on the site and treated to match the building's architecture, avoiding the institutional and monumental "gang box" appearance, while conforming to post office guidelines.
16. Drive aisles should be curved and should incorporate landscaping and paving treatments to reduce vehicle speed. Landscaping treatments may include pinched planters and a mix of canopy and vertical trees. Paving treatments may include interlocking paver bands or etchings across drives. Speed bumps or Botts' dots are not an acceptable alternative.
17. Freestanding structures, like gazebos or pergolas, should be located to define activity areas at pathway intersections or in secluded landscape areas.
18. Drive aisles shall be at least twenty-four (24) feet wide for two-way traffic and shall be at least twenty (20) feet wide for one-way traffic.
19. Buffer setbacks and landscaping shall be provided along all property lines. Buffers may also be appropriate within the complex, separating recreational areas from units and limiting lines of sight between balconies and into parking areas.
20. Multiple-family projects warrant special design considerations, including:
  - a. Intimate, shaded outdoor seating areas;
  - b. A network of pathways, providing interesting walking experiences;
  - c. Gentle slopes for outdoor pathways and ramps to entry doors and between floors;
  - d. Convenient and attractive access to transit, including porte cocheres, information kiosks, seating areas and water elements;
  - e. Security;
  - f. Direct ambulance access (senior housing projects);
  - g. Parking close to units;
  - h. Elevators (senior housing projects).
- ~~21. Buildings shall provide for a variety of colors and architectural features to break up the massing of buildings and provide visual interest.~~
2122. Multifamily units shall be clustered to minimize grading and to help maintain the natural landscape.
2223. Multifamily projects shall be designed for the needs of the intended residents. For example, children's needs would require open space, tot lots, handrails, and enclosed yards on ground floor units. Disabled or elderly needs would require ramps, parking close to units, minimum and gradual elevation changes and elevators.
2324. Architectural features should be used to increase privacy from nearby units and common or public spaces.

- 2425. Roof forms should be mixed and combined to vary the perception of building height, to differentiate units and to add interest to building mass. The long, straight roofline of a single gable is not permitted.
- 2526. A diagram of the complex showing the location of the viewer and the building designations shall be positioned at each visitor entrance of a multiple-family development.
- 2627. Buildings shall provide for a variety of colors and architectural features to break up the massing of buildings and provide visual interest.

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### 9.03.070 Streamlined Ministerial Approval Process (Senate Bill 35)

- A. Purpose and Intent. This section is adopted pursuant to the provisions of Senate Bill 35 (SB 35), to the extent permissible by law, to establish a streamlined ministerial review and public oversight process for the final review and approval of SB 35 applications pursuant to the requirements in California Government Code Section 65913.4. SB 35 has been designed to help address the state's continuing housing crisis.
- B. Applicability. This section establishes clear eligibility criteria to establish a streamlined ministerial review and public oversight process for the Planning Commission's final review and approval of SB 35 applications pursuant to the requirements in California Government Code Section 65913.4.
- C. Qualifying Requirements.
1. A developer may submit an application for a development that is subject to the streamlined, ministerial approval process provided by SB 35 and not subject to a conditional use permit or any other discretionary local government review or approval.
  2. The project must be a multifamily housing development project, as defined in California Government Code Section 65589.5 that contains at least two residential units and complies with the minimum and maximum residential density range permitted for the site per the Land Use and Community Character Element of the MoVal 2040 General Plan, plus any applicable density bonus.
  3. Affordability Requirement. If more than 10 residential units are proposed, at least 10 percent of the project's total units must be dedicated as affordable to households making below 80 percent of the County of Riverside median income. If the project will contain subsidized units, the applicant has recorded, or is required by law to record, a land use restriction for the following minimum durations, as applicable:
    - a. 55 years for rental units.
    - b. 45 years for homeownership units

The development proponent shall commit to record a covenant or restriction dedicating the required minimum percentage of units to below-market housing before issuing the first building permit.
  4. The project must be located on a legal parcel or parcels within the incorporated City limits. At least 75 percent of the site's perimeter must adjoin parcels developed with urban uses.
  5. The project must be located on a site that is either zoned or has a General Plan designation for residential or residential mixed-use development, including sites where residential uses are permitted as conditional use. If the multiple-family housing development is mixed-use, at least two-thirds of the project's square footage must be designated for residential use.
  6. The project must meet all objective zoning and design review standards in effect at the time the application is submitted.
 

If the project is consistent with the minimum and maximum density range allowed within the General Plan land use designation, it is deemed consistent with housing density standards.

Any density bonus, concessions, incentives, or waivers of development standards or reduction of parking standards requested under Chapter 9.03.050 (Density bonus program for affordable housing) are deemed consistent with objective standards.

7. Prevailing Wages: If the development is not in its entirety a public work, as defined in Government Code Section 65913.4 (a)(8)(A), all construction workers employed in the execution of the development must be paid at least the general prevailing rate of per diem wages for the type of work and geographic area.
  8. Skilled and Trained Workforce provisions: A skilled and trained workforce, as defined in Government Code Section 65913.4 (a)(8)(B)iii, must complete the development if the project consists of 50 or more units.
  9. The development did not or does not involve a subdivision of a parcel that is subject to the California Subdivision Map Act unless the development either (i) receives a low-income housing tax credit and is subject to the requirement that prevailing wages be paid, or (ii) is subject to the requirements to pay prevailing wages and to use a skilled and trained workforce.
  10. The development must be located on a property that is not within a coastal zone, prime farmland, wetlands, a high fire hazard severity zone, hazardous waste site, a delineated earthquake fault zone, a flood plain, a floodway, a community conservation plan area, a habitat for protected species, or under a conservation easement.
  11. The project does not demolish any housing units that tenants have occupied in the last 10 years; are subject to any form of rent or price control, or are subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low incomes.
  12. The project does not demolish a historic structure that has been placed on a national, state, or local historic register.
- D. Application and Processing.
- Development projects submitted pursuant to California Government Code Section 65913.4 shall be reviewed in accordance with the procedures set forth in Subsection (b) of Section 65913.4, as such procedures may be amended from time to time and as further outlined in this Chapter.
1. The development proponent shall submit to the local government a notice of its intent to submit an application. The notice of intent (NOI) shall be in the form of an SB 35 Preliminary Application that includes all of the information described in Section 65941.1.
  2. Upon receipt of a NOI, the Community Development Director shall engage in a scoping consultation regarding the proposed development with any California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed development as required by Section 65913.4(b), as may be amended from time to time.
  3. After completing the NOI to submit an application for streamlined ministerial approval process (also referred to as SB 35 processing) and Tribal

Consultation process pursuant to Government Code Section 65913.4, Subsection (b), an applicant may submit an application for streamlined ministerial approval processing to the City. The applicant must submit a building permit application and an SB 35 streamlined ministerial approval process application demonstrating the proposed project's eligibility under California Government Code Section 65913.4. Once an application is submitted, the process set forth in Subsections E-H, below, shall be followed.

E. Community Development Director Determinations.

1. The Community Development Director shall review the application submitted hereunder and determine if the project is consistent with or conflicts with any of the objective zoning standards, objective subdivision standards, and objective design review standards applicable to the project. The Community Development Director's review of the project shall be completed within 60 days of application submittal for projects of 150 or fewer units and 90 days for projects consisting of more than 150 units.
2. If the City provides written comments as to any conflicts in the objective standards, or requests additional information to make such a determination, then the 60- or 90-day timeline will restart upon submittal of a revised development application in response to such written notice. The City's written comments shall specify the standard or standards with which the development conflicts and shall provide an explanation for the reason or reasons the development conflicts with that standard or standards within the timeframe specified.
3. If the application can be brought into compliance with minor changes to the proposal, the City, in lieu of making detailed findings, will allow the applicant to correct any deficiencies within the timeframes noted in Subsection E.2 above.
4. If the City fails to provide the required documentation determining consistency within these timeframes, the development shall be deemed to satisfy the City's objective planning standards and shall be deemed consistent.
5. The Community Development Director's determination shall be forwarded to the City's Planning Commission consideration as part of the ministerial design review/public oversight process as provided for in Subsection F below, under California Government Code Section 65913.4(d).

F. Planning Commission Ministerial Design Review/Public Oversight

The Planning Commission, at a noticed public meeting, shall undertake ministerial design review and public oversight as provided for in California Government Code Section 65913.4(d). Planning Commission review shall include a review of the Community Development Director's determination as outlined in Subsection E above. Furthermore, the Planning Commission's review under this process shall be objective and strictly focused on the project's compliance with the criteria required for a streamlined project pursuant to the California Government Code Section 65913.4 and consistency with City reasonable objective zoning standards, objective subdivision standards, and objective design review standards applicable

to the project, which have been adopted prior to the submittal of the application to the City and apply to other developments within the City.

The Planning Commission's review and a final determination on whether an application complies with the criteria under California Government Code Section 65913.4 and the reasonable objective zoning standards, objective subdivision standards, and objective design review standards applicable to the project must be completed in 90 days for projects with 150 or fewer units and 180 days for projects with more than 150 units, measured from the date of the application submittal.

The Planning Commission's ministerial review and public oversight process shall not in any way inhibit, chill, or preclude the ministerial approval of the project if it is in compliance with criteria specified in Government Code Section 65913.4 and consistent with the objective zoning standards, objective subdivision standards, and objective design review standards applicable to the project.

- G. Submission of Application and Payment of Fees.  
Development projects submitted pursuant to California Government Code Section 65913.4 must include a copy of the City's City SB 35 Checklist Application as well as required documents for a Plot Plan application. Payment of application fees are due at time of submittal.
- H. Public Hearing.  
The public hearing on an application hereunder shall be scheduled within the time frames provided for in Subsection F above.
- I. Modification.  
An applicant can request modification of approval after ministerial review and approval but prior to issuance of a final building permit pursuant to California Government Code Section 65914.3, Subsection (g). If the modification request falls within the parameters in Section 65913.4, Subsection (g), (3) (A) or (B) 1, then such modification shall be subject to review pursuant to Subsections E-H above. Otherwise, the modification shall be reviewed by the Community Development Director to confirm compliance with California Government Code Section 65913.4.
- J. Parking. A qualifying SB 35 project is required to provide one parking space per residential unit. Furthermore, the City shall not impose any parking requirements for qualifying projects if any of the following instances are present:
- a. The development is located within one-half mile of the Transit.
  - b. The development is located within an architecturally and historically significant historic district.
  - c. When on-street parking permits are required but not offered to the development's occupants.
  - d. When there is a car share vehicle located within one block of the development. A block can be up to 1,000 linear feet of pedestrian travel along a public street from the development.  
Mixed-use projects must provide parking for the commercial component of the development as required by Chapter 9.11.040 (Off-street parking requirements).
- K. The expiration dates for projects approved under SB 35 are as follows [Govt Code §65913.4(f)(2)]:

1. No expiration: Projects where 50% of the units are affordable to households making below 80% of the area median income (below moderate-income levels) and the project includes public investment in housing affordability beyond tax credits.
  2. After three years: Projects not including affordable housing are noted in the bullet above. Projects shall remain valid for three years and stay in effect as long as construction has begun and not ceased for more than 180 days. A one-year extension to the original three-year period may be granted if progress is made toward construction.
- L. Definitions. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.
- “Application” means a submission requesting Streamlined Ministerial Approval pursuant to Government Code section 65913.4 and the Guidelines, which contain information pursuant to Section 300(b) describing the development’s compliance with the criteria outlined in Article IV of the Guidelines.
- “Guidelines” shall mean the Updated Streamlined Ministerial Approval Process issued by the California Department of Housing and Community Development, as updated March 30, 2021, and as may be updated in the future.
- “Ministerial processing” means a process for development approval involving little or no personal judgment by the public official as to the wisdom or manner of carrying out the project. The public official merely ensures that the proposed development meets all the “objective zoning standards,” “objective subdivision standards,” and “objective design review standards” in effect at the time that the application is submitted to the local government but uses no special discretion or judgment in reaching a decision.
- “Ministerial approval” means approval of a project that complies with requirements and guidelines as set forth in Government Code Section 65913.4 that is non-discretionary and cannot require a conditional use permit or other discretionary local government review or approval.
- “Objective zoning standard”, “objective subdivision standard”, and “objective design review standard” means standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the applicant or development proponent and the public official prior to submittal, and includes only such standards as are published and adopted by ordinance or resolution by a local jurisdiction before submission of a development application.
- “Urban uses” means any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses. Parcels that are only separated by a street or highway shall be considered adjoined.

### 9.03.080 Streamlined Ministerial Approval Process (Senate Bills 330 and 8)

- A. Purpose and Intent. This section is adopted pursuant to the provisions of Senate Bill 330 (SB 330), Housing Crisis Act of 2019 (HCA), and Senate Bill (SB 8), which is an extension of the HCA. The HCA aims to increase residential unit development, protect existing housing inventory, and expedite permit processing.
- B. Applicability. This section establishes clear eligibility criteria to establish a streamlined review and approval of SB 330 applications pursuant to the requirements in California Government Code Sections 65589.5, 65905.5, 65913.10, 65940, 65941.1, 65943, 65950, 66300, and 66301.
- C. Qualifying Requirements.
1. The project must be a housing development project, as defined in California Government Code Section 65589.5(h)(2)(B). Specifically, pursuant to Government Code Section 65589.5(h)(2)(B) a project is a housing development project if:
    - a. Residential projects, excluding hotels, assisted living or other commercial dwelling units. Single-family, ADUs and/or JADUs are excluded from dwelling unit count;
    - b. Mixed-use development consisting of residential and nonresidential uses with at least two-thirds of the square footage of the project designated for residential use (not including hotels, assisted living or other commercial dwelling units); or
    - c. The project is a transitional or supportive housing development project.
  2. The HCA does not apply to housing development projects located within a very high fire hazard severity zone.
  3. The project must meet all objective zoning and design review standards in effect at the time the application is submitted.  
If the project is consistent with the minimum and maximum density range allowed within the General Plan land use designation, it is deemed consistent with housing density standards.  
Any density bonus, concessions, incentives, or waivers of development standards or reduction of parking standards requested under Chapter 9.03.050 (Density bonus program for affordable housing) are deemed consistent with objective standards.
  4. The City may not approve a housing development project that requires the demolition or removal of a protected unit before January 1, 2030, unless the project will replace any existing, demolished or removed protected units. "Protected Units" are defined as:
    - a. Affordable units deed-restricted to households earning below 80 percent of area median income (AMI).
    - b. Occupied by low-income households earning below 80 percent of AMI.
    - c. Units vacated under the Ellis Act within 10 years prior to development application.
- D. Application and Processing.



1. Project applicants choosing to seek vesting rights through a SB 330 Preliminary Application are encouraged to schedule a preliminary project discussion with Planning Division staff to assess eligibility before submitting a Preliminary Application for the SB 330 review process.
2. The SB 330 Preliminary Application must be filed with the Planning Division prior to filing a project application requesting approval of any discretionary action.
3. In order for a housing development project to receive initial vesting rights, a preliminary application must include all of the information required on the SB 330 Preliminary Application consistent with subdivision (a) of California Government Code Section 65941.1 and upon verification that the preliminary application processing fee is paid.
4. The SB 330 Preliminary Application shall be accompanied by any maps and supporting documents, including a site plan, floor plans, elevations, exterior material details and colors, and any other drawings that are required by this application.
5. A subsequent project application filed with the Planning Division requesting approval of a discretionary action (not including ministerial administrative reviews) must be filed within 180 days of the date that the SB 330 Preliminary Application is deemed complete.
6. If the project application is deemed incomplete or inconsistent after filing, the City shall provide the applicant in writing with a detailed explanation of the reason within 30 days (if 150 units or fewer) or 60 days (if 151 units or more). The applicant must submit all missing or incomplete items to Planning Division within 90 days of being notified in writing by Planning Division staff. If the project is again determined to be incomplete, the project applicant may appeal. The City has 60 days to respond to appeal.
7. Construction of the project must commence within two and one-half years following the date that the project receives final approval, including all necessary approvals to be eligible to apply for, and obtain a building permit or permits and all appeal periods or statutes of limitations have been exhausted or resolved in favor of the housing development project.
8. Any change in the residential unit count is limited to less than 20 percent exclusive of any increase resulting from the receipt of a density bonus, concession, waiver, or similar provision indicated on the submitted and deemed complete SB 330 Preliminary Application, otherwise the project must be resubmitted.
9. Any change in the Building Area is limited to less than 20 percent exclusive of any increase resulting from receiving a density bonus, concession, waiver, or similar provision indicated on the submitted and deemed-complete SB 330 Preliminary Application, otherwise the project must be resubmitted.
10. If the project submitted for a building permit differs substantially from the original submission (more than 20 percent in unit count or square footage), the Planning Division will re-certify the project for eligibility and re-review

the project’s design, restarting the timeline and requiring resubmittal of the SB 330 Preliminary Application.

E. Public Hearings

SB 330 prevents jurisdictions from conducting more than five public hearings in connection with the approval of a housing development project that meets objective zoning standards. The definition of “hearing” found in California Government Code section 65905.5 includes required Planning Commission, City Council, or other board, committee, or commission hearing or public workshop as well as any appeal hearing.

Meetings held solely pursuant to CEQA law, including CEQA appeals, are not counted toward the number of hearings.

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**9.05.040 Industrial site development standards.**

**A. General Requirements.**

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.
2. In addition, projects must comply with the special requirements enumerated in subsection B, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

**Table 9.05.040-8  
Industrial Site Development  
Minimum Standards**

<b>Requirement</b>	<b>BP/LI<sup>1</sup></b>	<b>BPX</b>	<b>I</b>
Minimum site area (in acres)	1	1	5
Minimum site width (in feet)	200	200	300
Minimum site depth (in feet)	200	200	300
Minimum front building setback area (in feet)	20	20	20
Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
Minimum street side building setback area (in feet)	20	20	20
Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

1. See Special Site Development Standards Section 9.05.040(B)(9) for unique separation requirements for structures greater than 50,000 square feet in building area.

\* Structures shall be constructed on the property line or a minimum of three feet from the property line.

**B. Special Site Development Standards.**

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.
2. Where off-street parking areas in industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.
3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.
4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and

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- parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.
5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.
  6. Parking for each use shall comply with the requirements of Chapter 9.11 and this title.
  7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.
  8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.
  9. In the LI district, industrial and warehouse structures greater than fifty thousand (50,000) square feet in building area shall be separated from any residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be two hundred fifty (250) feet between the residential district and the truck court or loading area.
  10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district.
  11. Industrial buildings larger than 50,000 square feet shall be designed and constructed to meet the equivalent level of *LEED* Silver.
  12. Industrial buildings with more than 30 required Truck Parking stalls shall provide a minimum of 10% of all required truck parking stalls with appropriately sized conduit(s) for future truck charging facilities.
  13. Industrial Building Signage
    - a. All signage required under this Section must be posted in English and Spanish and must be permanent, durable, weather-proof, and legible.
    - b. Signs and drive aisle pavement markings shall clearly identify the onsite circulation pattern to minimize unnecessary on-site vehicular travel.
    - c. Signs shall be installed at all truck exit driveways directing truck drivers to the truck route as indicated in the Truck Routing Plan and State Highway System.
  14. Roofing.
    - a. All building roofs shall be solar-ready, which includes designing and constructing buildings in a manner that facilitates the maximum

installation of a rooftop solar photovoltaic (PV) system after the building has been constructed.

15. Warehouse electrical rooms shall be sufficiently sized to accommodate the potential need for additional electrical panels, either a secondary electrical room shall be provided in the building, or the primary electrical room shall be sized 25% larger than is required to satisfy the service requirements of the building, or the electrical gear shall be installed with the initial construction with 25% excess demand capacity.

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**Exhibit G****9.14.100 Land division dedications, improvements, fees and reservations.****A. Dedications.**

1. All streets, highways and alleys, and other parcels of land intended for public use including, but not limited to, access road easements required for flood control and utilities intended for public use, shall be offered for dedication to the public by owners certificate as a part of a final land division map. No utility easement or other rights-of-way shall be granted within proposed street dedication subsequent to the date of filing of a preliminary tentative map. Necessary right-of-way outside of the tract boundary must be processed by separate instruments.
2. Whenever a minor arterial or higher classification is designated on the circulation element of the general plan of the city for Moreno Valley as requiring an ultimate right-of-way of eighty-eight (88) feet or greater and such highway either adjoins or crosses a proposed land division, access rights may be required to be offered for dedication to the city or otherwise restricted. The note "ACCESS RESTRICTED" shall be shown along the highway frontages on the final land division map, as provided herein. Access rights shall be restricted except for limited access openings as approved by the city engineer. However, the location of access opening(s) to commercially zoned property may be postponed to the development stage as approved by the city engineer.

**B. Land Division Improvements.**

1. Improvements installed in land divisions shall be constructed in conformance with city standards.
2. In the absence of a standard for an improvement, the city engineer may establish a standard in keeping with good construction and engineering practices.
3. When asphalt-concrete dikes are permitted and drainage is required to cross at intersecting streets, concrete curb returns and cross-gutters shall be installed.
4. Structural roadbed section shall be designed using recognized design methods, employing engineering soils analysis and determination of traffic evaluations.
5. The street pattern in the land development shall not land lock adjacent property or preclude access to public land.
6. When located under the pavement, utility mains and utility services shall be installed before the final street surfacing is installed.
7. When an existing underground utility or pipeline crosses a proposed land division or an access to a land division, the land divider shall adequately protect the utility or pipeline as directed by the utility owner as part of the conditional approval of the land division.
8. Projects which are located in high fire hazard areas shall require special fire mitigation measures. These fire mitigation measures shall be as per city ordinance.

**C. Improvements Plans Required.**

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1. All improvements constructed or installed in a land division shall be in accordance with detailed plans and specifications as approved in writing by the city engineer prior to commencement of such improvement work.
  2. All plans shall be submitted to the city engineer and shall be approved by him before submitting a final land division map to the city council. Upon approval of such plans, they shall become the property of the city.
  3. All improvements constructed or installed in land divisions shall be in accordance with plans and specifications as approved by the city engineer.
  4. Contractors shall secure an encroachment permit for all work done in connection with land division projects within city right-of-way and Riverside County flood control right-of-way prior to commencing such work.
  5. The improvement plans shall show the location of all existing improvements, gas and any other service facilities.
  6. Improvements proposed or required on state highway right-of-way shall be located in the improvement plans and designed to Department of Transportation standards. Prior to approval by the city engineer, the land divider's engineer shall obtain the Department of Transportation's approval for such improvements.
- D. Improvement for Subdivision. The minimum improvements which a land divider shall install, or enter into an agreement to install, for subdivisions shall be as hereinafter set forth in Schedule "A," "B," "C," and "D" for tentative map subdivisions and in Schedule "E," "F," "G," "H" and "I" for parcel map divisions.
1. Exemptions:  
The City Engineer may determine an exemption is appropriate if the improvement is infeasible or:
    - a. If there is insufficient real property to construct full-width improvements and the project developer cannot acquire the requisite real property from the applicable property owner(s) after making a good faith effort, and if the project involves a subdivision, then the City will either obtain said property or this requirement shall be waived by the City Engineer pursuant to the provisions of the Subdivision Map Act.
    - b. If there is insufficient real property to construct full-width improvement and the project developer cannot acquire the requisite real property from the applicable property owner(s) after making a good faith effort, and if the project does not involve a subdivision, then the City Engineer may waive the full-width improvement requirement.
  2. If the full-width improvements are located on a street that are subject to improvement via development impact fees, the developer may receive Development Impact Fee credits for improvements in accordance with Chapters 3.38 (Residential Development Impact Fees) and 3.42 (Commercial and Industrial Development Impact Fees) and any applicable City Policies.
- E. Schedule "A" Subdivision. Any division of land into five or more parcels, where any parcel is less than eighteen thousand (18,000) square feet in net area, shall be

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defined as a Schedule "A" subdivision. The minimum improvements for a Schedule "A" subdivision shall be as follows:

1. Streets. Unless otherwise determined by the City Engineer, subdivision street improvements shall be constructed to full-width. The minimum improvements for streets are established as follows:
  - a. Divided Major Arterial. One hundred ten (110) feet in width, designed and constructed in conformance with city standards;
  - b. Modified Divided Major Arterial. One hundred two (102) feet in width, designed and constructed in conformance with city standards;
  - c. Divided Arterial. Eighty-six (86) feet in width, designed and constructed in conformance with city standards;
  - d. Arterial. Seventy-six (76) feet in width, designed and constructed in conformance with city standards;
  - e. Minor Arterial. Sixty-four (64) feet in width, designed and constructed in conformance with city standards;
  - f. Industrial Collector. Fifty-six (56) feet in width, designed and constructed in conformance with city standards;
  - g. Collector Streets. Forty-four (44) feet in width, designed and constructed in conformance with city standards;
  - h. General Local Streets. Forty (40) feet in width, designed and constructed in conformance with city standards;
  - i. Short Local or Circulatory Interior Street. Thirty-six (36) feet in width, designed and constructed in conformance with city standards;
  - j. Restricted Local or Noncirculatory Interior Streets. Thirty-two (32) feet in width, designed and constructed in conformance with city standards;
  - k. Access Road. Thirty-two (32) feet in width, designed and constructed in conformance with city standards;
  - l. Frontage roads designed and constructed in conformance with city standards;
  - m. Cul-de-sac streets shall be designed and constructed in conformance with city standards;
  - n. Alleys. Twenty (20) feet in width, designed and constructed in conformance with city standards;
  - o. If exempted from full street improvements: Part-width streets shall be one-half of the required improvements plus an additional twelve (12) feet, but not less than twenty-eight (28) feet, designed and constructed in conformance with city standards;
  - p. Street Name Signs. Type and placement shall conform with city standards;
  - q. Barricades shall be placed at the end of dead-end streets in accordance with city standards;
  - r. Sidewalks shall be required to be constructed unless they are determined by the approving body to be unnecessary considering the design of the development. Sidewalk construction shall be in accordance with city standards.



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2. Domestic Water. The minimum requirements for domestic water supply and distribution system are as follows:
    - a. Water Supply. Water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards); and
    - b. Piped water systems.
  3. Fire Protection. The minimum requirement for fire protection facilities in residential zones that do not allow multifamily residential uses shall be as follows:
    - a. Type of fire hydrant and connection as approved by the agency providing fire protection;
    - b. The water system shall be capable of providing a fire flow of one thousand five hundred (1,500) GPM for two hours duration at a minimum of twenty (20) PSI operating pressure from each fire hydrant;
    - c. The fire protection system shall be installed and operational prior to any combustible building material being placed on the job site; and
    - d. In zones that allow multifamily residential uses, the minimum fire protection shall be as set forth in applicable city ordinance or ordinances.
  4. Sewage Disposal. The minimum requirement for sewage disposal shall be as follows:
    - a. Sewage disposal shall be provided by connection to an existing collection system capable of accepting waste load, or, if an existing collection system is not available, by the development of individual subsurface sewage disposal systems that meet health department and the regional water quality control board standards and requirements;
    - b. Improvement plans for sewage collection systems shall be reviewed as required by this chapter; and
    - c. Dry sewer may be required as set forth in Section 9.14.120 when subsurface sewage disposal is approved.
  5. Fences. Minimum fencing requirements shall be as follows: six-foot high chain link galvanized wire fence shall be installed along any canal, drain, expressway or other feature deemed to be hazardous.
  6. Electrical and Communication Facilities. Minimum requirement for electrical and communication facilities shall be as follows: electrical and communication facilities shall be installed in conformity with the provision of Section 9.14.130.
- F. Schedule "B" Subdivision. Any division of land into five or more parcels, where any parcel is not less than eighteen thousand (18,000) square feet in net area up to two acres in gross area, shall be defined as a Schedule "B" subdivision. The minimum improvements for a Schedule "B" subdivision shall be as follows:
1. Streets. Unless otherwise determined by the City Engineer, subdivision street improvements shall be constructed to full-width. The minimum improvements for streets are established as follows:

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- a. Divided Major Arterial. One hundred ten (110) feet in width, designed and constructed in conformance with city standards;
  - b. Modified Divided Major Arterial. One hundred two (102) feet in width, designed and constructed in conformance with city standards;
  - c. Divided Arterial. Eighty-six (86) feet in width, designed and constructed in conformance with city standards;
  - d. Arterial. Seventy-six (76) feet in width, designed and constructed in conformance with city standards;
  - e. Minor Arterial. Sixty-four (64) feet in width, designed and constructed in conformance with city standards;
  - f. Industrial Collector. Fifty-six (56) feet in width, designed and constructed in conformance with city standards;
  - g. Collector Streets. Forty-four (44) feet in width, designed and constructed in conformance with city standards;
  - h. General Local Streets. Forty (40) feet in width, designed and constructed in conformance with city standards;
  - i. Short Local or Circulatory Interior Streets. Thirty-six (36) feet in width, designed and constructed in conformance with city standards;
  - j. Restricted Local or Noncirculatory Interior Streets. Thirty-two (32) feet in width, designed and constructed in conformance with city standards;
  - k. Access Roads. Thirty-two (32) feet in width, designed and constructed in conformance with city standards;
  - l. Frontage roads designed and constructed in conformance with city standards;
  - m. Cul-de-sac streets shall be designed and constructed in conformance with city standards;
  - n. Alleys. Twenty (20) feet in width, designed and constructed in conformance with city standards;
  - o. If exempted from full street improvements: Part-width street shall be one-half of the required improvement, plus an additional twelve (12) feet, but not less than twenty-eight (28) feet, designed and constructed in conformance with city standards;
  - p. Street Name Signs. Type and placement shall conform with city standards;
  - q. Barricades shall be placed at end of dead-end streets in conformance with city standards.
2. Domestic Water. The minimum requirement for a domestic water supply and distribution system is as follows:
    - a. Water Supply. Water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards);
    - b. Piped water systems.
  3. Fire Protection Systems. The minimum requirement for protection facilities in residential zones that do not allow multifamily residential uses shall be as follows:

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- a. Type of fire hydrant and connection as approved by the agency providing fire protection;
  - b. Approved fire hydrants shall be located on all city streets, and spaced as approved by Moreno Valley fire services;
  - c. The water system shall be capable of providing a fire flow of one thousand five hundred (1,500) GPM for two hours at a minimum of twenty (20) PSI operating pressure from each fire hydrant;
  - d. The fire protection system shall be installed and operational prior to any combustible building material being placed on the job site; and
  - e. In zones that allow multifamily residential uses, the minimum fire protection shall be as set forth in applicable city ordinances.
4. Sewage Disposal. The minimum requirements for sewage disposal shall be as follows:
- a. Sewage disposal shall be provided by connection to an existing collection system capable of accepting the waste load, or, if an existing collection system is not available, by the development of individual subsurface sewage disposal systems that meet the Riverside County health department and the regional water quality control board standards and requirements;
  - b. Improvement plans for sewage collection systems shall be reviewed as required by this chapter; and
  - c. Dry sewer may be required as set forth in this chapter when subsurface sewage disposal is approved.
5. Fences. Minimum fencing requirement shall be as follows: six-foot high chain link galvanized wire fence shall be installed along any canal, drain, expressway or other feature deemed to be hazardous.
6. Electrical and Communication Facilities. Minimum requirement for electrical and communication facilities shall be as follows: electrical and communication facilities shall be installed in conformity with the provisions of Section 9.14.130.
- G. Schedule "C" Subdivision. Any division of land into five or more parcels where any parcel is not less than two acres in gross area up to five acres in gross area. The minimum improvement of Schedule "C" subdivision shall be as follows:
1. Streets. Unless otherwise determined by the City Engineer, subdivision street improvements shall be constructed to full-width. All streets shall be thirty-two (32) feet in width, improved with asphalt concrete and paving, designed and constructed in conformance with city standards, unless further improvements are required on boundary streets to achieve compatibility with contiguous existing streets or street improvement requirements set forth on adjacent land division.
  2. Domestic Water. The minimum requirement for a domestic water supply and distribution system is as follows:
    - a. No water system required. If a water system is installed, the requirements shall be as follows:
      - i. Water Supply. Water shall be provided to meet the requirements as set forth in the California Administrative

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- Code, Title 22, Chapter 16 (California Waterworks Standards). Improvement plan review shall be as required by this chapter;
- ii. Piped water systems.
  - b. If no water system is installed, the following statement shall be placed on each map sheet of the environmental constraints sheet, in letters not less than one-fourth inch high:  
 NO WATER SYSTEM IS PROVIDED FOR THE LAND DIVISION AS OF THE DATE OF RECORDATION OF THIS MAP.
3. Fire Protection. If a water system is installed, the minimum requirement for fire protection facilities in single-family residential zones shall be as approved by the fire chief as follows:
    - a. Type of fire hydrant and connection as approved by the agency providing fire protection;
    - b. Approved fire hydrants shall be located on all city streets and spaced as approved by Moreno Valley fire services;
    - c. The water system shall be capable of providing a fire flow of one thousand five hundred (1,500) GPM for two hours duration at a minimum of twenty (20) PSI operating pressure from each fire hydrant; and
  4. Sewage Disposal. The minimum requirements for sewage disposal shall be as follows:
    - a. No sewage disposal collection system is required; and
    - b. The land divider will be required to provide the Riverside County health department with a sewage disposal feasibility report in conformance with health department and the regional water quality control board standards.
  5. Electrical and Communication Facilities. The minimum requirements for electrical and communication facilities shall be as follows:
    - a. No electrical and communication facilities are required; and
    - b. If installed, they shall be installed in conformance with the provisions of Section 9.14.130.
- H. Schedule "D" Subdivision. Any division of land into five or more parcels, where any parcel is not less than 5 acres in gross area up to twenty (20) acres in gross area, shall be defined as a Schedule "D" subdivision. The minimum improvements of a Schedule "D" subdivision shall be as follows:
1. Streets. Unless otherwise determined by the City Engineer, subdivision street improvements shall be constructed to full-width.
    - a. If the streets are not to be accepted for maintenance by the city, all streets shall be improved with twenty-four (24) feet of suitable aggregate base, four inches thick, on a forty-foot graded roadway section. Vertical grades and horizontal alignments shall be held to an acceptable tolerance as determined by the city engineer;
    - b. If the streets are to be accepted for maintenance by the city, the improvements shall be the same as those required for Schedule "C" subdivisions;

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- c. Access road shall be a minimum eighteen-foot wide graded roadbed section engineered to a profile and alignment as approved by the city engineer, which provides access to a paved and maintained street or highway.
  2. Domestic Water. The minimum requirement for a domestic water supply and distribution system is as follows:
    - a. No Water System Required. If a water system is installed, the requirements shall be as follows:
      - i. Water Supply. Water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards). Improvement plan review shall be as required by this chapter;
      - ii. Piped water systems.
    - b. If no water system is installed, the following statement shall be placed on each map sheet of the recorded land division map, in letters no less than one-fourth inch high:  
**NO WATER SYSTEM IS PROVIDED FOR THE LAND DIVISION AS OF THE DATE OF RECORDATION OF THIS MAP.**
3. Fire Protection.
  - a. If a water system is installed, the minimum requirements for fire protection facilities in single-family residential zones shall be as approved by the fire chief or as follows:
    - i. The water system shall be capable of providing a fire flow of one thousand five hundred (1,500) GPM for two hours duration at a minimum of twenty (20) PSI operating pressure from each fire hydrant; and
    - ii. Approved fire hydrants shall be located on all city streets and spaced as approved by the fire prevention bureau.
4. Sewage Disposal. The minimum requirements for sewage disposal shall be as follows:
  - a. No sewage disposal collection system is required; or
  - b. The land divider will be required to provide the health department with a sewage disposal feasibility report in conformance with the Riverside County health department and the regional water quality control board standards.
5. Electrical and Communication Facilities. The minimum requirements for electrical and communication facilities shall be as follows:
  - a. No electrical and communication facilities are required; and
  - b. If installed, they shall be installed in conformance with the provisions of Section 9.14.130.
- I. Improvements for Parcel Map Divisions.
  1. The minimum improvements which a land divider shall install, or enter into an agreement to install, for parcel map divisions shall be as hereinafter set forth in Schedule "E," "F," "G," "H" and "I".

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- J. Schedule "E" Parcel Map Division. Any division of land into two or more parcels in commercial or industrial zones, regardless of parcel size shall be described as a Schedule "E" parcel map division. The minimum improvements for a Schedule "E" parcel map division shall be as follows:
1. Streets. Unless otherwise determined by the City Engineer, subdivision street improvements shall be constructed to full-width. The minimum improvements for streets are established as follows:
    - a. All through streets shall be sixty-four (64) feet in width, designed and constructed in conformance with city standards;
    - b. No circulatory streets shall be less than fifty-six (56) feet in width, designed and constructed in conformance with city standards;
    - c. If exempted from full street improvements: No part-width interior street shall be less than thirty-four (34) feet in width;
    - d. Concrete curb and gutter shall be required in all cases;
    - e. Industrial collector streets shall be fifty-six (56) feet in width, designed and constructed in conformance with city standards;
    - f. Sidewalks may be required to be constructed unless they are determined by the approving body to be unnecessary considering the design of the development. Sidewalk construction shall be in accordance with city standards;
    - g. Access roads, thirty-two (32) feet in width, designed and constructed in conformance with city standards.
  2. Domestic Water. The minimum requirements for domestic water supply and distribution system is as follows:
    - a. Water Supply. Water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards). Improvement plan review shall be as required by this chapter; and
    - b. Piped water systems.
  3. Fire Protection. The minimum fire protection requirements shall be as provided in applicable city ordinances.
  4. Sewage Disposal. The minimum requirement for sewage disposal shall be as follows:
    - a. Sewage disposal shall be provided by connection to an existing collection system capable of accepting the waste load, or, if an existing collection system is not available, by the development of individual subsurface sewage disposal systems that meet health department and the regional water quality control board standards and requirements;
    - b. Improvement plans for sewage collection systems shall be reviewed as required in this chapter;
    - c. Dry sewer may be required as set forth in Section 9.14.120 when subsurface sewage disposal is approved.
  5. Fences. Minimum requirement for fencing shall be as follows: six-foot high chain link galvanized wire fence shall be installed along any canal, drain, expressway or other feature deemed to be hazardous.

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6. Electrical and Communication Facilities. The minimum requirements for electrical and communication facilities shall be as follows: electrical and communication facilities shall be installed in conformity with the provisions of Section 9.14.130.
- K. Schedule "F" Parcel Map Division. Any division of land into four or less parcels, where any parcel is less than eighteen thousand (18,000) square feet in net area, shall be defined as a Schedule "F" parcel map division. The minimum improvements for a Schedule "F" parcel map division shall be as follows:
1. Streets. Unless otherwise determined by the City Engineer, subdivision street improvements shall be constructed to full-width. The minimum improvements for streets are established as follows:
    - a. Divided Major Arterial. One hundred ten (110) feet in width, designed and constructed in conformance with city standards;
    - b. Modified Divided Major Arterial. One hundred two (102) feet in width, designed and constructed in conformance with city standards;
    - c. Divided Arterial. Eight-six (86) feet in width, designed and constructed in conformance with city standards;
    - d. Arterial. Seventy-six (76) feet in width, designed and constructed in conformance with city standards;
    - e. Minor Arterial. Sixty-four (64) feet in width, designed and constructed in conformance with city standards;
    - f. Industrial Collector. Fifty-six (56) feet in width, designed and constructed in conformance with city standards;
    - g. Collector Streets. Forty-four (44) feet in width, designed and constructed in conformance with city standards;
    - h. General Local Streets. Forty (40) feet in width, designed and constructed in conformance with city standards;
    - i. Short Local or Circulatory Interior Streets. Thirty-six (36) feet in width, designed and constructed in conformance with city standards;
    - j. Restricted Local or Noncirculatory Interior Streets. Thirty-two (32) feet in width, design and constructed in conformance with city standards;
    - k. Access Roads. Thirty-two (32) feet in width, designed and constructed in conformance with city standards;
    - l. Frontage roads designed and constructed in conformance with city standards;
    - m. Cul-de-sac streets shall be designed and constructed in conformance with city standards;
    - n. Alleys. Twenty (20) feet in width, designed and constructed in conformance with city standards;
    - o. If exempted from full street improvements: Part-width streets shall be one-half of the required improvement, plus an additional twelve (12) feet, but not less than twenty-eight (28) feet, designed and constructed in conformance with city standards;
    - p. Street Name Signs. Type and placement shall conform with city standards;

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- q. Barricades shall be placed at end of dead-end streets in conformance with city standards.
  2. Domestic Water. The minimum requirement for a domestic water supply and distribution system is as follows:
    - a. Water Supply. Water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards). Improvement plan review shall be as required by this chapter;
    - b. Piped water systems.
  3. Fire Protection Systems. The minimum requirement for protection facilities in residential zones that do not allow multifamily residential uses shall be as follows:
    - a. Type of fire hydrant and connection as approved by the agency providing fire protection;
    - b. Approved fire hydrants shall be located on all city streets and spaced as approved by the fire prevention bureau;
    - c. The water system shall be capable of providing a fire flow of one thousand five hundred (1,500) GPM for two hours at a minimum of twenty (20) PSI operating pressure from each fire hydrant;
    - d. The fire protection system shall be installed and operational prior to any combustible building material being placed on the job site; and
    - e. In zones that allow multifamily residential uses, the minimum fire protection shall be as set forth in city standards.
  4. Sewage Disposal. The minimum requirements for sewage disposal shall be as follows:
    - a. Sewage disposal shall be provided by connection to an existing collection system capable of accepting the waste load, or, if an existing collection system is not available, by the development of individual subsurface sewage disposal systems that meet the Riverside County health department and the regional water quality control board standards and requirements;
    - b. Improvement plans for sewage collection systems shall be reviewed as required by this chapter; and
    - c. Dry sewer may be required as set forth in Section 9.14.120 when subsurface sewage disposal is approved.
  5. Fences. Minimum fencing requirement shall be as follows: six-foot high chain link galvanized wire fence shall be installed along any canal, drain, expressway or other feature deemed to be hazardous.
  6. Electrical and Communication Facilities. Minimum requirement for electrical and communication facilities shall be as follows: electrical and communication facilities shall be installed in conformity with the provisions of Section 9.14.130.
- L. Schedule "G" Parcel Map Division. Any division of land into four or less parcels, where any parcel is not less than eighteen thousand (18,000) square feet in net area up to one acre in gross area, shall be defined as a Schedule "G" parcel map



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division. The minimum improvements for Schedule “G” parcel map division shall be as follows:

1. Street. Unless otherwise determined by the City Engineer, subdivision street improvements shall be constructed to full-width. The minimum improvements for streets are established as follows:
  - a. Divided Major Arterial. One hundred ten (110) feet in width, designed and constructed in conformance with city standards;
  - b. Modified Divided Major Arterial. One hundred two (102) feet in width, designed and constructed in conformance with city standards;
  - c. Divided Arterial. Eighty-six (86) feet in width, designed and constructed in conformance with city standards;
  - d. Arterial. Seventy-six (76) feet in width, designed and constructed in conformance with city standards;
  - e. Minor Arterial. Sixty-four (64) feet in width, designed and constructed in conformance with city standards;
  - f. Industrial Collector. Fifty-six (56) feet in width, designed and constructed in conformance with city standards;
  - g. Collector Streets. Forty-four (44) feet in width, designed and constructed in conformance with city standards;
  - h. General Local Streets. Forty (40) feet in width, designed and constructed in conformance with city standards;
  - i. Short Local or Circulatory Interior Streets. Thirty-six (36) feet in width, designed and constructed in conformance with city standards;
  - j. Restricted Local or Noncirculatory Interior Streets. Thirty-two (32) feet in width, designed and constructed in conformance with city standards;
  - k. Access Roads. Thirty-two (32) feet in width, designed and constructed in conformance with city standards;
  - l. Frontage roads designed and constructed in conformance with city standards;
  - m. Cul-de-sac streets shall be designed and constructed in conformance with city standards;
  - n. Alleys. Twenty (20) feet in width, designed and constructed in conformance with city standards;
  - o. If exempted from full street improvements: Part-width streets shall be one-half of the required improvement, plus an additional twelve (12) feet, but not less than twenty-eight (28) feet, designed and constructed in conformance with city standards;
  - p. Street Name Signs. Type and placement shall conform with city standards;
  - q. Barricades shall be placed at end of dead-end streets in conformance with city standards.
2. Domestic Water. The minimum requirement for a domestic water supply and distribution system is as follows:
  - a. No Water System Required. If a water system is installed, the requirements shall be as follows:

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- i. Water Supply. Water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards). Improvement plan review shall be as required by this chapter; and
      - ii. Piped water systems.
    - b. If no water system is installed, the following statement shall be placed on each map sheet of the environmental constraints sheet, in letters no less than one-fourth inch high:  
NO WATER SUPPLY IS PROVIDED FOR THE LAND DIVISION AS OF THE DATE OF RECORDATION OF THIS MAP.
  - 3. Fire Protection. The minimum improvements for fire protection shall be as required by the city fire prevention bureau and applicable city ordinances.
  - 4. Sewage Disposal. The minimum requirements for sewage disposal shall be as follows:
    - a. No sewage disposal collection system is required; however, the land divider may be required to provide the Riverside County health department with a sewage disposal feasibility report in conformance with health department and regional water quality control board standards.
    - b. Construct a dry sewer system as approved by the city engineer.
  - 5. Electrical and Communication Facilities. Minimum requirement for electrical and communication facilities shall be as follows:
    - a. No electrical and communication facilities are required; and
    - b. If installed, they shall be installed in conformity with the provision of Section 9.14.130.
- M. Schedule "H" Parcel Map Division. Any division of land into four or less parcels, where all parcels are not less than one acre in gross area, shall be defined as a Schedule "H" parcel map division. The minimum improvements for a Schedule "H" parcel map division shall be as follows:
- 1. Streets. Unless otherwise determined by the City Engineer, subdivision street improvements shall be constructed to full-width. The minimum improvements for streets shall be as follows:
    - a. If the streets are not to be accepted for maintenance by the city, all streets shall be improved with twenty-four (24) feet in width of four-inch thick base material (minimum R of 60, minimum sand equivalent of 20) on a thirty-two-foot minimum graded roadway section, unless difficult topography dictates a lesser graded section no less than eighteen (18) feet in width. Vertical grades and horizontal alignment shall be shown on an improvement plan detailing the construction requirement for grading and drainage as approved by the city engineer.
    - b. If the streets are to be accepted for maintenance by the city, the improvement shall be as follows:
      - i. All streets except as noted in subsection (M)(1)(b)(ii) of this section shall be not less than thirty-two (32) feet in width,

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- improved with asphalt concrete paving, designed and constructed in conformance with city standards, unless further improvements are required on boundary streets to achieve compatibility with contiguous existing streets or street improvement requirements set forth on adjacent land divisions; and
- ii. Noncirculatory streets located in an area where the geography will not sustain parcels of lesser size may have the streets section reduced to twenty-eight (28) feet in width. The street shall be improved with asphalt concrete paving, designed and constructed in conformance with city standards.
  - c. Improvements required on general plan streets, collector or greater, shall be at the same level as exists, or for which improvements have been bonded on a contiguous parcel of land.
  - d. Access roads shall be a minimum eighteen-foot wide graded roadbed section designed and constructed to a profile and alignment as approved by the city engineer which provides access to a paved and maintained street or highway.
2. Other Improvements. Domestic water, fire protection facilities and electrical and communication facilities shall be as necessary per applicable city ordinances.
  3. Sewage Disposal. The minimum requirements for sewage disposal shall be as follows: no sewage disposal collection system is required; however, the land divider may be required to provide the health department with a sewage disposal feasibility report in conformance with health department and regional water quality control board standards.
  4. Agricultural Lands. The following agricultural lands shall be exempt from all improvement requirements specified within this section:
    - a. Lands lying within an established agricultural preserve formed pursuant to the Williamson Act;
    - b. Lands (parcels) zoned AG and identified in the general plan as agriculture and not less than five acres in size.
  5. Exceptions. For the purpose of this section, any parcel map division located in its entirety within a community services district, the following exception shall apply:
 

Whenever in this title reference is made to any street design, standard, minimum improvements, maintenance, access, or dedication thereof, the adopted street standards of the city shall apply in meeting any street requirements for land division approval, provided the city engineer has previously approved such standards. The land divider shall submit to the city engineer a street construction permit issued by the city approving the proposed street construction.
- N. Schedule "I" Parcel Map Division. Any division of land, where all parcels are not less than twenty (20) acres in gross area, shall be defined as a Schedule "I" parcel map division. The land divider may be required to provide soil percolation tests in conformity with city requirements and the regional water quality control board. No

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improvements are required on a Schedule "I" parcel map division, subject to the condition that an adequate circulation system is retained or replaced. If replaced, unless otherwise determined by the City Engineer, subdivision street improvements shall be constructed to full-width.

**O. Drainage Fees.**

1. This section is adopted pursuant to Sections 66483 et seq., of the Government Code which provides for the payment of fees for the construction of drainage facilities as a condition to the division of land.
2. Whenever land that is proposed to be divided lies within the boundaries of an area drainage plan, a drainage fee in the amount required by the plan for the area, as adopted or thereafter amended, shall be required as a condition of approval of the division of land in that drainage area.
3. Each area drainage plan as adopted, pursuant to the provision of Government Code Sections 66483 et seq., shall cover a particular drainage area; shall contain an estimate of the total cost of constructing the drainage facilities required by the plan, and include a map of the area that shows the boundaries of the drainage area and the location of the required facilities serving the drainage area. As a part of the adoption of a plan, the city shall find and determine that the subdivision and development of land within the plan area will require construction of the facilities described in the plan. The city shall further find and determine that the drainage fees are fairly apportioned within the local drainage area, on the basis of benefits conferred on property proposed for subdivision or on the land for local drainage facilities created by the proposed subdivision and development of other properties within the adopted drainage area, and may provide for varying fees; provided, however, the fee as to any property proposed for subdivision within a drainage area shall not exceed the pro rata share of the amount of the total actual or estimated cost of all facilities within the drainage area apportioned uniformly on a per acre basis.
4. Drainage fees shall be paid at the time of the filing of the final map or parcel map, or as a condition of the waiver of the filing of a parcel map; provided, however, at the option of the land divider the fee may be paid, in pro rata amounts, at the time of the issuance of grading permits for the approved parcels or at the time of issuance of building permits if no grading permits are issued for the parcels. The amount of the drainage fee required to be paid shall be the amount that is in effect for the particular area drainage plan at the time of actual payment of the fee. If the land divider elects to have payment made at the time of issuance of grading permits for the approved parcels or at the time of issuance of building permits if no grading permits are issued for the parcels, the amount of the drainage fee required to be paid shall be the amount that is in effect for the particular area drainage plan at the time of actual payment of the fee. If the land divider elects to have payment made at the time of issuance of a grading or building permit, the recorded final map or parcel map or certificate of compliance evidencing the waiver of the filing of a parcel map shall specifically state that payment of a drainage fee is required to be paid prior to issuance of a grading permit or

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- building permit for the parcels that have been created by the land divider. In addition, a separate instrument shall be recorded by the land divider in the office of the county recorder of Riverside County, at the time of the filing of the final map or parcel map, which gives notices that the drainage fee is required to be paid by any person owning such parcels prior to issuance of a grading or building permit, if a grading permit is not required.
5. If the drainage fee is paid at the time of filing of the final map or parcel map or certificate of compliance evidencing the waiver of the parcel map, it shall be paid to the Riverside County flood control district. If the drainage fee is paid at the time of issuance of a grading or building permit, it shall be paid to the Riverside County flood control district. All fees that are collected shall thereafter be deposited into a local drainage facilities fund maintained under the jurisdiction of the Riverside County flood control and water conservation district. A separate fund shall be established by the district for each adopted local drainage area. Money in such funds shall be expended for construction or reimbursement for construction, including acquisition of right-of-way necessary for construction, of the drainage facilities serving the drainage areas for which the fees are collected, or to reimburse the district for the cost of engineering and administrative services to design and construct and acquire any necessary right-of-way for the facilities.
  6. Under the direction of the city engineer, considerations such as dedications of right-of-way, actual construction, or design work by a civil engineer may be accepted in lieu of the payment of drainage fees, upon a determination that the alternative is acceptable and is equal to or greater in value than the required fee.
  7. Money may be advanced by the Riverside County flood control and water conservation district to design or construct drainage facilities or to acquire necessary right-of-way within an adopted drainage area; therefore, money so advanced may be reimbursed to the district from the fund for the local drainage area in which the facilities are located.
  8. When required for the implementation of an adopted area plan, an agreement may be entered into between a developer and the Riverside County flood control and water conservation district whereby the developer may advance money for the construction of facilities, or design or construct facilities within a local drainage area; provided that the sole security to the developer for repayment of money or other consideration advanced shall be for the amount agreed upon in advance only and shall not include interest or other charges. This agreement shall expire fifteen (15) years after the date it was entered into, and any subsequent money paid into the fund shall accrue to the fund without obligation to developers whose agreements have expired.
  9. The drainage plan area, the required facilities and the drainage fee in an adopted plan may be amended by the county board of supervisors at any time upon a determination that it is necessary to do so in order to correctly reflect the drainage area, the required facilities or estimated cost of the facilities.

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- P. Interchange and Bridge Construction Fees.
1. This section is adopted pursuant to Section 66484 of the Government Code which provides for the payment of fees to defray the actual or estimated costs for the construction of bridges and interchanges as identified in the circulation element of the general plan and as a condition of approval of a final map or as a condition of issuing a building permit.
  2. Whenever land that is proposed to be divided or for which a building permit is sought lies within the boundaries of an area of benefit, as hereinafter defined and established, a fee in the amount specified by the resolution establishing the area of benefit as adopted or thereafter amended, shall be required as a condition of approval and recordation of any final subdivision or parcel map or for the issuance of a building permit. No property shall be assessed a fee under this section for both a final map and a building permit.
  3. Setting the Matter For Public Hearing. The city council may, by resolution, set a public hearing at any time to determine whether an area of benefit is to be established and to designate the bridge and interchange(s) from fees collected from owners of real property within such area of benefit. The city clerk shall notify all owners of real property within the proposed boundaries of the area of benefit, as shown by the last equalized assessment roll of the county, of the time and place of the hearing at least twenty-one (21) days prior to the date of the hearing, by U.S. mail, postage prepaid, and by publication once in a newspaper of general circulation published in the city. Such notice shall contain information setting forth the proposed boundaries of the area of benefit, identifying the interchange(s) and/or bridge(s) to be constructed and the estimated cost of each, and setting forth the proposed method for equitably apportioning the fee amount to property owners.
  4. Public Hearing and Protest. At the public hearing the city council will consider the preliminary plan prepared by the city engineer that outlines the area to be included within the area of benefit, designates those bridge(s) and/or major interchange(s) to be constructed, the cost estimate with regard to each improvement, and the method of apportioning fees within the area of benefit. The city council will also consider testimony from interested persons, written protest and all relevant evidence submitted. All protests are to be in writing and may be filed with the city clerk at any time period or the close of the public hearing. Each protest may be filed by a person or entity owning property within the proposed boundaries of the proposed area of benefit and describe the property with sufficient specificity that the parcel may be identified. If the person or entity filing the protest is not shown on the latest equalized assessment roll as the owner of the parcel, the protest may contain or be accompanied by documentary evidence establishing ownership. A protest may be withdrawn in writing at any time prior to the conclusion of the public hearing. If written protests are filed with the city clerk from persons or entities owning more than fifty (50) percent of the land area to be included within the proposed area of benefit and, by the conclusion of the public hearing, a sufficient number of such protests have not been withdrawn so as to reduce the land area whose owners are

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protesting to less than fifty (50) percent, then all proceedings with regard to the area of benefit shall be abandoned and the city council shall not, for one year from the date of the hearing, commence or carry on any proceeding for the same improvement or area of benefit under the provisions of this section. If any majority protest is directed against only a portion of the designated improvement, then all further proceedings under the provisions of this section to construct that portion of the designated improvement so protested against shall be barred for a period of one year, but the city council shall not be barred from commencing new proceedings not including any part of the designated improvements or acquisition so protested against. The city council may, within a one-year period following a majority protest, commence new proceedings for the construction of the portion of the designated improvements so protested against, if it finds by the affirmative vote of four-fifths of its members, that the owners of more than one-half of the property to be benefitted are in favor of going forward with such portion of the designated improvements.

5. Establishment of Areas of Benefit. The city council, by resolution, within a reasonable time after the close of public hearing, may establish the area of benefit. Such resolution shall set forth the boundaries of the area of benefit, specify the designated improvements to be constructed, the cost, actual or estimated, for each of the designated improvements, and establish the fee schedule by which such cost is to be equitably apportioned among the parcels comprising the area of benefit. The decision of the city council represented by such resolution shall be final. A certified copy of such resolution shall be recorded in the office of the county recorder. The method of fee apportionment, in the case of major thoroughfares, shall not provide for higher fees on land which abuts the designated improvement except where the abutting property is provided direct usable access to the adjoining thoroughfare. The resolution establishing an area of benefit, may be amended from time to time by the city council to reflect modification in either the facilities to be constructed or the area to be included within the area of benefit due to alternation in land use and to reflect adjustments in the fee schedule necessitated by any amendment or increase in construction costs. Such amendments shall be adopted in the same manner as the original resolution. If the area of benefit includes lands not subject to the payment of fees, the city council shall make provisions for payment of the fees that would otherwise be chargeable to such lands from other sources. The designation of such alternative funding need not be addressed in the resolution establishing the area of benefit.
6. Payment of Fees.
  - a. Interchange improvement fees for areas of benefit shall be paid as follows:
    - i. Interchange improvement fees shall be paid to the city engineer prior to the recordation of a final subdivision or parcel map. If the recordation of a final parcel map is waived, road improvement fees shall be paid as a condition of the waiver

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- prior to recordation of a certificate of compliance evidencing the waiver of the final parcel map. The fees paid shall be based on the fee schedule in effect on date of payment;
- ii. At the option of the land divider, upon filing a required affidavit requesting deferment of the payment of fees, the road improvement fees shall be paid to the city engineer prior to issuance of a building permit for each approved parcel; however, should a building permit have been obtained or construction initiated by the land divider prior to the recordation of the final subdivision or parcel map or the receipt of a waiver to record a final parcel map, this option is not available to the land divider; and
  - iii. For any parcel or lot created prior to the adoption of the resolution establishing the area of benefit, road improvement fees shall be paid to the city engineer prior to the issuance of a building permit for any new construction on such parcel or lot that creates additional dwelling units or increases the value of nonresidential structures by more than one-half of their current market value, as determined by the community development director. All fees collected shall be deposited in a separate account designated for each area of benefit. Any fees once collected shall not be returned, except as reimbursement for the construction of designated improvements. Road improvement fees which are deferred to the time of issuance of a building permit shall be based upon the fee schedule in effect at the time of issuance of the permit.
- b. Nothing in this section is intended to relieve a subdivision or application for a building permit from the requirements imposed under other provision of this title or other city ordinances to dedicate and improve roads as a condition of approval of a tentative map or building permit.
  - c. Notwithstanding the provisions of subsection (P)(6) of this section, payment of fees shall not be required for the following:
    - i. An application for a building permit for the alteration or enlargement of any existing building or structure, or the erection of one or more buildings or structures accessory thereto, or both, on the same lot or parcel of land; provided, however, that the total value, as determined by the community development director; of all such alterations, enlargement or construction which is complete within any one-year period shall not exceed one-half of the current market value of the land, as determined by the community development director; or
    - ii. The following accessory buildings and structures: private garages, children's playhouses, radio and television receiving antennas, windmills, silos, tank houses, shops or barns or



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- buildings that are accessory to one-family or two-family dwellings; or
- iii. Outdoor advertising structures; or
  - iv. Wells.
- d. Notwithstanding the provision of subsection (P)(6) of this section, payment of fees shall not be required unless the designated interchange(s) are in addition to, or a reconstruction of any existing interchange(s) serving the area of benefit at the time of the adoption of the boundaries for the area of benefit.
  - e. Notwithstanding the provisions of subsection (P)(6) of this section, payment of fees shall not be required unless the designated bridge is an original bridge serving the area or an addition to any existing bridge facility serving the area of benefit. Fees imposed by this subsection shall not be expended to reimburse the cost of existing bridge facility construction.
7. Use of Funds.
- a. Fees shall be deposited in a designated bridge or interchange fund. A separate fund shall be established for each designated bridge or interchange project, provided, however if the area of benefit is one in which more than one bridge or interchange is required to be constructed, a fund may be established covering all of the bridge or interchange projects in the area of benefit. Moneys in such fund shall be expended solely for the construction or reimbursement for construction of the improvement serving the area to be benefitted and from which the fees comprising the fund were collected, or to reimburse the city for the cost of constructing the improvement.
  - b. The city may advance money from its general fund or road fund to pay the cost of constructing the designated bridge or interchange(s) and may reimburse the general fund or road fund for such advances from the bridge or interchange funds established pursuant to this section.
  - c. The city may incur an interest bearing indebtedness for the construction of a designated bridge or an interchange planned pursuant to this section; provided, that the sole security for repayment of such indebtedness shall be money in the specific fund established for that designated bridge or interchange.
  - d. At the discretion of the city council, considerations such as dedication of right-of-way, actual construction or design work by a civil engineer, may be accepted in lieu of the payment of fees, upon a determination that the alternative is acceptable and is equal to or greater in value than the required fee.
  - e. When required to implement the construction of a specific facility, a project agreement shall be entered into between a developer and the city whereby the developer may advance money for the construction of a facility, or design or construct a facility within the area of benefit; provided, that the sole security to the developer for repayment of

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money or other consideration advanced over and above his fair share shall be money subsequently accruing to the fund that has been established for the specific facility. Reimbursement shall be for the amount agreed upon in advance only and the right to reimbursement shall expire fifteen (15) years after the agreement was entered into, and any subsequent money paid into the fund shall accrue to the fund without obligation to developers whose agreements have expired.

8. Amendments. The resolution establishing an area of benefit may be amended by the city council as to boundaries of the area of benefit, the designation of facilities to be constructed or the estimated cost thereof, or any other aspect thereof, by following the same procedure required to establish an area of benefit.

### Q. Park and Recreation Fees and Dedications.

1. This section is adopted pursuant to Section 66477 of the Government Code which provides for the dedication of land for park and recreational facilities as a condition of approval of a tentative map or parcel map.
2. Whenever land that is proposed to be divided for residential use lies within the boundaries of the city, the dedication of land may be required as a condition of approval of the division of land, as herein provided. The city shall have the option of requiring dedication of land for park purposes as a condition of approval of subdivisions of fifty (50) parcels or more. Such dedication shall be in lieu of park land impact mitigation fees.
3. It is found and determined by the city council that the public interest, convenience, health, welfare and safety requires that five acres of land for each one thousand (1,000) persons residing within the city shall be devoted to neighborhood and community park and recreational facilities, based upon the determination by the city council that the amount of existing neighborhood and community park areas, as calculated pursuant to Government Code Section 66477, exceeds the limit set forth therein, and the calculated amount of five acres per one thousand (1,000) persons residing within a subdivision subject to this section is established. No credit shall be given to a subdivider for provision of private open space, private parks, private recreational areas, landscaped setbacks or landscaped road dividers within or adjacent to the proposed subdivision.
4. Exemptions. This section shall not apply to the following land divisions:
  - a. Commercial or industrial;
  - b. Condominium projects or stock cooperatives which consist of the subdivision of airspace in an existing apartment building which is more than five years old and as to which no new dwelling units have been added by the subdivision;
  - c. Subdivisions containing less than five parcels and not used for residential purposes; provided, however, that a condition of approval shall be placed on those maps that if a building permit is requested for the construction of a residential structure or structures on one or more of the parcels within four years after recordation of the

**Exhibit G**

subdivision map, the park land impact mitigation fees shall be required to be paid by the owner of each parcel as a condition to issuance of such permit.

5. Dedication Requirements of Subdividers.
  - a. Whenever a tentative tract map which is subject to the provisions of this section is submitted to the community development director, it shall be accompanied by a written statement from the applicant stating whether it is intended to dedicate land for park and recreational purposes. If the developer desires to dedicate land for this purpose, he shall first consult with the community development director and parks and recreation director as to the appropriate area to be dedicated, and such area shall be shown on the proposed tentative tract map as submitted. All dedications must be approved and accepted by the city council.
  - b. The conditions of approval of a tentative tract map subject to the provisions of this section shall require the dedication of land for park and recreational purposes. If land is to be dedicated, the proposed dedication shall be shown on the approved tentative map.
  - c. The amount and location of property to be dedicated shall be recommended by the parks and recreation director and determined by the city council.
  - d. All dedications of land shall be in accordance with the Subdivision Map Act. Land shall be conveyed in fee simple to the city by grant deed free and clear of all encumbrances, except those which will not interfere with the use of the property for its intended purposes and which the city agrees to accept. All deeds shall be delivered to the city before the approval of the final map. If the final map is disapproved, or if it is withdrawn by the subdivider, the deeds shall be returned to the subdivider. If the final map is approved, the deeds shall be recorded by the city at the time the final map is recorded. No deed for the dedication of land shall be accepted unless it is accompanied by a policy of title insurance, secured by and at the expense of the subdivider, in an amount equal to the value of the land dedicated.
  - e. Whenever land has been conveyed to the city and a final map is not recorded, or, if recorded, the land is thereafter reverted to acreage, the city shall, at its option, either reconvey all land dedicated to it, allow the developer a credit for any land dedicated to be applied only to a new subdivision on the same property, or make other arrangements with the subdivider.
6. Determination of Land Dedication. When the conditions of approval for a land division require the dedication of land, the conditions shall be based on the following:
  - a. The natural features of the area; available access; the location, size and shape of the subdivision; the location, size and shape of the land available for dedication; the feasibility of dedication; the location of

**Exhibit G**

- existing and proposed park sites and trailways; and the compatibility of dedication with the city general plan;
- b. Whenever the actual amount of land to be dedicated is less than the amount of land required to be dedicated, the subdivider shall pay park land impact mitigation fees for the value of any additional land that otherwise would have been required to be dedicated;
  - c. The amount and location of the land to be dedicated shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision;
  - d. The amount of land to be dedicated shall be based on the residential density of the subdivision. The residential density shall be determined by multiplying the number of dwelling units of the subdivision by the average number of persons per unit by the ratio which the number of acres of park land required for each one thousand (1,000) persons bears to one thousand (1,000) (i.e., .005). The average number of persons per unit shall be the most recent such average established by the Department of Finance of the state of California;
  - e. Whenever land is dedicated pursuant to this section, the subdivider shall, without credit and without cost to the city, provide the following for the benefit of the land dedicated:
    - i. Full street improvements and utility connections, including, but not limited to, curbs, gutters, relocation or undergrounding of existing public utility facilities, street paving, traffic control devices, street trees and sidewalks to the dedicated land;
    - ii. Block wall fencing along the property lines of the subdivision which are contiguous to the park;
    - iii. Improve the drainage through the park site;
    - iv. Provide minimal physical improvements, not including recreational facilities, building or equipment, which the parks and recreation director determines are necessary for acceptance of the land for park and recreational purposes;
    - v. Provide access from the park and recreational facilities to an existing or proposed public street, unless the parks and recreation director determines that such access is unnecessary for maintenance of the park area or use of the park by the residents of the area;
    - vi. Grading and drainage improvements, and irrigation and planting improvements, as required under applicable city ordinances. All land to be dedicated and improvements to be made shall be approved by the city prior to the approval or disapproval of a subdivision by the city;
    - vii. All grading plans for land to be dedicated shall be reviewed and approved by the parks and recreation director for conformance with the city parks and recreation plan and the needs of the city;

**Exhibit G**

- viii. No grading, drainage, irrigation, planting, street or utility improvements required under this section shall be eligible for a credit against the land to be dedicated; however, park and recreational improvements to a dedicated park land shall be a credit against the required dedication.
- f. Land which has been dedicated and accepted may be sold by the city if the subdivider has not begun substantial construction on the subdivision within two years after recordation of the final map and the city determines that another site would be more suitable for park or recreational facilities. The proceeds from the sale of the dedicated land must be used for the purpose or improvement of the more suitable site.

DRAFT

**Article IV. Applications for Hillside Development Permit**

**9.16.170 Generally.**

Hillside development can offer opportunities for spectacular views from building sites around the valley’s perimeter. It is important, however, to ensure that all are protected when designing hillside building sites. The guidelines in this section apply to the hillside areas illustrated in the general plan and official zoning atlas. Applicant’s compliance with this chapter shall be reviewed during the planning application review process for any entitlements subject to this chapter. No separate planning application or fee is required for hillside development projects.

DRAFT

Attachment: Resolution Number 2023-46 [Revision 4] (6428 : 2023 Winter Omnibus)

**Permitted Uses Table 9.02.020-1**

- X - Indicates stated use is permitted subject to district requirements.
- C - Indicates stated use is allowed with a conditional use permit.
- ◆ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
- A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.
- S - Indicates a use is permitted, providing the requirements of 9.09.280 (Smoke Shops) of this title are met. A conditional use permit is required if dictated by the distance criteria.
- M - Indicates a use is allowed with a conditional use permit, providing the requirements of 9.09.290 (Commercial Cannabis Activities) of this title are met.

	Residential Zones												Mixed Use Overlay			Commercial & Office Zones						Industrial Zones					
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN <sup>(9,11)</sup>	MUC <sup>(9,11)</sup>	MUJ <sup>(8,10,11)</sup>	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS	
Adult Businesses																	A		A	A	A	A					
Agricultural Uses—Crops Only <sup>18</sup>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																						X					
Aircraft Landing Facilities (including helipads and facilities for quadcopters) <sup>18</sup>																	C		C	C	C	C	C	C	C	C	
Ambulance Service																	◆					◆	X	X	X	X	
Amusement Parks, Fairgrounds <sup>18</sup>																	◆						X				
Animal Raising (see Section 9.09.090 of this title) <sup>18</sup>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Appliance and Electronic Repair Shops													X	X	X	X	X						X	X		X	
Arcades, Video Machines																◆	X	◆									
Athletic Clubs, Gymnasiums and Spas <sup>18</sup>													X	X	X	X	X		X			X	X	X	X		
Auction Houses <sup>18</sup>																	X									X	
Auditoriums <sup>18</sup>													◆	◆	◆		◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Auto Electronic Accessories and Installation																	X						X	X		X	
Automobile Fleet Storage																						X	X				
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations																	◆						X	X			
Auto Service Stations																	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)																	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Automotive, Boat, Motorcycle and RV Repair—Minor (includes brake, muffler and tire installation and repair)																	◆	X					X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul																		◆					X				
Auto Rentals																		X						X	X	X	
Auto Supply Stores													X	X	X	X	X						X	X		X	
Bakery Shops													X	X	X	X	X	X								X	
Bakery—Commercial <sup>18</sup>																						X					
Banks—Financial Institutions <sup>18</sup>													X	X	X	X	X	X	X	X				X	X		
Barber and Beauty Colleges <sup>18</sup>													X	X	X	X	X		X	X				X	X		
Bars (Drinking Establishments) <sup>18</sup>																											
Bars													C	C	C	C	C	C									

Attachment: Omnibus Redlines [Revision 3] (6428 : 2023 Winter Omnibus)

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- M - Indicates a use is allowed with a conditional use permit, providing the requirements of 9.09.290 (Commercial Cannabis Activities) of this title are met.

	Residential Zones												Mixed Use Overlay			Commercial & Office Zones						Industrial Zones					
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	C MUN <sup>(9,11)</sup>	C MUC <sup>(9,11)</sup>	C MUJ <sup>(8,10,11)</sup>	C NC	C CC	C VC	OC	O	P	I	LI	BP	BPX	OS	
Bars, with Limited Live Entertainment													C	C	C	C	C										
Boat Sales New and Used Including Repairs and Accessory Installation																	◆						X				
Boarding and Rooming Houses <sup>18</sup>									X	X	X	X	X	X													
Bowling Alley													◆	◆	◆	X	X										
Building Material Sales <sup>18</sup>																	◆										
With outdoor storage <sup>18</sup>																	◆					X	X				
Building Material Storage Yards <sup>18</sup>																						X					
Bus, Rail and Taxi Stations <sup>18</sup>																	◆										
Business Equipment Sales (includes repairs)													X	X	X	X	X	X	X							X	
Business Schools <sup>18</sup>													X	X	X	X	X	X	X	X			X	X	X	X	
Business Supply Stores													X	X	X	X	X		X			X	X		X	X	
Cabinet Shop																						X	X	X	X		
Caretakers Residence <sup>1</sup>																◆	◆	C	◆	◆	◆	◆	◆	◆	◆	◆	◆
Car Wash																X	X					X					
Accessory to auto related use																◆	◆					X					
Catering Service													X	X	X	X	X	X						X	X		
Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C	C															
Churches <sup>2, 18</sup>	C	C	C	C	C	C	C	C	C	C	C	C	◆	◆	◆	◆	◆	C	◆	◆	◆	◆	◆	◆	◆	◆	
Clubs <sup>18</sup>								◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆						C
Commercial Cannabis Activities <sup>17, 18</sup>																											
Cultivation																								M	M	M	
Dispensary																M	M										M
Manufacturing																							M	M	M		
Testing																							M	M	M		
Microbusiness																	M									M	
Distribution Center																M	M						M	M	M		
Commercial Radio or Television Stations																											
With on-site antenna																	◆					◆	◆	◆	◆		
Without on-site antenna																	X					X	X	X	X		
Communications Facilities (See Section 9.09.040 of this title)																											

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	Residential Zones												Mixed Use Overlay			Commercial & Office Zones					Industrial Zones				OS	
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN <sup>(9,11)</sup>	MUC <sup>(9,11)</sup>	MUJ <sup>(8,10,11)</sup>	NC	CC	VC	OC	O	P	I	LI	BP		BPX
Computer Sales and Repairs													X	X	X	X	X		X			X	X	X	X	
Contractors Storage Yard																						X				
Convalescent Homes/Assisted Living <sup>18</sup>							C	C	C	C	C	C	◆	◆	◆	◆	◆	◆	◆	◆	◆					
Convenience Stores																										
With drive-through																X	X									
Without drive-through													X	X	X	X	X									
With alcohol sales													◆	◆	◆	◆	◆									
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services <sup>18</sup>															C	◆		◆		◆				◆	◆	
Copy Shops													X	X	X	X	X	X	X	X		X	X	X	X	
Country Club <sup>18</sup>	C	C	C	C	C	C	C	C	C	C	C	C														
Dancing, Art, Music and Similar Schools <sup>18</sup>													X	X	X	X	X	X	X	X			X	X	X	
Day Care Centers <sup>18,19</sup>	X	X	X	X	X	X	X	X	X	X	X	X	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	C
Delicatessens <sup>18</sup>													X	X	X	X	X	X					X	X	X	
Diaper Supply Service																						X				
Laundry with fleet storage <sup>18</sup>																						X				
Disposal company																						X				
Drapery Shops													X	X	X	X	X	X								
Dressmaking Shops													X	X	X	X	X	X								
Driving School <sup>18</sup>													X	X	X	X	X		X	X			X	X	X	
Drug Stores													X	X	X	X	X	X								
Dry Cleaning or Laundry <sup>18</sup>																										
a. Dry Cleaning													X	X	X	X	X	X	X						X	
b. Laundromat													X	X	X	X	X	X								
c. Laundry Commercial																						X	X			
Emergency Shelters <sup>14</sup>													X	X	X		C		C	C	X	C			C	
Employee Housing <sup>18</sup>									X	X	X	X														
Equestrian Centers, Riding Academies, Commercial Stables (including incidental sales of feed and tack) <sup>18</sup>	C	C	C	C					X	X	X					◆										C
Exterminators																	C					X	X	X	X	
Feed and Grain Stores																	X	X	X							
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

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	Residential Zones												Mixed Use Overlay			Commercial & Office Zones						Industrial Zones					
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Floor Covering Stores (may include incidental repairs with installation service)													X	X	X	X	X						X				
Fraternity/Sorority <sup>18</sup>								C	C	C	C	C											X	X			
Frozen Food Locker																							X	X			
Gasoline Dispensing - Non-retail accessory to an auto-related use <sup>18</sup>																	X						X	X	X	X	
Glass Shops and Glass Studios—Stained, etc.																X	X						X	X		X	
Golf Courses or Golf Driving Ranges with Incidental Commercial Uses <sup>18</sup>	C	C	C	C	C	C	C	C	C	C	C	C															◆
Handicapped Housing <sup>18</sup>								X	X	X	X	X	X	X	X												
Heavy Equipment Sales and Rentals																	X							X	X		
Hospitals <sup>18</sup>																	◆			◆	◆				C	C	C
Hotels <sup>18</sup>																											
a. With 20% or less of the units containing kitchens													X	X	X		X		C				X	X	X		
b. With over 20% of the units containing kitchens													C	C	C		C		C				C	C	C		
Ice Cream Stores—Including Yogurt Sales													X	X	X	X	X	X	X							X	
Impound Yards																							X				
Jewelry Stores													X	X	X	X	X	X									
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		◆	◆	◆	◆	◆	C			
Laboratories (medical and dental) <sup>18</sup>													X	X	X	X	X		X	X		X	X	X	X		
Libraries <sup>18</sup>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X			X	X	X	
Liquor Stores													◆	◆		◆	◆										
Live/Work Unit <sup>12, 18</sup>													X	X	X												
Locksmith Shops													X	X	X	X	X	X					X	X	X	X	
Lodge Halls and Similar Facilities <sup>18</sup>													◆	◆	◆	◆	◆		◆						◆	◆	
Low Barrier Navigation Centers <sup>18</sup>													X	X	X		X		X	X	X					X	
Lumberyards																	X						X				
Mail Order House																	X						X	X	X	X	
Manufacturing and Assembly <sup>18</sup>																											
a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																							X	X	X	X	

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	Residential Zones												Mixed Use Overlay			Commercial & Office Zones					Industrial Zones					
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b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																						X	X			
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																						X	X			
d. Retail sales of goods produced or warehoused on-site <sup>3</sup>																						X	X	X	X	
Medical Clinics/Medical Care <sup>18</sup>																										
Inpatient care													X	X	X	X	X		X	X		X	X	X	X	
Urgent care													X	X	X	X	X		X	X						
Medical device services and sales (retail), including, but not limited to, fittings for and sale of prosthetic and orthotic devices															X	X		X								
Medical equipment supply, including retail sales for in-home medical care, such as wheelchairs, walkers, and respiratory equipment															X	X		X								
Mobile Home Parks <sup>18</sup>	C	C	C	C	C	C	C	C	C	C	C	C														
Mobile Home Sales or Rentals (outdoor display)																	C									
Mortuaries																										
With cremation services																								X	X	
No cremation services				C	C	C	C	C	C	C	C	C			◆	◆	◆						X	X		
Museums <sup>18</sup>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops													X	X	X	X	X					X	X	X	X	
Nightclubs <sup>18</sup>															C	C		C								
Nursery, (Plant), Wholesale and Distribution	X	X	X	X																		X	X			X
Offices (administrative and professional) <sup>18</sup>													X	X	X	X	X	X	X	X			X	X	X	
Open Air Theaters <sup>18</sup>															C						C					C
Orphanages <sup>18</sup>	C	C	C	C	C	C	C	C	C	C	C	C														
Painting Contractor																							X	X		
Parcel Delivery Terminals <sup>18</sup>																						X	X	X	X	
Parking Lot															C	C	X	X	C					X		
Parks and Recreation Facilities (public) <sup>18</sup>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, spa facilities <sup>15</sup> , barber and beauty shops, and tattoo parlors) <sup>18</sup>													X	X	X	X	X	X	X						X	

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**Permitted Uses Table 9.02.020-1**

- X - Indicates stated use is permitted subject to district requirements.
- C - Indicates stated use is allowed with a conditional use permit.
- ◆ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
- A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.
- S - Indicates a use is permitted, providing the requirements of 9.09.280 (Smoke Shops) of this title are met. A conditional use permit is required if dictated by the distance criteria.
- M - Indicates a use is allowed with a conditional use permit, providing the requirements of 9.09.290 (Commercial Cannabis Activities) of this title are met.

	Residential Zones												Mixed Use Overlay			Commercial & Office Zones						Industrial Zones					
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN <sup>(9,11)</sup>	MUC <sup>(9,11)</sup>	MUJ <sup>(8,10,11)</sup>	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS	
Pharmacy <sup>4</sup>													X	X	X	X	X	X	X						X		
Photo Studios													X	X	X	X	X	X	X							X	
Plumbing Shops																X										X	
Plumbing Supply Stores for Contractors																							X	X	X		
Pool Hall <sup>18</sup>														◆		◆											
Postal Services													X	X	X	X	X	X	X				X	X	X		
Pottery Sales with Outdoor Sales													X	X	X	X	X	X				X				X	
Public Administration, Buildings and Civic Centers <sup>18</sup>													X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices <sup>18</sup>	C	C	C	C	C	C	C	C	C	C	C	C	◆	◆	◆	◆	◆	◆	◆	◆	◆	X	X	◆	◆	C	
Racetracks <sup>18</sup>																	C				C						
Record Store													X	X	X	X	X	X									
Recording Studio													X	X	X	X	X	X	X	X		X	X	X	X		
Recreational Facilities (Private) such as Tennis Club, Polo Club, with Limited Associated Incidental Uses <sup>18</sup>	C	C	C	C	C	C	C	C	C	C	C	C	◆	◆	◆	◆	◆	◆									
Recycling, Large Collection Facility <sup>5</sup>																	◆					X	X				
Recycling, Small Collection Facility													X	X	X	X	X	X									
Recycling Processing Centers																						X	X	X	X		
Refreshment Stands													X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service																											
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X	X	X				X	X	X	X		
With outdoor storage and display (vehicles, equipment, etc.)																◆	◆					X	X				
Research and Development <sup>18</sup>													X	X	X				X	X		X	X	X	X		
Residential <sup>18</sup>																											
Single-Family	X	X	X	X	X	X	X	X	X	X	X	X															
Multiple-Family									X	X	X	X	X	X	X												
Affordable Housing in Commercial Zones <sup>20</sup>													X	X	X	X	X	X	X	X							
Manufactured home park (see mobile home parks)																											
Residential Care Facility																											
for six (6) or less persons <sup>18</sup>	X	X	X	X	X	X	X	X	X	X	X	X															
for seven or more persons <sup>18</sup>	C	C	C	C	C	C	C	C	C	C	C	C	C	C	X												
Restaurants (Eating and Drinking Establishments) <sup>18</sup>																											
Without entertainment													X	X	X	X	X	X	X							X	

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**Permitted Uses Table 9.02.020-1**

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- A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.
- S - Indicates a use is permitted, providing the requirements of 9.09.280 (Smoke Shops) of this title are met. A conditional use permit is required if dictated by the distance criteria.
- M - Indicates a use is allowed with a conditional use permit, providing the requirements of 9.09.290 (Commercial Cannabis Activities) of this title are met.

	Residential Zones												Mixed Use Overlay			Commercial & Office Zones						Industrial Zones					
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN <sup>(9,11)</sup>	MUC <sup>(9,11)</sup>	MUJ <sup>(8,10,11)</sup>	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS	
With Limited Live entertainment													X	X	X	X	X	X	X								
With alcoholic beverage sales													X	X	X	X	X	X	X							X	
With outdoor seating <sup>13</sup>													X	X	X	X	X	X	X							X	
Restaurants (fast-food) <sup>18</sup>																											
With drive-through																											
Without drive-through													X	X	X	X	X										X
Retails Sales													X	X	X	X	X	X									
Support Retail Sales													X	X	X				X								X
Sandwich Shops <sup>6</sup>													X	X	X	X	X	X	X	X <sup>6</sup>							
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	C	◆	◆	◆	◆	◆		◆	◆				◆	◆		
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X							
Shoe Shine Stands													X	X	X	X	X		X	X				X	X		
Shoe Repair Shop													X	X	X	X	X	X									
Sign Shop													X	X	X	X	X	X				X	X	X	X		
Single room occupancy (SRO) facility <sup>18</sup>												C	C	C	C		X										
Skating Rinks <sup>18</sup>														X			X										
Smoke Shops <sup>16</sup>																S	S	S	S								
Stationery Stores													X	X	X	X	X	X	X					X	X		
Statue Shop -Outdoor display																	◆					X	X				
Storage Lots and Mini-Warehouses																											
Indoor																	C					X					
Outdoor																	C					X					
Supportive and Transitional Housing	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X							
Swim Schools/Center with Incidental Commercial Uses <sup>18</sup>	C	C	C	C	C	C	C	C	C	C	C	C					X										
Taxidermist																	X					X	X				
Theaters (excludes open air) <sup>18</sup>													X	X	X	X	X	X									
Tire Recapping																							X				
Trade and Vocational Schools <sup>18</sup>													X	X	X		X		X	X			X	X	X		
Transfer, Moving and Storage Facilities																						X	X				
Truck Charging Facilities																	C					X	X				
Truck Wash																						X	X				
Upholstery Shops																	X					X	X		X		
Vehicle Storage Yards																											

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**Permitted Uses Table 9.02.020-1**

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 ♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.  
 A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.  
 S - Indicates a use is permitted, providing the requirements of 9.09.280 (Smoke Shops) of this title are met. A conditional use permit is required if dictated by the distance criteria.  
 M - Indicates a use is allowed with a conditional use permit, providing the requirements of 9.09.290 (Commercial Cannabis Activities) of this title are met.

	Residential Zones											Mixed Use Overlay			Commercial & Office Zones					Industrial Zones							
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN <sup>(9,11)</sup>	MUC <sup>(9,11)</sup>	MUI <sup>(8,10,11)</sup>	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS	
Indoor																	X					X	X				
Outdoor																	C						X	X			
Vending Machine Service and Repair																						X	X	X	X		
Veterinarian (including animal hospital) <sup>18</sup>																						X	X	X	X		
All activities within an enclosed structure													X	X	X	X	X							X	X		
With outdoor activities																	♦							♦	♦		
Weight Reduction Center												X	X	X	X	X	X	X									
Wholesale, Storage, and Distribution <sup>18</sup>																											
All activities indoors (50,000 square feet or less)																						X	X	X	X		
All activities indoors (more than 50,000 square feet)																						X	X				
All activities outdoors																						X					
Retail sale of goods warehoused on-site <sup>7</sup>																						X	X	X			
Wrecking Yard																						♦					

- Notes:
- Do not consider residential use per distance requirement.
  - The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.
  - Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).
  - Permitted in the OC and VOR districts only as a support medical office facility.
  - Large collection facilities may be established within an existing building through the “tenant improvement” process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.
  - Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.
  - Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).
  - In the MUI district, mixed use (commercial uses on first floor with office uses or residential uses on upper floors) are (a) required to on lots at street intersections and within 300 feet in any direction from a street intersection, as measured from the corner formed by the lot’s property lines, and (b) are allowed, but not required on the other lots.
  - In the MUC and MUN districts, mixed use (commercial uses on first floor with office uses or residential uses on upper floors) are (a) required to on lots at street intersections and within 150 feet in any direction from a street intersection, as measured from the corner formed by the lot’s property lines, and (b) are allowed, but not required on the other lots.
  - See Section 9.07.40 (Medical Use Overlay District)
  - See Section 9.09.260 (Mixed Use Development)
  - See Section 9.09.250 (Live-Work Development)
  - See Section 9.09.270 (Outdoor Dining)
  - Use is also permitted in the Moreno Valley Industrial Area Plan (SP 208)

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- (15) For Spa Facilities refer to Title 11, Chapter 11.96 of the Municipal Code.
- (16) See Section 9.09.280.C (Smoke Shops) for distance requirements that require a Conditional Use Permit.
- (17) See Section 9.09.290 (Commercial Cannabis Activities) for all Commercial Cannabis Activities regulations.
- (18) See Section 9.07.060 Airport Land Use Compatibility Plan for Airport Land Use Compatibility Plan (ALUCP) requirements for actions proposed on property located within an Airport Compatibility Zone. When located within an Airport Land Use Compatibility Zone, greater land use, restrictions for airport compatibility may apply per the applicable ALUCP.
- (19) For Day Care uses in the Moreno Valley Industrial Area Plan (SP 208), See Section 9.07.060 Airport Land Use Compatibility Plan for Airport Land Use Compatibility Plan (ALUCP) requirements for actions proposed on property located within an Airport Compatibility Zone. When located within an Airport Land Use Compatibility Zone, greater land use, restrictions for airport compatibility may apply per the applicable ALUCP.
- (20) See Section 9.04.050 (Affordable Housing in Commercial Zones)
- (21) See Section 9.09.320. 9.09.320 Low barrier navigation centers.

Zoning District Key			
HR	Hillside Residential District	MU	Mixed Use Overlay District
RR	Rural Residential District	MUN	Mixed-Use Neighborhood Overlay District
R1	Residential 1 District (40,000 square feet minimum lot size)	MUC	Mixed-Use Community Overlay District
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)	MUI	Mixed-Use Institutional Anchor Overlay District
R2	Residential 2 District (20,000 square feet minimum lot size)	NC	Neighborhood Commercial District
R3	Residential 3 District (10,000 square feet minimum lot size)	CC	Community Commercial District
R5	Residential 5 District (7,200 square feet minimum lot size)	VC	Village Commercial District
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)	OC	Office Commercial District
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)	O	Office District
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)	P	Public District
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)	I	Industrial District
R30	Residential 30 District (Up to 30 Dwelling Units per net acre)	LI	Light Industrial
		BP	Business Park District
		BPX	Business Park-Mixed Use District
		OS	Open Space District

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**Redline Draft****9.03.055 Density bonus program for green building and energy efficiency.**

- A. Purpose and Intent. The purpose of this section is to provide an incentive for residential housing units that are constructed to green building standards that exceed the requirements of the city's building code, which is a greenhouse gas reduction measure included in the city's Energy Efficiency and Climate Action Strategy.
- B. Applicability. Developers of multifamily residential housing dwelling units in the R10, R15, R20, R30, MUN, MUC, MUI, H-OC, COMU, DC, and SP204-Village Residential zone on sites of at least one acre minimum.
- C. Incentive. Developers may request a density bonus of five percent above the calculated number of units for qualified projects.
- D. Energy Efficiency Requirements. A project must meet the applicability requirement in subsection B. For projects that meet the applicability requirement, the developer may request the incentive in subsection C if the project complies with the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) certification criteria for LEED "Certified" level or higher, or an equivalent green building rating system as approved by the community development director. LEED Certified level represents the minimum level of certification under the USGBC Leadership Energy and Environmental Design rating system, and shall be consistent with the USGBC published criteria on the date the project application to the city is deemed complete.
- E. Implementation.
1. The total number of dwelling units allowed under a density bonus shall be calculated by multiplying the maximum density allowed under the applicable zoning designation (i.e., the maximum density listed in Table 9.03.040-6 of this title or the applicable specific plan designation), and multiplying the result by 1.05, for a five percent density bonus. If the result, including the density bonus, contains a fraction of a unit, the number of allowable units shall be determined by rounding down to the nearest whole number if the fraction is below one-half. Calculations containing fractions of one-half or above shall be rounded up.
  2. This density bonus shall not be cumulative with any other density bonus program included in this section.
  3. The development standards for density bonus projects shall be those of the applicable zoning classification.



**9.03.040 Residential site development standards.**

The following standards shall apply to land and permitted or conditionally permitted buildings and structures located within the herein described residential districts. The standards stated herein are not intended to prevent more restrictive private site development standards contained in the covenants, conditions and restrictions or other private consensual restrictions imposed on any property or dwelling unit. However, in no case shall private deed or other property restrictions be applied or recognized so as to permit a lesser standard than the minimum standards established in this title or to otherwise revise the standards established by this title.

**A. Rural Residential Requirements.**

1. Slope-Density-Natural Area Relationship. The maximum density (du/ac) and the minimum percent of a site to remain in a natural state shall be determined by a slope analysis applied to the Slope-Density-Natural Area Table, as defined below.
  - a. Slope-Density-Natural Area Table 9.03.040-4.

Slope Class	Allowable Density (DU/Acre)	Amount of Open Space Required
Greater than 25%	0.05 (1 du/20 ac)	60%
15.1% to 25%	0.10 (1 du/10 ac)	50%
10% to 15%	0.20 (1 du/5 ac)	35%
Less than 10%	0.40 (1 du/2.5 ac)	n/a

- b. Slope analysis calculations and mapping shall be provided by the applicant as described under subsection C of this section. The slope analysis shall be certified by a qualified civil engineer or licensed surveyor.
  - c. The total number of dwelling units permitted within a project area shall be the sum of the allowable dwelling units within each slope class. For example, if ten (10) acres of the project falls within the ten (10) to fifteen (15) percent slope class and five acres falls within the fifteen and one-tenth (15.1) percent to twenty-five (25) percent slope class, then the total permitted yield shall be two dwelling units (10 ac x 0.10 du/ac plus 5 ac x 0.20 du/ac).
2. Minimum Lot Size. Minimum lot size shall be one dwelling unit per two and one-half acres within a slope category of ten (10) percent or less unless determined to be reduced by an approved slope analysis. Based on the outcome of a slope analysis, minimum lot size within the rural residential district may be reduced to twenty thousand (20,000) square feet, or the minimum lot size of the adjacent zone, whichever is greater, if clustered on slopes of less than ten (10) percent and the lots are part of a project that preserves the steeper slope classes as natural open space by dedication to an appropriate governmental entity, open space easement, transfer of development rights or other means approved by the city. The ongoing maintenance of such open space areas shall be ensured through a mechanism approved by the city.
3. Subdivision Design and Future Land Divisions.

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- a. Subdivisions shall be compatible with the surrounding development pattern. A subdivision shall be considered compatible if the lots created along the outside boundary of the project are no smaller than the average lot size within three hundred (300) feet of the project boundary. Parcels greater than five acres in area shall be excluded from the calculations when determining the average lot size within three hundred (300) feet of the project boundary.
- b. Subdivisions shall be designed in such a way as to transfer development density to the lower slope classes and preserve the steeper slopes for very low density and/or open space. Subdivisions created in this way are prohibited from further division so as not to circumvent the density transfer and the purpose of the district. This restriction shall be binding on the subdivider and subsequent land owners. Therefore, this restriction shall be secured by development agreement or other type of recorded deed restriction approved by the city.
- 4. Building Height. Dwellings and other accessory structures shall not exceed thirty (30) feet in overall height, provided that on slopes of less than ten (10) percent, the overall height shall not exceed thirty-five (35) feet.
- 5. Setbacks and Other Site Development Criteria. Front, side and rear setbacks and other site development standards not specifically referenced in this section shall be subject to the following standards:

Lot Size	Standards
Under 40,000 s.f.	R2 district standards
40,000 s.f. or greater	R1 district standards

- 6. Grading within the rural residential district shall be performed as described under the hillside residential requirements, subsection (B)(6) of this section.
- B. Hillside Residential Requirements.
  - 1. Slope-Density-Natural Area Relationship. The maximum density (du/ac) and the percent of a site to remain in a natural state shall be determined by a slope analysis applied to the Slope-Density-Natural Area Table, as defined below.
    - a. Slope-Density-Natural Area Table 9.03.040-5.

Slope Class	Allowable Density (DU/Acre)	Minimum Amount of Open Space Required
Greater than 25%	0.10 (1 du/10 ac)	60%
15.1% to 25%	0.25 (1 du/4 ac)	50%
10% to 15%	0.50 (1 du/2 ac)	35%
Less than 10%	1.00 (1 du/ac)	n/a

- b. Slope analysis calculations and mapping shall be provided by the applicant as described under subsection C of this section. The community development director may require the slope analysis to be certified by a qualified civil engineer or licensed surveyor.

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- c. The total number of dwelling units permitted within a project area shall be the sum of the allowable dwelling units within each slope class. For example, if ten (10) acres of the project falls within the fifteen and one-tenth (15.1) percent to twenty-five (25) percent slope class and five acres falls within the greater than twenty-five (25) percent slope class, then the total permitted yield shall be three dwelling units (10 ac x 0.25 du/ac plus 5 ac x 0.10 du/ac).
- 2. **Minimum Lot Size.** Minimum lot size shall be one acre within a slope category of ten (10) percent or less unless determined to be reduced by an approved slope analysis. Based on the outcome of a slope analysis, the lot size within the hillside residential district may be reduced to ten thousand (10,000) square feet or the minimum lot size of the adjacent zone, whichever is greater, if clustered on slopes of less than ten (10) percent and the lots are part of a project that preserves the steeper slope classes as natural open space by dedication to an appropriate governmental entity, open space easement, transfer of development rights or other means approved by the city. The ongoing maintenance of such open space areas shall be ensured through a mechanism approved by the city.
- 3. **Subdivision Design and Future Land Divisions.**
  - a. Subdivisions shall be compatible with the surrounding development pattern. A subdivision shall be considered compatible if the lots created along the outside boundary of the project are no smaller than the average lot size within three hundred (300) feet of the project boundary. Parcels greater than five acres in area shall be excluded from the calculations when determining the average lot size within three hundred (300) feet of the project boundary.
  - b. Subdivisions shall be designed in such a way as to transfer development density to the lower slope classes and preserve the steeper slopes for very low density and/or open space. Subdivisions created in this way are prohibited from further division so as not to circumvent the density transfer and the purpose of the district. This restriction shall be binding on the subdivider and subsequent land owners. Therefore, this restriction shall be secured by development agreement or other type of recorded deed restriction approved by the city.
- 4. **Building Height.** Dwellings and other accessory structures shall not exceed thirty (30) feet in overall height, provided that on slopes of less than ten (10) percent, the overall height shall not exceed thirty-five (35) feet.
- 5. **Setbacks and Other Site Development Criteria.** Front, side and rear setbacks and other site development standards not specifically referenced in this section shall be subject to the following standards:

Lot Size	Standards
Less than 20,000 s.f.	R-3 district standards
20,000 s.f. to 40,000 s.f.	R-2 district standards
40,000 s.f. or greater	R-1 district standards

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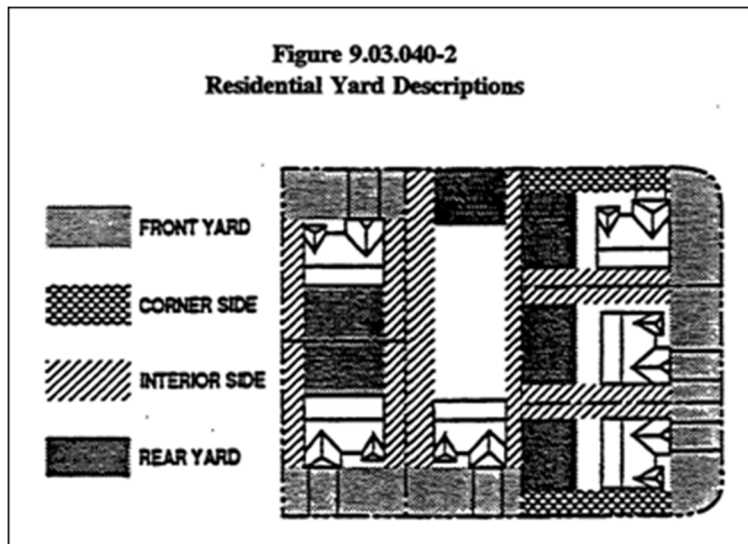
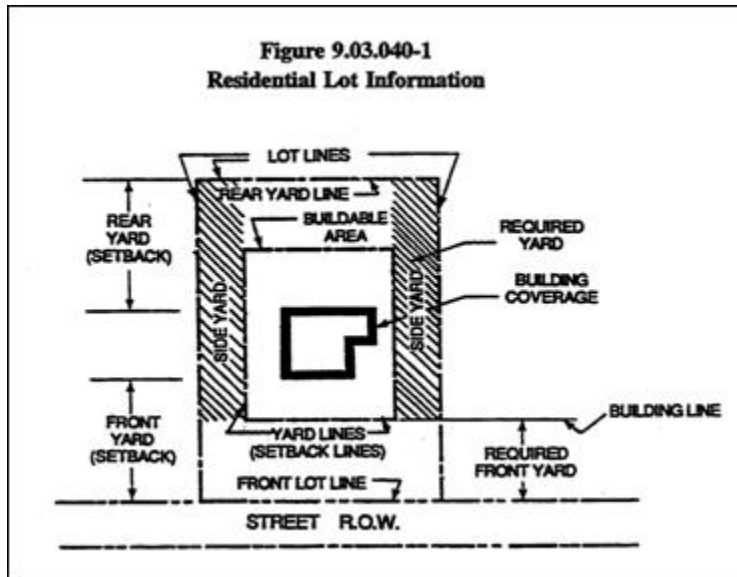
- 6. Grading of any site shall be minimized and shall conform to the provisions contained in the city of Moreno Valley design guidelines, Ch. 9.16, under applications for hillside development, Article IV, Sections 9.16.170 through 9.16.235 of this title, and the following standards:

Slope Class	Standards
15.1—25%	Padded building sites may be allowed, but maximum use of custom foundations and split level designs shall be employed to reduce the need for large, padded building areas.
Above 25%	Mass grading is not permitted. Special hillside architectural and design techniques are expected in order to conform to the natural landform. Homes constructed on lots within this terrain shall use custom, multiple-level foundations.
For all areas	All graded areas shall be protected from wind and water erosion through acceptable slope stabilization methods such as planting, walls or jute netting.

- C. Slope Calculations. For the purposes of this section, the following method will be used to determine slope.
  - 1. "Slope" is defined as the relationship between the change in elevation (rise) of the land and the horizontal distance (run) over which that change in elevation occurs. The percent of any given slope is determined by dividing the rise by the run on the natural slope of land, multiplied by one hundred (100).
  - 2.
    - a. For the purpose of determining the amount and location of land falling into each slope category, the applicant shall submit to the community development department, at the time of application, a base topographic map of the subject site prepared and signed by a registered civil engineer or licensed land surveyor. Such a map shall have a scale of not less than one inch to two hundred (200) feet and a contour interval of not more than ten (10) feet.
    - b. This base topographic map shall include all adjoining properties within three hundred (300) feet of the site boundaries. Slope bands in the range of less than ten (10) percent, ten (10) to fifteen (15) percent, fifteen (15) to twenty-five (25) percent, and greater than twenty-five (25) percent shall be delineated on the topographic map. The map shall be accompanied by a tabulation of the land area in each slope category specified in acres. The exact method for computing the percent slope and area by percent slope category is to be sufficiently described and presented so that a review can readily be made.
  - 3. Slope Mapping Method.
    - a. The percent slope of any particular piece of land shall be plotted on the map as described in this subsection.
    - b. In preparing a slope map, those portions of ravines, ridges and terraces of less area generally sloping at twenty-five (25) percent slope or greater, shall be regarded as part of the bordering twenty-five (25) percent slope or greater band.
- D. General Residential Requirements. The following tables sets forth minimum site development standards for residential development projects in the specified

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residential districts. In addition, projects must comply with the special development standards enumerated in this section, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and standards.



**Table 9.03.040-6  
Residential Site Development Standards  
Single-Family Standards**

Requirement	R1	R2	RA2	R3	R5	RS10
1. Maximum density (DUs* per net acre)	1	2	2	3	5	10
2. Minimum lot size (sq. ft. net area)	40K**	20K	20K	10K	7,200	4,500
3. Minimum lot width, in feet	150	100	100	90	70	45
Cul-de-sac/knuckle lot frontage	50	50	50	50	50	45
4. Minimum lot depth, in feet	170	120	120	100	100	85
5. Minimum front yard setback	25	25	25	25	20	20
Front-facing garages						10

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Buildings other than front-facing garages						10
6. Minimum side yard setback, in feet***						
a. Interior side yard	See Note 1	See Note 1	See Note 1	See Note 1	See Note 2	See Note 3
b. Street side yard	20	20	20	15	15	10
7. Minimum rear yard setback, in feet***	40	35	35	30	15	15
8. Maximum lot coverage	25%	30%	30%	40%	40%	50%
9. Maximum building and structure height, in feet	Two stories not to exceed 35 feet.					
10. Minimum dwelling size (sq. ft.)	1500	1500	1500	1250	1250	1000
11. Minimum distance between buildings, in feet (including main DUs and accessory structures)	20	15	15	10	10	10
12. Floor area ratio						
a. One-story home	0.25	0.30	0.30	0.40	0.40	0.50
b. Multi-story home	0.50	0.60	0.60	0.70	0.70	0.75

\* The term "DUs" means dwelling units.

\*\* The term "K" means thousands.

\*\*\* See Section 9.08.030 regarding accessory structures and room additions.

**Notes to Residential Site Development Standards Table 9.03.040-6.**

1. Combined interior side yard setbacks of twenty (20) feet shall be provided with a minimum of five feet on one side.
2. Combined interior side yard setbacks of fifteen (15) feet shall be provided with a minimum of five feet on one side.
3. In the RS10 district the minimum street side setback shall be ten (10) feet. The interior side setback shall be five feet, except in the case of zero lot line developments with houses placed on an interior side lot line. When a house is placed on an interior side lot line, the other minimum side yard setback shall be ten (10) feet. Where applicable, an easement at least five feet in width shall be provided along the common lot line. The easement shall guarantee the right to use and occupy the easement for a roof overhang(s), stormwater drainage and for building maintenance and repair.
4. The minimum front yard setback from private streets within the R1, R2 and R3 districts shall be fifty-five (55) feet measured from the center line of the street. The minimum front yard setback from private streets within the R5 district shall be fifty (50) feet measured from the center line of said street.

**Table 9.03.040-7  
Residential Site Development Standards  
Multifamily Standards**

Requirement	R10	R15	R20	R30
1. Maximum density (DUs*/net acre)	10	15	20	30
2. Minimum lot size (net area in sq. ft.)**	1 acre	1 acre	1 acre	1 acre
3. Minimum lot width in ft.	200	200	200	200
4. Minimum lot depth in ft.	175	175	175	175
5. Minimum front yard setback, in ft.	20	25	30	30
6. Minimum side yard setback, in ft.				
Interior side yard	10	10	10	10 ft. plus 2 ft. for every 5 ft. in height over 30 ft.
Street side yard	20	20	20	20
7. Minimum rear yard setback, in ft.	15	20	25	10 ft. plus 2 ft. for every 5 ft. in height over 30 ft.
8. Maximum lot coverage	40%	45%	50%	50%
9. Maximum building and structure height, in ft.	50 feet			
10. Minimum dwelling size (sq. ft.)	See Note 1			

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11. Minimum distance between buildings, in ft. (including main DUs and accessory structures)	20	20	20	20
12. Floor area ratio	0.75	0.75	0.75	1.0
* The term "DUs" means dwelling units.				
** Minimum lot size only applies to newly subdivided multifamily lots; existing lots can be developed under the multifamily development standards.				

E. Special Single-Family Residential Development Standards.

1. In any residential district, front yard setbacks in subdivision developments may be reduced by twenty (20) percent provided the mean of all such setbacks in the development is not less than the minimum required for the district.
2. In the R2, RA2, R3 and R5 districts, developments of five or more dwelling units shall include front and street side yard landscaping and shall consist predominantly of plant materials, except for necessary walks, drives and fences.
3. In the RS10 district, driveways and fire hydrants shall be designed and located to maximize on-street parking opportunities in front of each residence.
4. Within the RS10 district, small lot single-family subdivisions on less than fifteen (15) gross acres shall provide landscaping and decorative walls along the street side of corner lots and at least two of the following amenities throughout the project:
  - a. Front porches;
  - b. Automatic garage door openers;
  - c. Electronic security systems.
5. Within the RS10 district, small lot single-family subdivisions on fifteen (15) gross acres or more shall include usable common open space encompassing a minimum of ten (10) percent of each development. Usable common open space does not include individually owned lots, parking areas, nor vehicular rights-of-way. Usable common open space is open space and/or recreational amenities under joint (common) ownership, including, but not necessarily limited to, landscaped areas, trails, playgrounds, tennis courts, swimming pools and recreational buildings. A homeowners' association shall be established to provide continual maintenance of the commonly owned facilities.
6. For all developments within the R5 land use district, a buffer of lots held to the development standards of the R3 land use district shall be included for all portions of a subdivision located adjacent to lower density single-family residential land use districts, including the R1, R2, RA-2, and RR zones.
7. For all single-family residential developments in the R10, R15, R20, and R30 districts a planned unit development application shall be submitted to establish the applicable development standards.
8. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the

property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

F. Special Multiple-Family Residential Development Standards.

1. In the R10, R15, R20 and R30 districts, buildings exceeding one story in height shall maintain a minimum building setback of fifty (50) feet from any single-family district. Any single-story building within the R10, R15, R20 or R30 district shall maintain a minimum setback of twenty (20) feet from any single-family district.
2. In any residential district, front yard setbacks in subdivision developments may be reduced by twenty (20) percent provided the mean of all such setbacks in the development is not less than the minimum required for the district.
3. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.
4. In the RS10, R10, R15, R20 and R30 districts, developments of five or more dwelling units shall include front and street side yard landscaping and shall consist predominantly of plant materials, except for necessary walks, drives and fences.
5. In the RS10, R10, R15, R20 and R30 districts, a minimum of thirty-five (35) percent of the net site area, exclusive of private patio and yard areas, shall be landscaped. Turf shall not exceed fifty (50) percent of this area. Required setback areas and outdoor recreation areas may be counted toward this minimum. Landscaping shall consist predominately of plant materials to include water efficient native plants, except for necessary walks and fences. Landscape areas shall be designed to promote water retention and allow runoff from impervious surfaces. Hardscape areas are recommended to be constructed with pervious surfaces where feasible to reduce run off.
6. Where a multiple-family project abuts property in a single-family district, a decorative masonry wall at least six feet in height and screening landscaping within a planter of at least five-foot interior width shall be erected and maintained between such uses and the single-family district. Decorative walls composed of block, brick, stone, stucco-treated masonry or concrete panels are acceptable. The community development director may approve alternative materials, provided that the materials are decorative and comparable to masonry walls or concrete panels in durability and ability to attenuate light and sound.



7. Parking for each use shall comply with the requirements of Chapter 9.11 of this title.
8. In the R30 District, Landscape Trees. One tree per twenty (20) linear feet of building dimension for the portions of building visible from parking lot or ROW and one tree per twenty (20) linear feet of perimeter planter areas.
9. In the R30 district, for a development of three acres or greater, up to sixty (60) percent of the units may be in buildings with three or four stories, fifty (50) feet maximum height subject to planning commission approval.

**Table 9.03.040-8**

Designation	Minimum Density*	Maximum Density
R10	8 units/acre	10 units/acre
R15	12 units/acre	15 units/acre
R20	16 units/acre	20 units/acre
R30	24 units/acre	30 units/acre
* Eighty (80) percent of allowable density must be achieved by all multiple-family residential developments.		

- G. General Multiple-Family Guidelines.
1. Opposing garages or carports should be turned to avoid the monotony of alley-like parking corridors.
  2. Parking areas should be staggered and landscaped to add visual interest, and opportunities for accent treatments.
  3. Parking spaces within multifamily areas shall be located within two hundred fifty (250) feet of the dwellings they serve.
  4. Multifamily parking lots shall be limited to two double aisles of cars to help reduce expanses of paving. Parking lots shall provide openings in curbs to convey surface drainage into landscape areas for water quality, retention and absorption.
  5. Open parking areas should be clustered and treated as landscaped plazas and courts.
  6. Landscaping shall be used around the perimeter of the lot, as well as within the lot, reducing paved area and providing for a more pedestrian oriented site.
  7. No more than four units for a two-story structure should be served by one entry.
  8. Each multiple-family unit shall have at least one hundred fifty (150) square feet of private open space per downstairs unit and a minimum of one hundred (100) square feet of private open space per upstairs unit. Private open space may consist of a fenced yard area, patio or balcony. Fenced yards and patios shall have a minimum dimension of at least eight feet. Balconies shall be at least five feet deep.
  9. Common open space at a minimum of three hundred (300) square feet per each residential dwelling in the project is required.
  10. Individual units should have a porch or porch-like space at the front door.
  11. Trash enclosures shall be located to provide a maximum walking distance of two hundred fifty (250) feet from the units they serve.

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12. Trash enclosures shall include solid roofs and be designed to be compatible with the project's architecture.
13. Trash enclosures shall not be located on dead end drive aisles, unless adequate turnaround is provided for collection vehicles.
14. There shall be at least one double-bin trash enclosure for every forty-eight (48) residential units.
15. Mail boxes should be located at various places on the site and treated to match the building's architecture, avoiding the institutional and monumental "gang box" appearance, while conforming to post office guidelines.
16. Drive aisles should be curved and should incorporate landscaping and paving treatments to reduce vehicle speed. Landscaping treatments may include pinched planters and a mix of canopy and vertical trees. Paving treatments may include interlocking paver bands or etchings across drives. Speed bumps or Botts' dots are not an acceptable alternative.
17. Freestanding structures, like gazebos or pergolas, should be located to define activity areas at pathway intersections or in secluded landscape areas.
18. Drive aisles shall be at least twenty-four (24) feet wide for two-way traffic and shall be at least twenty (20) feet wide for one-way traffic.
19. Buffer setbacks and landscaping shall be provided along all property lines. Buffers may also be appropriate within the complex, separating recreational areas from units and limiting lines of sight between balconies and into parking areas.
20. Multiple-family projects warrant special design considerations, including:
  - a. Intimate, shaded outdoor seating areas;
  - b. A network of pathways, providing interesting walking experiences;
  - c. Gentle slopes for outdoor pathways and ramps to entry doors and between floors;
  - d. Convenient and attractive access to transit, including porte cocheres, information kiosks, seating areas and water elements;
  - e. Security;
  - f. Direct ambulance access (senior housing projects);
  - g. Parking close to units;
  - h. Elevators (senior housing projects).
- ~~21. Buildings shall provide for a variety of colors and architectural features to break up the massing of buildings and provide visual interest.~~
2122. Multifamily units shall be clustered to minimize grading and to help maintain the natural landscape.
2223. Multifamily projects shall be designed for the needs of the intended residents. For example, children's needs would require open space, tot lots, handrails, and enclosed yards on ground floor units. Disabled or elderly needs would require ramps, parking close to units, minimum and gradual elevation changes and elevators.
2324. Architectural features should be used to increase privacy from nearby units and common or public spaces.

- 2425. Roof forms should be mixed and combined to vary the perception of building height, to differentiate units and to add interest to building mass. The long, straight roofline of a single gable is not permitted.
- 2526. A diagram of the complex showing the location of the viewer and the building designations shall be positioned at each visitor entrance of a multiple-family development.
- 2627. Buildings shall provide for a variety of colors and architectural features to break up the massing of buildings and provide visual interest.

### **9.03.070 Streamlined Ministerial Approval Process (Senate Bill 35)**

- A. Purpose and Intent. This section is adopted pursuant to the provisions of Senate Bill 35 (SB 35), to the extent permissible by law, to establish a streamlined ministerial review and public oversight process for the final review and approval of SB 35 applications pursuant to the requirements in California Government Code Section 65913.4. SB 35 has been designed to help address the state's continuing housing crisis.
- B. Applicability. This section establishes clear eligibility criteria to establish a streamlined ministerial review and public oversight process for the Planning Commission's final review and approval of SB 35 applications pursuant to the requirements in California Government Code Section 65913.4.
- C. Qualifying Requirements.
1. A developer may submit an application for a development that is subject to the streamlined, ministerial approval process provided by SB 35 and not subject to a conditional use permit or any other discretionary local government review or approval.
  2. The project must be a multifamily housing development project, as defined in California Government Code Section 65589.5 that contains at least two residential units and complies with the minimum and maximum residential density range permitted for the site per the Land Use and Community Character Element of the MoVal 2040 General Plan, plus any applicable density bonus.
  3. Affordability Requirement. If more than 10 residential units are proposed, at least 10 percent of the project's total units must be dedicated as affordable to households making below 80 percent of the County of Riverside median income. If the project will contain subsidized units, the applicant has recorded, or is required by law to record, a land use restriction for the following minimum durations, as applicable:
    - a. 55 years for rental units.
    - b. 45 years for homeownership unitsThe development proponent shall commit to record a covenant or restriction dedicating the required minimum percentage of units to below-market housing before issuing the first building permit.
  4. The project must be located on a legal parcel or parcels within the incorporated City limits. At least 75 percent of the site's perimeter must adjoin parcels developed with urban uses.
  5. The project must be located on a site that is either zoned or has a General Plan designation for residential or residential mixed-use development, including sites where residential uses are permitted as conditional use. If the multiple-family housing development is mixed-use, at least two-thirds of the project's square footage must be designated for residential use.
  6. The project must meet all objective zoning and design review standards in effect at the time the application is submitted.  
If the project is consistent with the minimum and maximum density range allowed within the General Plan land use designation, it is deemed consistent with housing density standards.

Any density bonus, concessions, incentives, or waivers of development standards or reduction of parking standards requested under Chapter 9.03.050 (Density bonus program for affordable housing) are deemed consistent with objective standards.

7. Prevailing Wages: If the development is not in its entirety a public work, as defined in Government Code Section 65913.4 (a)(8)(A), all construction workers employed in the execution of the development must be paid at least the general prevailing rate of per diem wages for the type of work and geographic area.
8. Skilled and Trained Workforce provisions: A skilled and trained workforce, as defined in Government Code Section 65913.4 (a)(8)(B)iii, must complete the development if the project consists of 50 or more units.
9. The development did not or does not involve a subdivision of a parcel that is subject to the California Subdivision Map Act unless the development either (i) receives a low-income housing tax credit and is subject to the requirement that prevailing wages be paid, or (ii) is subject to the requirements to pay prevailing wages and to use a skilled and trained workforce.
10. The development must be located on a property that is not within a coastal zone, prime farmland, wetlands, a high fire hazard severity zone, hazardous waste site, a delineated earthquake fault zone, a flood plain, a floodway, a community conservation plan area, a habitat for protected species, or under a conservation easement.
11. The project does not demolish any housing units that tenants have occupied in the last 10 years; are subject to any form of rent or price control, or are subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low incomes.
12. The project does not demolish a historic structure that has been placed on a national, state, or local historic register.

D. Application and Processing.

Development projects submitted pursuant to California Government Code Section 65913.4 shall be reviewed in accordance with the procedures set forth in Subsection (b) of Section 65913.4, as such procedures may be amended from time to time and as further outlined in this Chapter.

1. The development proponent shall submit to the local government a notice of its intent to submit an application. The notice of intent (NOI) shall be in the form of an SB 35 Preliminary Application that includes all of the information described in Section 65941.1.
2. Upon receipt of a NOI, the Community Development Director shall engage in a scoping consultation regarding the proposed development with any California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed development as required by Section 65913.4(b), as may be amended from time to time.
3. After completing the NOI to submit an application for streamlined ministerial approval process (also referred to as SB 35 processing) and Tribal

Consultation process pursuant to Government Code Section 65913.4, Subsection (b), an applicant may submit an application for streamlined ministerial approval processing to the City. The applicant must submit a building permit application and an SB 35 streamlined ministerial approval process application demonstrating the proposed project’s eligibility under California Government Code Section 65913.4. Once an application is submitted, the process set forth in Subsections E-H, below, shall be followed.

E. Community Development Director Determinations.

1. The Community Development Director shall review the application submitted hereunder and determine if the project is consistent with or conflicts with any of the objective zoning standards, objective subdivision standards, and objective design review standards applicable to the project. The Community Development Director’s review of the project shall be completed within 60 days of application submittal for projects of 150 or fewer units and 90 days for projects consisting of more than 150 units.
2. If the City provides written comments as to any conflicts in the objective standards, or requests additional information to make such a determination, then the 60- or 90-day timeline will restart upon submittal of a revised development application in response to such written notice. The City’s written comments shall specify the standard or standards with which the development conflicts and shall provide an explanation for the reason or reasons the development conflicts with that standard or standards within the timeframe specified.
3. If the application can be brought into compliance with minor changes to the proposal, the City, in lieu of making detailed findings, will allow the applicant to correct any deficiencies within the timeframes noted in Subsection E.2 above.
4. If the City fails to provide the required documentation determining consistency within these timeframes, the development shall be deemed to satisfy the City’s objective planning standards and shall be deemed consistent.
5. The Community Development Director’s determination shall be forwarded to the City’s Planning Commission consideration as part of the ministerial design review/public oversight process as provided for in Subsection F below, under California Government Code Section 65913.4(d).

F. Planning Commission Ministerial Design Review/Public Oversight

The Planning Commission, at a noticed public meeting, shall undertake ministerial design review and public oversight as provided for in California Government Code Section 65913.4(d). Planning Commission review shall include a review of the Community Development Director’s determination as outlined in Subsection E above. Furthermore, the Planning Commission’s review under this process shall be objective and strictly focused on the project’s compliance with the criteria required for a streamlined project pursuant to the California Government Code Section 65913.4 and consistency with City reasonable objective zoning standards, objective subdivision standards, and objective design review standards applicable

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to the project, which have been adopted prior to the submittal of the application to the City and apply to other developments within the City.

The Planning Commission's review and a final determination on whether an application complies with the criteria under California Government Code Section 65913.4 and the reasonable objective zoning standards, objective subdivision standards, and objective design review standards applicable to the project must be completed in 90 days for projects with 150 or fewer units and 180 days for projects with more than 150 units, measured from the date of the application submittal.

The Planning Commission's ministerial review and public oversight process shall not in any way inhibit, chill, or preclude the ministerial approval of the project if it is in compliance with criteria specified in Government Code Section 65913.4 and consistent with the objective zoning standards, objective subdivision standards, and objective design review standards applicable to the project.

G. Submission of Application and Payment of Fees.

Development projects submitted pursuant to California Government Code Section 65913.4 must include a copy of the City's City SB 35 Checklist Application as well as required documents for a Plot Plan application. Payment of application fees are due at time of submittal.

H. Public Hearing.

The public hearing on an application hereunder shall be scheduled within the time frames provided for in Subsection F above.

I. Modification.

An applicant can request modification of approval after ministerial review and approval but prior to issuance of a final building permit pursuant to California Government Code Section 65914.3, Subsection (g). If the modification request falls within the parameters in Section 65913.4, Subsection (g), (3) (A) or (B) 1, then such modification shall be subject to review pursuant to Subsections E-H above. Otherwise, the modification shall be reviewed by the Community Development Director to confirm compliance with California Government Code Section 65913.4.

J. Parking. A qualifying SB 35 project is required to provide one parking space per residential unit. Furthermore, the City shall not impose any parking requirements for qualifying projects if any of the following instances are present:

a. The development is located within one-half mile of the Transit.

b. The development is located within an architecturally and historically significant historic district.

c. When on-street parking permits are required but not offered to the development's occupants.

d. When there is a car share vehicle located within one block of the development. A block can be up to 1,000 linear feet of pedestrian travel along a public street from the development.

Mixed-use projects must provide parking for the commercial component of the development as required by Chapter 9.11.040 (Off-street parking requirements).

K. The expiration dates for projects approved under SB 35 are as follows [Govt Code §65913.4(f)(2)]:

1. No expiration: Projects where 50% of the units are affordable to households making below 80% of the area median income (below moderate-income levels) and the project includes public investment in housing affordability beyond tax credits.
  2. After three years: Projects not including affordable housing are noted in the bullet above. Projects shall remain valid for three years and stay in effect as long as construction has begun and not ceased for more than 180 days. A one-year extension to the original three-year period may be granted if progress is made toward construction.
- L. Definitions. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.
- “Application” means a submission requesting Streamlined Ministerial Approval pursuant to Government Code section 65913.4 and the Guidelines, which contain information pursuant to Section 300(b) describing the development’s compliance with the criteria outlined in Article IV of the Guidelines.
- “Guidelines” shall mean the Updated Streamlined Ministerial Approval Process issued by the California Department of Housing and Community Development, as updated March 30, 2021, and as may be updated in the future.
- “Ministerial processing” means a process for development approval involving little or no personal judgment by the public official as to the wisdom or manner of carrying out the project. The public official merely ensures that the proposed development meets all the “objective zoning standards,” “objective subdivision standards,” and “objective design review standards” in effect at the time that the application is submitted to the local government but uses no special discretion or judgment in reaching a decision.
- “Ministerial approval” means approval of a project that complies with requirements and guidelines as set forth in Government Code Section 65913.4 that is non-discretionary and cannot require a conditional use permit or other discretionary local government review or approval.
- “Objective zoning standard”, “objective subdivision standard”, and “objective design review standard” means standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the applicant or development proponent and the public official prior to submittal, and includes only such standards as are published and adopted by ordinance or resolution by a local jurisdiction before submission of a development application.
- “Urban uses” means any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses. Parcels that are only separated by a street or highway shall be considered adjoined.



### 9.03.080 Streamlined Ministerial Approval Process (Senate Bills 330 and 8)

- A. Purpose and Intent. This section is adopted pursuant to the provisions of Senate Bill 330 (SB 330), Housing Crisis Act of 2019 (HCA), and Senate Bill (SB 8), which is an extension of the HCA. The HCA aims to increase residential unit development, protect existing housing inventory, and expedite permit processing.
- B. Applicability. This section establishes clear eligibility criteria to establish a streamlined review and approval of SB 330 applications pursuant to the requirements in California Government Code Sections 65589.5, 65905.5, 65913.10, 65940, 65941.1, 65943, 65950, 66300, and 66301.
- C. Qualifying Requirements.
1. The project must be a housing development project, as defined in California Government Code Section 65589.5(h)(2)(B). Specifically, pursuant to Government Code Section 65589.5(h)(2)(B) a project is a housing development project if:
    - a. Residential projects, excluding hotels, assisted living or other commercial dwelling units. Single-family, ADUs and/or JADUs are excluded from dwelling unit count;
    - b. Mixed-use development consisting of residential and nonresidential uses with at least two-thirds of the square footage of the project designated for residential use (not including hotels, assisted living or other commercial dwelling units); or
    - c. The project is a transitional or supportive housing development project.
  2. The HCA does not apply to housing development projects located within a very high fire hazard severity zone.
  3. The project must meet all objective zoning and design review standards in effect at the time the application is submitted.  
If the project is consistent with the minimum and maximum density range allowed within the General Plan land use designation, it is deemed consistent with housing density standards.  
Any density bonus, concessions, incentives, or waivers of development standards or reduction of parking standards requested under Chapter 9.03.050 (Density bonus program for affordable housing) are deemed consistent with objective standards.
  4. The City may not approve a housing development project that requires the demolition or removal of a protected unit before January 1, 2030, unless the project will replace any existing, demolished or removed protected units. "Protected Units" are defined as:
    - a. Affordable units deed-restricted to households earning below 80 percent of area median income (AMI).
    - b. Occupied by low-income households earning below 80 percent of AMI.
    - c. Units vacated under the Ellis Act within 10 years prior to development application.
- D. Application and Processing.

1. Project applicants choosing to seek vesting rights through a SB 330 Preliminary Application are encouraged to schedule a preliminary project discussion with Planning Division staff to assess eligibility before submitting a Preliminary Application for the SB 330 review process.
2. The SB 330 Preliminary Application must be filed with the Planning Division prior to filing a project application requesting approval of any discretionary action.
3. In order for a housing development project to receive initial vesting rights, a preliminary application must include all of the information required on the SB 330 Preliminary Application consistent with subdivision (a) of California Government Code Section 65941.1 and upon verification that the preliminary application processing fee is paid.
4. The SB 330 Preliminary Application shall be accompanied by any maps and supporting documents, including a site plan, floor plans, elevations, exterior material details and colors, and any other drawings that are required by this application.
5. A subsequent project application filed with the Planning Division requesting approval of a discretionary action (not including ministerial administrative reviews) must be filed within 180 days of the date that the SB 330 Preliminary Application is deemed complete.
6. If the project application is deemed incomplete or inconsistent after filing, the City shall provide the applicant in writing with a detailed explanation of the reason within 30 days (if 150 units or fewer) or 60 days (if 151 units or more). The applicant must submit all missing or incomplete items to Planning Division within 90 days of being notified in writing by Planning Division staff. If the project is again determined to be incomplete, the project applicant may appeal. The City has 60 days to respond to appeal.
7. Construction of the project must commence within two and one-half years following the date that the project receives final approval, including all necessary approvals to be eligible to apply for, and obtain a building permit or permits and all appeal periods or statutes of limitations have been exhausted or resolved in favor of the housing development project.
8. Any change in the residential unit count is limited to less than 20 percent exclusive of any increase resulting from the receipt of a density bonus, concession, waiver, or similar provision indicated on the submitted and deemed complete SB 330 Preliminary Application, otherwise the project must be resubmitted.
9. Any change in the Building Area is limited to less than 20 percent exclusive of any increase resulting from receiving a density bonus, concession, waiver, or similar provision indicated on the submitted and deemed-complete SB 330 Preliminary Application, otherwise the project must be resubmitted.
10. If the project submitted for a building permit differs substantially from the original submission (more than 20 percent in unit count or square footage), the Planning Division will re-certify the project for eligibility and re-review

the project's design, restarting the timeline and requiring resubmittal of the SB 330 Preliminary Application.

E. Public Hearings

SB 330 prevents jurisdictions from conducting more than five public hearings in connection with the approval of a housing development project that meets objective zoning standards. The definition of "hearing" found in California Government Code section 65905.5 includes required Planning Commission, City Council, or other board, committee, or commission hearing or public workshop as well as any appeal hearing.

Meetings held solely pursuant to CEQA law, including CEQA appeals, are not counted toward the number of hearings.

**9.05.040 Industrial site development standards.**

**A. General Requirements.**

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.
2. In addition, projects must comply with the special requirements enumerated in subsection B, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

**Table 9.05.040-8  
Industrial Site Development  
Minimum Standards**

<b>Requirement</b>	<b>BP/LI<sup>1</sup></b>	<b>BPX</b>	<b>I</b>
Minimum site area (in acres)	1	1	5
Minimum site width (in feet)	200	200	300
Minimum site depth (in feet)	200	200	300
Minimum front building setback area (in feet)	20	20	20
Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
Minimum street side building setback area (in feet)	20	20	20
Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

1. See Special Site Development Standards Section 9.05.040(B)(9) for unique separation requirements for structures greater than 50,000 square feet in building area.

\* Structures shall be constructed on the property line or a minimum of three feet from the property line.

**B. Special Site Development Standards.**

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.
2. Where off-street parking areas in industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.
3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.
4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and

- parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.
5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.
  6. Parking for each use shall comply with the requirements of Chapter 9.11 and this title.
  7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.
  8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.
  9. In the LI district, industrial and warehouse structures greater than fifty thousand (50,000) square feet in building area shall be separated from any residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be two hundred fifty (250) feet between the residential district and the truck court or loading area.
  10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district.
  11. Industrial buildings larger than 50,000 square feet shall be designed and constructed to meet the equivalent level of *LEED* Silver.
  12. Industrial buildings with more than 30 required Truck Parking stalls shall provide a minimum of 10% of all required truck parking stalls with appropriately sized conduit(s) for future truck charging facilities.
  13. Industrial Building Signage
    - a. All signage required under this Section must be posted in English and Spanish and must be permanent, durable, weather-proof, and legible.
    - b. Signs and drive aisle pavement markings shall clearly identify the onsite circulation pattern to minimize unnecessary on-site vehicular travel.
    - c. Signs shall be installed at all truck exit driveways directing truck drivers to the truck route as indicated in the Truck Routing Plan and State Highway System.
  14. Roofing.
    - a. All building roofs shall be solar-ready, which includes designing and constructing buildings in a manner that facilitates the maximum

installation of a rooftop solar photovoltaic (PV) system after the building has been constructed.

15. Warehouse electrical rooms shall be sufficiently sized to accommodate the potential need for additional electrical panels, either a secondary electrical room shall be provided in the building, or the primary electrical room shall be sized 25% larger than is required to satisfy the service requirements of the building, or the electrical gear shall be installed with the initial construction with 25% excess demand capacity.

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### 9.14.100 Land division dedications, improvements, fees and reservations.

#### A. Dedications.

1. All streets, highways and alleys, and other parcels of land intended for public use including, but not limited to, access road easements required for flood control and utilities intended for public use, shall be offered for dedication to the public by owners certificate as a part of a final land division map. No utility easement or other rights-of-way shall be granted within proposed street dedication subsequent to the date of filing of a preliminary tentative map. Necessary right-of-way outside of the tract boundary must be processed by separate instruments.
2. Whenever a minor arterial or higher classification is designated on the circulation element of the general plan of the city for Moreno Valley as requiring an ultimate right-of-way of eighty-eight (88) feet or greater and such highway either adjoins or crosses a proposed land division, access rights may be required to be offered for dedication to the city or otherwise restricted. The note "ACCESS RESTRICTED" shall be shown along the highway frontages on the final land division map, as provided herein. Access rights shall be restricted except for limited access openings as approved by the city engineer. However, the location of access opening(s) to commercially zoned property may be postponed to the development stage as approved by the city engineer.

#### B. Land Division Improvements.

1. Improvements installed in land divisions shall be constructed in conformance with city standards.
2. In the absence of a standard for an improvement, the city engineer may establish a standard in keeping with good construction and engineering practices.
3. When asphalt-concrete dikes are permitted and drainage is required to cross at intersecting streets, concrete curb returns and cross-gutters shall be installed.
4. Structural roadbed section shall be designed using recognized design methods, employing engineering soils analysis and determination of traffic evaluations.
5. The street pattern in the land development shall not land lock adjacent property or preclude access to public land.
6. When located under the pavement, utility mains and utility services shall be installed before the final street surfacing is installed.
7. When an existing underground utility or pipeline crosses a proposed land division or an access to a land division, the land divider shall adequately protect the utility or pipeline as directed by the utility owner as part of the conditional approval of the land division.
8. Projects which are located in high fire hazard areas shall require special fire mitigation measures. These fire mitigation measures shall be as per city ordinance.

#### C. Improvements Plans Required.

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1. All improvements constructed or installed in a land division shall be in accordance with detailed plans and specifications as approved in writing by the city engineer prior to commencement of such improvement work.
  2. All plans shall be submitted to the city engineer and shall be approved by him before submitting a final land division map to the city council. Upon approval of such plans, they shall become the property of the city.
  3. All improvements constructed or installed in land divisions shall be in accordance with plans and specifications as approved by the city engineer.
  4. Contractors shall secure an encroachment permit for all work done in connection with land division projects within city right-of-way and Riverside County flood control right-of-way prior to commencing such work.
  5. The improvement plans shall show the location of all existing improvements, gas and any other service facilities.
  6. Improvements proposed or required on state highway right-of-way shall be located in the improvement plans and designed to Department of Transportation standards. Prior to approval by the city engineer, the land divider's engineer shall obtain the Department of Transportation's approval for such improvements.
- D. Improvement for Subdivision. The minimum improvements which a land divider shall install, or enter into an agreement to install, for subdivisions shall be as hereinafter set forth in Schedule "A," "B," "C," and "D" for tentative map subdivisions and in Schedule "E," "F," "G," "H" and "I" for parcel map divisions.
1. Exemptions:  
The City Engineer may determine an exemption is appropriate if the improvement is infeasible or:
    - a. If there is insufficient real property to construct full-width improvements and the project developer cannot acquire the requisite real property from the applicable property owner(s) after making a good faith effort, and if the project involves a subdivision, then the City will either obtain said property or this requirement shall be waived by the City Engineer pursuant to the provisions of the Subdivision Map Act.
    - b. If there is insufficient real property to construct full-width improvement and the project developer cannot acquire the requisite real property from the applicable property owner(s) after making a good faith effort, and if the project does not involve a subdivision, then the City Engineer may waive the full-width improvement requirement.
  2. If the full-width improvements are located on a street that are subject to improvement via development impact fees, the developer may receive Development Impact Fee credits for improvements in accordance with Chapters 3.38 (Residential Development Impact Fees) and 3.42 (Commercial and Industrial Development Impact Fees) and any applicable City Policies.
- E. Schedule "A" Subdivision. Any division of land into five or more parcels, where any parcel is less than eighteen thousand (18,000) square feet in net area, shall be



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defined as a Schedule “A” subdivision. The minimum improvements for a Schedule “A” subdivision shall be as follows:

1. Streets. Unless otherwise determined by the City Engineer, subdivision street improvements shall be constructed to full-width. The minimum improvements for streets are established as follows:
  - a. Divided Major Arterial. One hundred ten (110) feet in width, designed and constructed in conformance with city standards;
  - b. Modified Divided Major Arterial. One hundred two (102) feet in width, designed and constructed in conformance with city standards;
  - c. Divided Arterial. Eighty-six (86) feet in width, designed and constructed in conformance with city standards;
  - d. Arterial. Seventy-six (76) feet in width, designed and constructed in conformance with city standards;
  - e. Minor Arterial. Sixty-four (64) feet in width, designed and constructed in conformance with city standards;
  - f. Industrial Collector. Fifty-six (56) feet in width, designed and constructed in conformance with city standards;
  - g. Collector Streets. Forty-four (44) feet in width, designed and constructed in conformance with city standards;
  - h. General Local Streets. Forty (40) feet in width, designed and constructed in conformance with city standards;
  - i. Short Local or Circulatory Interior Street. Thirty-six (36) feet in width, designed and constructed in conformance with city standards;
  - j. Restricted Local or Noncirculatory Interior Streets. Thirty-two (32) feet in width, designed and constructed in conformance with city standards;
  - k. Access Road. Thirty-two (32) feet in width, designed and constructed in conformance with city standards;
  - l. Frontage roads designed and constructed in conformance with city standards;
  - m. Cul-de-sac streets shall be designed and constructed in conformance with city standards;
  - n. Alleys. Twenty (20) feet in width, designed and constructed in conformance with city standards;
  - o. If exempted from full street improvements: Part-width streets shall be one-half of the required improvements plus an additional twelve (12) feet, but not less than twenty-eight (28) feet, designed and constructed in conformance with city standards;
  - p. Street Name Signs. Type and placement shall conform with city standards;
  - q. Barricades shall be placed at the end of dead-end streets in accordance with city standards;
  - r. Sidewalks shall be required to be constructed unless they are determined by the approving body to be unnecessary considering the design of the development. Sidewalk construction shall be in accordance with city standards.

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2. Domestic Water. The minimum requirements for domestic water supply and distribution system are as follows:
    - a. Water Supply. Water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards); and
    - b. Piped water systems.
  3. Fire Protection. The minimum requirement for fire protection facilities in residential zones that do not allow multifamily residential uses shall be as follows:
    - a. Type of fire hydrant and connection as approved by the agency providing fire protection;
    - b. The water system shall be capable of providing a fire flow of one thousand five hundred (1,500) GPM for two hours duration at a minimum of twenty (20) PSI operating pressure from each fire hydrant;
    - c. The fire protection system shall be installed and operational prior to any combustible building material being placed on the job site; and
    - d. In zones that allow multifamily residential uses, the minimum fire protection shall be as set forth in applicable city ordinance or ordinances.
  4. Sewage Disposal. The minimum requirement for sewage disposal shall be as follows:
    - a. Sewage disposal shall be provided by connection to an existing collection system capable of accepting waste load, or, if an existing collection system is not available, by the development of individual subsurface sewage disposal systems that meet health department and the regional water quality control board standards and requirements;
    - b. Improvement plans for sewage collection systems shall be reviewed as required by this chapter; and
    - c. Dry sewer may be required as set forth in Section 9.14.120 when subsurface sewage disposal is approved.
  5. Fences. Minimum fencing requirements shall be as follows: six-foot high chain link galvanized wire fence shall be installed along any canal, drain, expressway or other feature deemed to be hazardous.
  6. Electrical and Communication Facilities. Minimum requirement for electrical and communication facilities shall be as follows: electrical and communication facilities shall be installed in conformity with the provision of Section 9.14.130.
- F. Schedule "B" Subdivision. Any division of land into five or more parcels, where any parcel is not less than eighteen thousand (18,000) square feet in net area up to two acres in gross area, shall be defined as a Schedule "B" subdivision. The minimum improvements for a Schedule "B" subdivision shall be as follows:
1. Streets. Unless otherwise determined by the City Engineer, subdivision street improvements shall be constructed to full-width. The minimum improvements for streets are established as follows:

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- a. Divided Major Arterial. One hundred ten (110) feet in width, designed and constructed in conformance with city standards;
  - b. Modified Divided Major Arterial. One hundred two (102) feet in width, designed and constructed in conformance with city standards;
  - c. Divided Arterial. Eighty-six (86) feet in width, designed and constructed in conformance with city standards;
  - d. Arterial. Seventy-six (76) feet in width, designed and constructed in conformance with city standards;
  - e. Minor Arterial. Sixty-four (64) feet in width, designed and constructed in conformance with city standards;
  - f. Industrial Collector. Fifty-six (56) feet in width, designed and constructed in conformance with city standards;
  - g. Collector Streets. Forty-four (44) feet in width, designed and constructed in conformance with city standards;
  - h. General Local Streets. Forty (40) feet in width, designed and constructed in conformance with city standards;
  - i. Short Local or Circulatory Interior Streets. Thirty-six (36) feet in width, designed and constructed in conformance with city standards;
  - j. Restricted Local or Noncirculatory Interior Streets. Thirty-two (32) feet in width, designed and constructed in conformance with city standards;
  - k. Access Roads. Thirty-two (32) feet in width, designed and constructed in conformance with city standards;
  - l. Frontage roads designed and constructed in conformance with city standards;
  - m. Cul-de-sac streets shall be designed and constructed in conformance with city standards;
  - n. Alleys. Twenty (20) feet in width, designed and constructed in conformance with city standards;
  - o. If exempted from full street improvements: Part-width street shall be one-half of the required improvement, plus an additional twelve (12) feet, but not less than twenty-eight (28) feet, designed and constructed in conformance with city standards;
  - p. Street Name Signs. Type and placement shall conform with city standards;
  - q. Barricades shall be placed at end of dead-end streets in conformance with city standards.
2. Domestic Water. The minimum requirement for a domestic water supply and distribution system is as follows:
    - a. Water Supply. Water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards);
    - b. Piped water systems.
  3. Fire Protection Systems. The minimum requirement for protection facilities in residential zones that do not allow multifamily residential uses shall be as follows:

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- a. Type of fire hydrant and connection as approved by the agency providing fire protection;
  - b. Approved fire hydrants shall be located on all city streets, and spaced as approved by Moreno Valley fire services;
  - c. The water system shall be capable of providing a fire flow of one thousand five hundred (1,500) GPM for two hours at a minimum of twenty (20) PSI operating pressure from each fire hydrant;
  - d. The fire protection system shall be installed and operational prior to any combustible building material being placed on the job site; and
  - e. In zones that allow multifamily residential uses, the minimum fire protection shall be as set forth in applicable city ordinances.
4. Sewage Disposal. The minimum requirements for sewage disposal shall be as follows:
- a. Sewage disposal shall be provided by connection to an existing collection system capable of accepting the waste load, or, if an existing collection system is not available, by the development of individual subsurface sewage disposal systems that meet the Riverside County health department and the regional water quality control board standards and requirements;
  - b. Improvement plans for sewage collection systems shall be reviewed as required by this chapter; and
  - c. Dry sewer may be required as set forth in this chapter when subsurface sewage disposal is approved.
5. Fences. Minimum fencing requirement shall be as follows: six-foot high chain link galvanized wire fence shall be installed along any canal, drain, expressway or other feature deemed to be hazardous.
6. Electrical and Communication Facilities. Minimum requirement for electrical and communication facilities shall be as follows: electrical and communication facilities shall be installed in conformity with the provisions of Section 9.14.130.
- G. Schedule "C" Subdivision. Any division of land into five or more parcels where any parcel is not less than two acres in gross area up to five acres in gross area. The minimum improvement of Schedule "C" subdivision shall be as follows:
1. Streets. Unless otherwise determined by the City Engineer, subdivision street improvements shall be constructed to full-width. All streets shall be thirty-two (32) feet in width, improved with asphalt concrete and paving, designed and constructed in conformance with city standards, unless further improvements are required on boundary streets to achieve compatibility with contiguous existing streets or street improvement requirements set forth on adjacent land division.
  2. Domestic Water. The minimum requirement for a domestic water supply and distribution system is as follows:
    - a. No water system required. If a water system is installed, the requirements shall be as follows:
      - i. Water Supply. Water shall be provided to meet the requirements as set forth in the California Administrative

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- Code, Title 22, Chapter 16 (California Waterworks Standards). Improvement plan review shall be as required by this chapter;
- ii. Piped water systems.
  - b. If no water system is installed, the following statement shall be placed on each map sheet of the environmental constraints sheet, in letters not less than one-fourth inch high:  
 NO WATER SYSTEM IS PROVIDED FOR THE LAND DIVISION AS OF THE DATE OF RECORDATION OF THIS MAP.
  3. Fire Protection. If a water system is installed, the minimum requirement for fire protection facilities in single-family residential zones shall be as approved by the fire chief as follows:
    - a. Type of fire hydrant and connection as approved by the agency providing fire protection;
    - b. Approved fire hydrants shall be located on all city streets and spaced as approved by Moreno Valley fire services;
    - c. The water system shall be capable of providing a fire flow of one thousand five hundred (1,500) GPM for two hours duration at a minimum of twenty (20) PSI operating pressure from each fire hydrant; and
  4. Sewage Disposal. The minimum requirements for sewage disposal shall be as follows:
    - a. No sewage disposal collection system is required; and
    - b. The land divider will be required to provide the Riverside County health department with a sewage disposal feasibility report in conformance with health department and the regional water quality control board standards.
  5. Electrical and Communication Facilities. The minimum requirements for electrical and communication facilities shall be as follows:
    - a. No electrical and communication facilities are required; and
    - b. If installed, they shall be installed in conformance with the provisions of Section 9.14.130.
  - H. Schedule "D" Subdivision. Any division of land into five or more parcels, where any parcel is not less than 5 acres in gross area up to twenty (20) acres in gross area, shall be defined as a Schedule "D" subdivision. The minimum improvements of a Schedule "D" subdivision shall be as follows:
    1. Streets. Unless otherwise determined by the City Engineer, subdivision street improvements shall be constructed to full-width.
      - a. If the streets are not to be accepted for maintenance by the city, all streets shall be improved with twenty-four (24) feet of suitable aggregate base, four inches thick, on a forty-foot graded roadway section. Vertical grades and horizontal alignments shall be held to an acceptable tolerance as determined by the city engineer;
      - b. If the streets are to be accepted for maintenance by the city, the improvements shall be the same as those required for Schedule "C" subdivisions;

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- c. Access road shall be a minimum eighteen-foot wide graded roadbed section engineered to a profile and alignment as approved by the city engineer, which provides access to a paved and maintained street or highway.
  2. Domestic Water. The minimum requirement for a domestic water supply and distribution system is as follows:
    - a. No Water System Required. If a water system is installed, the requirements shall be as follows:
      - i. Water Supply. Water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards). Improvement plan review shall be as required by this chapter;
      - ii. Piped water systems.
    - b. If no water system is installed, the following statement shall be placed on each map sheet of the recorded land division map, in letters no less than one-fourth inch high:  
**NO WATER SYSTEM IS PROVIDED FOR THE LAND DIVISION AS OF THE DATE OF RECORDATION OF THIS MAP.**
3. Fire Protection.
  - a. If a water system is installed, the minimum requirements for fire protection facilities in single-family residential zones shall be as approved by the fire chief or as follows:
    - i. The water system shall be capable of providing a fire flow of one thousand five hundred (1,500) GPM for two hours duration at a minimum of twenty (20) PSI operating pressure from each fire hydrant; and
    - ii. Approved fire hydrants shall be located on all city streets and spaced as approved by the fire prevention bureau.
4. Sewage Disposal. The minimum requirements for sewage disposal shall be as follows:
  - a. No sewage disposal collection system is required; or
  - b. The land divider will be required to provide the health department with a sewage disposal feasibility report in conformance with the Riverside County health department and the regional water quality control board standards.
5. Electrical and Communication Facilities. The minimum requirements for electrical and communication facilities shall be as follows:
  - a. No electrical and communication facilities are required; and
  - b. If installed, they shall be installed in conformance with the provisions of Section 9.14.130.
- I. Improvements for Parcel Map Divisions.
  1. The minimum improvements which a land divider shall install, or enter into an agreement to install, for parcel map divisions shall be as hereinafter set forth in Schedule "E," "F," "G," "H" and "I".

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- J. Schedule “E” Parcel Map Division. Any division of land into two or more parcels in commercial or industrial zones, regardless of parcel size shall be described as a Schedule “E” parcel map division. The minimum improvements for a Schedule “E” parcel map division shall be as follows:
1. Streets. Unless otherwise determined by the City Engineer, subdivision street improvements shall be constructed to full-width. The minimum improvements for streets are established as follows:
    - a. All through streets shall be sixty-four (64) feet in width, designed and constructed in conformance with city standards;
    - b. No circulatory streets shall be less than fifty-six (56) feet in width, designed and constructed in conformance with city standards;
    - c. If exempted from full street improvements: No part-width interior street shall be less than thirty-four (34) feet in width;
    - d. Concrete curb and gutter shall be required in all cases;
    - e. Industrial collector streets shall be fifty-six (56) feet in width, designed and constructed in conformance with city standards;
    - f. Sidewalks may be required to be constructed unless they are determined by the approving body to be unnecessary considering the design of the development. Sidewalk construction shall be in accordance with city standards;
    - g. Access roads, thirty-two (32) feet in width, designed and constructed in conformance with city standards.
  2. Domestic Water. The minimum requirements for domestic water supply and distribution system is as follows:
    - a. Water Supply. Water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards). Improvement plan review shall be as required by this chapter; and
    - b. Piped water systems.
  3. Fire Protection. The minimum fire protection requirements shall be as provided in applicable city ordinances.
  4. Sewage Disposal. The minimum requirement for sewage disposal shall be as follows:
    - a. Sewage disposal shall be provided by connection to an existing collection system capable of accepting the waste load, or, if an existing collection system is not available, by the development of individual subsurface sewage disposal systems that meet health department and the regional water quality control board standards and requirements;
    - b. Improvement plans for sewage collection systems shall be reviewed as required in this chapter;
    - c. Dry sewer may be required as set forth in Section 9.14.120 when subsurface sewage disposal is approved.
  5. Fences. Minimum requirement for fencing shall be as follows: six-foot high chain link galvanized wire fence shall be installed along any canal, drain, expressway or other feature deemed to be hazardous.

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6. Electrical and Communication Facilities. The minimum requirements for electrical and communication facilities shall be as follows: electrical and communication facilities shall be installed in conformity with the provisions of Section 9.14.130.
- K. Schedule “F” Parcel Map Division. Any division of land into four or less parcels, where any parcel is less than eighteen thousand (18,000) square feet in net area, shall be defined as a Schedule “F” parcel map division. The minimum improvements for a Schedule “F” parcel map division shall be as follows:
1. Streets. Unless otherwise determined by the City Engineer, subdivision street improvements shall be constructed to full-width. The minimum improvements for streets are established as follows:
    - a. Divided Major Arterial. One hundred ten (110) feet in width, designed and constructed in conformance with city standards;
    - b. Modified Divided Major Arterial. One hundred two (102) feet in width, designed and constructed in conformance with city standards;
    - c. Divided Arterial. Eight-six (86) feet in width, designed and constructed in conformance with city standards;
    - d. Arterial. Seventy-six (76) feet in width, designed and constructed in conformance with city standards;
    - e. Minor Arterial. Sixty-four (64) feet in width, designed and constructed in conformance with city standards;
    - f. Industrial Collector. Fifty-six (56) feet in width, designed and constructed in conformance with city standards;
    - g. Collector Streets. Forty-four (44) feet in width, designed and constructed in conformance with city standards;
    - h. General Local Streets. Forty (40) feet in width, designed and constructed in conformance with city standards;
    - i. Short Local or Circulatory Interior Streets. Thirty-six (36) feet in width, designed and constructed in conformance with city standards;
    - j. Restricted Local or Noncirculatory Interior Streets. Thirty-two (32) feet in width, design and constructed in conformance with city standards;
    - k. Access Roads. Thirty-two (32) feet in width, designed and constructed in conformance with city standards;
    - l. Frontage roads designed and constructed in conformance with city standards;
    - m. Cul-de-sac streets shall be designed and constructed in conformance with city standards;
    - n. Alleys. Twenty (20) feet in width, designed and constructed in conformance with city standards;
    - o. If exempted from full street improvements: Part-width streets shall be one-half of the required improvement, plus an additional twelve (12) feet, but not less than twenty-eight (28) feet, designed and constructed in conformance with city standards;
    - p. Street Name Signs. Type and placement shall conform with city standards;



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- q. Barricades shall be placed at end of dead-end streets in conformance with city standards.
- 2. Domestic Water. The minimum requirement for a domestic water supply and distribution system is as follows:
  - a. Water Supply. Water shall be provided to meet the requirements as set forth in the California Administrative Code, Title 22, Chapter 16 (California Waterworks Standards). Improvement plan review shall be as required by this chapter;
  - b. Piped water systems.
- 3. Fire Protection Systems. The minimum requirement for protection facilities in residential zones that do not allow multifamily residential uses shall be as follows:
  - a. Type of fire hydrant and connection as approved by the agency providing fire protection;
  - b. Approved fire hydrants shall be located on all city streets and spaced as approved by the fire prevention bureau;
  - c. The water system shall be capable of providing a fire flow of one thousand five hundred (1,500) GPM for two hours at a minimum of twenty (20) PSI operating pressure from each fire hydrant;
  - d. The fire protection system shall be installed and operational prior to any combustible building material being placed on the job site; and
  - e. In zones that allow multifamily residential uses, the minimum fire protection shall be as set forth in city standards.
- 4. Sewage Disposal. The minimum requirements for sewage disposal shall be as follows:
  - a. Sewage disposal shall be provided by connection to an existing collection system capable of accepting the waste load, or, if an existing collection system is not available, by the development of individual subsurface sewage disposal systems that meet the Riverside County health department and the regional water quality control board standards and requirements;
  - b. Improvement plans for sewage collection systems shall be reviewed as required by this chapter; and
  - c. Dry sewer may be required as set forth in Section 9.14.120 when subsurface sewage disposal is approved.
- 5. Fences. Minimum fencing requirement shall be as follows: six-foot high chain link galvanized wire fence shall be installed along any canal, drain, expressway or other feature deemed to be hazardous.
- 6. Electrical and Communication Facilities. Minimum requirement for electrical and communication facilities shall be as follows: electrical and communication facilities shall be installed in conformity with the provisions of Section 9.14.130.
- L. Schedule "G" Parcel Map Division. Any division of land into four or less parcels, where any parcel is not less than eighteen thousand (18,000) square feet in net area up to one acre in gross area, shall be defined as a Schedule "G" parcel map

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division. The minimum improvements for Schedule “G” parcel map division shall be as follows:

1. Street. Unless otherwise determined by the City Engineer, subdivision street improvements shall be constructed to full-width. The minimum improvements for streets are established as follows:
  - a. Divided Major Arterial. One hundred ten (110) feet in width, designed and constructed in conformance with city standards;
  - b. Modified Divided Major Arterial. One hundred two (102) feet in width, designed and constructed in conformance with city standards;
  - c. Divided Arterial. Eighty-six (86) feet in width, designed and constructed in conformance with city standards;
  - d. Arterial. Seventy-six (76) feet in width, designed and constructed in conformance with city standards;
  - e. Minor Arterial. Sixty-four (64) feet in width, designed and constructed in conformance with city standards;
  - f. Industrial Collector. Fifty-six (56) feet in width, designed and constructed in conformance with city standards;
  - g. Collector Streets. Forty-four (44) feet in width, designed and constructed in conformance with city standards;
  - h. General Local Streets. Forty (40) feet in width, designed and constructed in conformance with city standards;
  - i. Short Local or Circulatory Interior Streets. Thirty-six (36) feet in width, designed and constructed in conformance with city standards;
  - j. Restricted Local or Noncirculatory Interior Streets. Thirty-two (32) feet in width, designed and constructed in conformance with city standards;
  - k. Access Roads. Thirty-two (32) feet in width, designed and constructed in conformance with city standards;
  - l. Frontage roads designed and constructed in conformance with city standards;
  - m. Cul-de-sac streets shall be designed and constructed in conformance with city standards;
  - n. Alleys. Twenty (20) feet in width, designed and constructed in conformance with city standards;
  - o. If exempted from full street improvements: Part-width streets shall be one-half of the required improvement, plus an additional twelve (12) feet, but not less than twenty-eight (28) feet, designed and constructed in conformance with city standards;
  - p. Street Name Signs. Type and placement shall conform with city standards;
  - q. Barricades shall be placed at end of dead-end streets in conformance with city standards.
2. Domestic Water. The minimum requirement for a domestic water supply and distribution system is as follows:
  - a. No Water System Required. If a water system is installed, the requirements shall be as follows:



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- improved with asphalt concrete paving, designed and constructed in conformance with city standards, unless further improvements are required on boundary streets to achieve compatibility with contiguous existing streets or street improvement requirements set forth on adjacent land divisions; and
- ii. Noncirculatory streets located in an area where the geography will not sustain parcels of lesser size may have the streets section reduced to twenty-eight (28) feet in width. The street shall be improved with asphalt concrete paving, designed and constructed in conformance with city standards.
  - c. Improvements required on general plan streets, collector or greater, shall be at the same level as exists, or for which improvements have been bonded on a contiguous parcel of land.
  - d. Access roads shall be a minimum eighteen-foot wide graded roadbed section designed and constructed to a profile and alignment as approved by the city engineer which provides access to a paved and maintained street or highway.
2. Other Improvements. Domestic water, fire protection facilities and electrical and communication facilities shall be as necessary per applicable city ordinances.
  3. Sewage Disposal. The minimum requirements for sewage disposal shall be as follows: no sewage disposal collection system is required; however, the land divider may be required to provide the health department with a sewage disposal feasibility report in conformance with health department and regional water quality control board standards.
  4. Agricultural Lands. The following agricultural lands shall be exempt from all improvement requirements specified within this section:
    - a. Lands lying within an established agricultural preserve formed pursuant to the Williamson Act;
    - b. Lands (parcels) zoned AG and identified in the general plan as agriculture and not less than five acres in size.
  5. Exceptions. For the purpose of this section, any parcel map division located in its entirety within a community services district, the following exception shall apply:
 

Whenever in this title reference is made to any street design, standard, minimum improvements, maintenance, access, or dedication thereof, the adopted street standards of the city shall apply in meeting any street requirements for land division approval, provided the city engineer has previously approved such standards. The land divider shall submit to the city engineer a street construction permit issued by the city approving the proposed street construction.
- N. Schedule "I" Parcel Map Division. Any division of land, where all parcels are not less than twenty (20) acres in gross area, shall be defined as a Schedule "I" parcel map division. The land divider may be required to provide soil percolation tests in conformity with city requirements and the regional water quality control board. No

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improvements are required on a Schedule "I" parcel map division, subject to the condition that an adequate circulation system is retained or replaced. If replaced, unless otherwise determined by the City Engineer, subdivision street improvements shall be constructed to full-width.

### O. Drainage Fees.

1. This section is adopted pursuant to Sections 66483 et seq., of the Government Code which provides for the payment of fees for the construction of drainage facilities as a condition to the division of land.
2. Whenever land that is proposed to be divided lies within the boundaries of an area drainage plan, a drainage fee in the amount required by the plan for the area, as adopted or thereafter amended, shall be required as a condition of approval of the division of land in that drainage area.
3. Each area drainage plan as adopted, pursuant to the provision of Government Code Sections 66483 et seq., shall cover a particular drainage area; shall contain an estimate of the total cost of constructing the drainage facilities required by the plan, and include a map of the area that shows the boundaries of the drainage area and the location of the required facilities serving the drainage area. As a part of the adoption of a plan, the city shall find and determine that the subdivision and development of land within the plan area will require construction of the facilities described in the plan. The city shall further find and determine that the drainage fees are fairly apportioned within the local drainage area, on the basis of benefits conferred on property proposed for subdivision or on the land for local drainage facilities created by the proposed subdivision and development of other properties within the adopted drainage area, and may provide for varying fees; provided, however, the fee as to any property proposed for subdivision within a drainage area shall not exceed the pro rata share of the amount of the total actual or estimated cost of all facilities within the drainage area apportioned uniformly on a per acre basis.
4. Drainage fees shall be paid at the time of the filing of the final map or parcel map, or as a condition of the waiver of the filing of a parcel map; provided, however, at the option of the land divider the fee may be paid, in pro rata amounts, at the time of the issuance of grading permits for the approved parcels or at the time of issuance of building permits if no grading permits are issued for the parcels. The amount of the drainage fee required to be paid shall be the amount that is in effect for the particular area drainage plan at the time of actual payment of the fee. If the land divider elects to have payment made at the time of issuance of grading permits for the approved parcels or at the time of issuance of building permits if no grading permits are issued for the parcels, the amount of the drainage fee required to be paid shall be the amount that is in effect for the particular area drainage plan at the time of actual payment of the fee. If the land divider elects to have payment made at the time of issuance of a grading or building permit, the recorded final map or parcel map or certificate of compliance evidencing the waiver of the filing of a parcel map shall specifically state that payment of a drainage fee is required to be paid prior to issuance of a grading permit or

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- building permit for the parcels that have been created by the land divider. In addition, a separate instrument shall be recorded by the land divider in the office of the county recorder of Riverside County, at the time of the filing of the final map or parcel map, which gives notices that the drainage fee is required to be paid by any person owning such parcels prior to issuance of a grading or building permit, if a grading permit is not required.
5. If the drainage fee is paid at the time of filing of the final map or parcel map or certificate of compliance evidencing the waiver of the parcel map, it shall be paid to the Riverside County flood control district. If the drainage fee is paid at the time of issuance of a grading or building permit, it shall be paid to the Riverside County flood control district. All fees that are collected shall thereafter be deposited into a local drainage facilities fund maintained under the jurisdiction of the Riverside County flood control and water conservation district. A separate fund shall be established by the district for each adopted local drainage area. Money in such funds shall be expended for construction or reimbursement for construction, including acquisition of right-of-way necessary for construction, of the drainage facilities serving the drainage areas for which the fees are collected, or to reimburse the district for the cost of engineering and administrative services to design and construct and acquire any necessary right-of-way for the facilities.
  6. Under the direction of the city engineer, considerations such as dedications of right-of-way, actual construction, or design work by a civil engineer may be accepted in lieu of the payment of drainage fees, upon a determination that the alternative is acceptable and is equal to or greater in value than the required fee.
  7. Money may be advanced by the Riverside County flood control and water conservation district to design or construct drainage facilities or to acquire necessary right-of-way within an adopted drainage area; therefore, money so advanced may be reimbursed to the district from the fund for the local drainage area in which the facilities are located.
  8. When required for the implementation of an adopted area plan, an agreement may be entered into between a developer and the Riverside County flood control and water conservation district whereby the developer may advance money for the construction of facilities, or design or construct facilities within a local drainage area; provided that the sole security to the developer for repayment of money or other consideration advanced shall be for the amount agreed upon in advance only and shall not include interest or other charges. This agreement shall expire fifteen (15) years after the date it was entered into, and any subsequent money paid into the fund shall accrue to the fund without obligation to developers whose agreements have expired.
  9. The drainage plan area, the required facilities and the drainage fee in an adopted plan may be amended by the county board of supervisors at any time upon a determination that it is necessary to do so in order to correctly reflect the drainage area, the required facilities or estimated cost of the facilities.

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- P. Interchange and Bridge Construction Fees.
1. This section is adopted pursuant to Section 66484 of the Government Code which provides for the payment of fees to defray the actual or estimated costs for the construction of bridges and interchanges as identified in the circulation element of the general plan and as a condition of approval of a final map or as a condition of issuing a building permit.
  2. Whenever land that is proposed to be divided or for which a building permit is sought lies within the boundaries of an area of benefit, as hereinafter defined and established, a fee in the amount specified by the resolution establishing the area of benefit as adopted or thereafter amended, shall be required as a condition of approval and recordation of any final subdivision or parcel map or for the issuance of a building permit. No property shall be assessed a fee under this section for both a final map and a building permit.
  3. Setting the Matter For Public Hearing. The city council may, by resolution, set a public hearing at any time to determine whether an area of benefit is to be established and to designate the bridge and interchange(s) from fees collected from owners of real property within such area of benefit. The city clerk shall notify all owners of real property within the proposed boundaries of the area of benefit, as shown by the last equalized assessment roll of the county, of the time and place of the hearing at least twenty-one (21) days prior to the date of the hearing, by U.S. mail, postage prepaid, and by publication once in a newspaper of general circulation published in the city. Such notice shall contain information setting forth the proposed boundaries of the area of benefit, identifying the interchange(s) and/or bridge(s) to be constructed and the estimated cost of each, and setting forth the proposed method for equitably apportioning the fee amount to property owners.
  4. Public Hearing and Protest. At the public hearing the city council will consider the preliminary plan prepared by the city engineer that outlines the area to be included within the area of benefit, designates those bridge(s) and/or major interchange(s) to be constructed, the cost estimate with regard to each improvement, and the method of apportioning fees within the area of benefit. The city council will also consider testimony from interested persons, written protest and all relevant evidence submitted. All protests are to be in writing and may be filed with the city clerk at any time period or the close of the public hearing. Each protest may be filed by a person or entity owning property within the proposed boundaries of the proposed area of benefit and describe the property with sufficient specificity that the parcel may be identified. If the person or entity filing the protest is not shown on the latest equalized assessment roll as the owner of the parcel, the protest may contain or be accompanied by documentary evidence establishing ownership. A protest may be withdrawn in writing at any time prior to the conclusion of the public hearing. If written protests are filed with the city clerk from persons or entities owning more than fifty (50) percent of the land area to be included within the proposed area of benefit and, by the conclusion of the public hearing, a sufficient number of such protests have not been withdrawn so as to reduce the land area whose owners are

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protesting to less than fifty (50) percent, then all proceedings with regard to the area of benefit shall be abandoned and the city council shall not, for one year from the date of the hearing, commence or carry on any proceeding for the same improvement or area of benefit under the provisions of this section. If any majority protest is directed against only a portion of the designated improvement, then all further proceedings under the provisions of this section to construct that portion of the designated improvement so protested against shall be barred for a period of one year, but the city council shall not be barred from commencing new proceedings not including any part of the designated improvements or acquisition so protested against. The city council may, within a one-year period following a majority protest, commence new proceedings for the construction of the portion of the designated improvements so protested against, if it finds by the affirmative vote of four-fifths of its members, that the owners of more than one-half of the property to be benefitted are in favor of going forward with such portion of the designated improvements.

5. Establishment of Areas of Benefit. The city council, by resolution, within a reasonable time after the close of public hearing, may establish the area of benefit. Such resolution shall set forth the boundaries of the area of benefit, specify the designated improvements to be constructed, the cost, actual or estimated, for each of the designated improvements, and establish the fee schedule by which such cost is to be equitably apportioned among the parcels comprising the area of benefit. The decision of the city council represented by such resolution shall be final. A certified copy of such resolution shall be recorded in the office of the county recorder. The method of fee apportionment, in the case of major thoroughfares, shall not provide for higher fees on land which abuts the designated improvement except where the abutting property is provided direct usable access to the adjoining thoroughfare. The resolution establishing an area of benefit, may be amended from time to time by the city council to reflect modification in either the facilities to be constructed or the area to be included within the area of benefit due to alternation in land use and to reflect adjustments in the fee schedule necessitated by any amendment or increase in construction costs. Such amendments shall be adopted in the same manner as the original resolution. If the area of benefit includes lands not subject to the payment of fees, the city council shall make provisions for payment of the fees that would otherwise be chargeable to such lands from other sources. The designation of such alternative funding need not be addressed in the resolution establishing the area of benefit.
6. Payment of Fees.
  - a. Interchange improvement fees for areas of benefit shall be paid as follows:
    - i. Interchange improvement fees shall be paid to the city engineer prior to the recordation of a final subdivision or parcel map. If the recordation of a final parcel map is waived, road improvement fees shall be paid as a condition of the waiver



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- prior to recordation of a certificate of compliance evidencing the waiver of the final parcel map. The fees paid shall be based on the fee schedule in effect on date of payment;
- ii. At the option of the land divider, upon filing a required affidavit requesting deferment of the payment of fees, the road improvement fees shall be paid to the city engineer prior to issuance of a building permit for each approved parcel; however, should a building permit have been obtained or construction initiated by the land divider prior to the recordation of the final subdivision or parcel map or the receipt of a waiver to record a final parcel map, this option is not available to the land divider; and
  - iii. For any parcel or lot created prior to the adoption of the resolution establishing the area of benefit, road improvement fees shall be paid to the city engineer prior to the issuance of a building permit for any new construction on such parcel or lot that creates additional dwelling units or increases the value of nonresidential structures by more than one-half of their current market value, as determined by the community development director. All fees collected shall be deposited in a separate account designated for each area of benefit. Any fees once collected shall not be returned, except as reimbursement for the construction of designated improvements. Road improvement fees which are deferred to the time of issuance of a building permit shall be based upon the fee schedule in effect at the time of issuance of the permit.
- b. Nothing in this section is intended to relieve a subdivision or application for a building permit from the requirements imposed under other provision of this title or other city ordinances to dedicate and improve roads as a condition of approval of a tentative map or building permit.
  - c. Notwithstanding the provisions of subsection (P)(6) of this section, payment of fees shall not be required for the following:
    - i. An application for a building permit for the alteration or enlargement of any existing building or structure, or the erection of one or more buildings or structures accessory thereto, or both, on the same lot or parcel of land; provided, however, that the total value, as determined by the community development director; of all such alterations, enlargement or construction which is complete within any one-year period shall not exceed one-half of the current market value of the land, as determined by the community development director; or
    - ii. The following accessory buildings and structures: private garages, children's playhouses, radio and television receiving antennas, windmills, silos, tank houses, shops or barns or

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- buildings that are accessory to one-family or two-family dwellings; or
- iii. Outdoor advertising structures; or
  - iv. Wells.
- d. Notwithstanding the provision of subsection (P)(6) of this section, payment of fees shall not be required unless the designated interchange(s) are in addition to, or a reconstruction of any existing interchange(s) serving the area of benefit at the time of the adoption of the boundaries for the area of benefit.
  - e. Notwithstanding the provisions of subsection (P)(6) of this section, payment of fees shall not be required unless the designated bridge is an original bridge serving the area or an addition to any existing bridge facility serving the area of benefit. Fees imposed by this subsection shall not be expended to reimburse the cost of existing bridge facility construction.
7. Use of Funds.
- a. Fees shall be deposited in a designated bridge or interchange fund. A separate fund shall be established for each designated bridge or interchange project, provided, however if the area of benefit is one in which more than one bridge or interchange is required to be constructed, a fund may be established covering all of the bridge or interchange projects in the area of benefit. Moneys in such fund shall be expended solely for the construction or reimbursement for construction of the improvement serving the area to be benefitted and from which the fees comprising the fund were collected, or to reimburse the city for the cost of constructing the improvement.
  - b. The city may advance money from its general fund or road fund to pay the cost of constructing the designated bridge or interchange(s) and may reimburse the general fund or road fund for such advances from the bridge or interchange funds established pursuant to this section.
  - c. The city may incur an interest bearing indebtedness for the construction of a designated bridge or an interchange planned pursuant to this section; provided, that the sole security for repayment of such indebtedness shall be money in the specific fund established for that designated bridge or interchange.
  - d. At the discretion of the city council, considerations such as dedication of right-of-way, actual construction or design work by a civil engineer, may be accepted in lieu of the payment of fees, upon a determination that the alternative is acceptable and is equal to or greater in value than the required fee.
  - e. When required to implement the construction of a specific facility, a project agreement shall be entered into between a developer and the city whereby the developer may advance money for the construction of a facility, or design or construct a facility within the area of benefit; provided, that the sole security to the developer for repayment of

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money or other consideration advanced over and above his fair share shall be money subsequently accruing to the fund that has been established for the specific facility. Reimbursement shall be for the amount agreed upon in advance only and the right to reimbursement shall expire fifteen (15) years after the agreement was entered into, and any subsequent money paid into the fund shall accrue to the fund without obligation to developers whose agreements have expired.

8. Amendments. The resolution establishing an area of benefit may be amended by the city council as to boundaries of the area of benefit, the designation of facilities to be constructed or the estimated cost thereof, or any other aspect thereof, by following the same procedure required to establish an area of benefit.

### Q. Park and Recreation Fees and Dedications.

1. This section is adopted pursuant to Section 66477 of the Government Code which provides for the dedication of land for park and recreational facilities as a condition of approval of a tentative map or parcel map.
2. Whenever land that is proposed to be divided for residential use lies within the boundaries of the city, the dedication of land may be required as a condition of approval of the division of land, as herein provided. The city shall have the option of requiring dedication of land for park purposes as a condition of approval of subdivisions of fifty (50) parcels or more. Such dedication shall be in lieu of park land impact mitigation fees.
3. It is found and determined by the city council that the public interest, convenience, health, welfare and safety requires that five acres of land for each one thousand (1,000) persons residing within the city shall be devoted to neighborhood and community park and recreational facilities, based upon the determination by the city council that the amount of existing neighborhood and community park areas, as calculated pursuant to Government Code Section 66477, exceeds the limit set forth therein, and the calculated amount of five acres per one thousand (1,000) persons residing within a subdivision subject to this section is established. No credit shall be given to a subdivider for provision of private open space, private parks, private recreational areas, landscaped setbacks or landscaped road dividers within or adjacent to the proposed subdivision.
4. Exemptions. This section shall not apply to the following land divisions:
  - a. Commercial or industrial;
  - b. Condominium projects or stock cooperatives which consist of the subdivision of airspace in an existing apartment building which is more than five years old and as to which no new dwelling units have been added by the subdivision;
  - c. Subdivisions containing less than five parcels and not used for residential purposes; provided, however, that a condition of approval shall be placed on those maps that if a building permit is requested for the construction of a residential structure or structures on one or more of the parcels within four years after recordation of the

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subdivision map, the park land impact mitigation fees shall be required to be paid by the owner of each parcel as a condition to issuance of such permit.

5. Dedication Requirements of Subdividers.
  - a. Whenever a tentative tract map which is subject to the provisions of this section is submitted to the community development director, it shall be accompanied by a written statement from the applicant stating whether it is intended to dedicate land for park and recreational purposes. If the developer desires to dedicate land for this purpose, he shall first consult with the community development director and parks and recreation director as to the appropriate area to be dedicated, and such area shall be shown on the proposed tentative tract map as submitted. All dedications must be approved and accepted by the city council.
  - b. The conditions of approval of a tentative tract map subject to the provisions of this section shall require the dedication of land for park and recreational purposes. If land is to be dedicated, the proposed dedication shall be shown on the approved tentative map.
  - c. The amount and location of property to be dedicated shall be recommended by the parks and recreation director and determined by the city council.
  - d. All dedications of land shall be in accordance with the Subdivision Map Act. Land shall be conveyed in fee simple to the city by grant deed free and clear of all encumbrances, except those which will not interfere with the use of the property for its intended purposes and which the city agrees to accept. All deeds shall be delivered to the city before the approval of the final map. If the final map is disapproved, or if it is withdrawn by the subdivider, the deeds shall be returned to the subdivider. If the final map is approved, the deeds shall be recorded by the city at the time the final map is recorded. No deed for the dedication of land shall be accepted unless it is accompanied by a policy of title insurance, secured by and at the expense of the subdivider, in an amount equal to the value of the land dedicated.
  - e. Whenever land has been conveyed to the city and a final map is not recorded, or, if recorded, the land is thereafter reverted to acreage, the city shall, at its option, either reconvey all land dedicated to it, allow the developer a credit for any land dedicated to be applied only to a new subdivision on the same property, or make other arrangements with the subdivider.
6. Determination of Land Dedication. When the conditions of approval for a land division require the dedication of land, the conditions shall be based on the following:
  - a. The natural features of the area; available access; the location, size and shape of the subdivision; the location, size and shape of the land available for dedication; the feasibility of dedication; the location of

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- existing and proposed park sites and trailways; and the compatibility of dedication with the city general plan;
- b. Whenever the actual amount of land to be dedicated is less than the amount of land required to be dedicated, the subdivider shall pay park land impact mitigation fees for the value of any additional land that otherwise would have been required to be dedicated;
  - c. The amount and location of the land to be dedicated shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision;
  - d. The amount of land to be dedicated shall be based on the residential density of the subdivision. The residential density shall be determined by multiplying the number of dwelling units of the subdivision by the average number of persons per unit by the ratio which the number of acres of park land required for each one thousand (1,000) persons bears to one thousand (1,000) (i.e., .005). The average number of persons per unit shall be the most recent such average established by the Department of Finance of the state of California;
  - e. Whenever land is dedicated pursuant to this section, the subdivider shall, without credit and without cost to the city, provide the following for the benefit of the land dedicated:
    - i. Full street improvements and utility connections, including, but not limited to, curbs, gutters, relocation or undergrounding of existing public utility facilities, street paving, traffic control devices, street trees and sidewalks to the dedicated land;
    - ii. Block wall fencing along the property lines of the subdivision which are contiguous to the park;
    - iii. Improve the drainage through the park site;
    - iv. Provide minimal physical improvements, not including recreational facilities, building or equipment, which the parks and recreation director determines are necessary for acceptance of the land for park and recreational purposes;
    - v. Provide access from the park and recreational facilities to an existing or proposed public street, unless the parks and recreation director determines that such access is unnecessary for maintenance of the park area or use of the park by the residents of the area;
    - vi. Grading and drainage improvements, and irrigation and planting improvements, as required under applicable city ordinances. All land to be dedicated and improvements to be made shall be approved by the city prior to the approval or disapproval of a subdivision by the city;
    - vii. All grading plans for land to be dedicated shall be reviewed and approved by the parks and recreation director for conformance with the city parks and recreation plan and the needs of the city;

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- viii. No grading, drainage, irrigation, planting, street or utility improvements required under this section shall be eligible for a credit against the land to be dedicated; however, park and recreational improvements to a dedicated park land shall be a credit against the required dedication.
- f. Land which has been dedicated and accepted may be sold by the city if the subdivider has not begun substantial construction on the subdivision within two years after recordation of the final map and the city determines that another site would be more suitable for park or recreational facilities. The proceeds from the sale of the dedicated land must be used for the purpose or improvement of the more suitable site.

**Article IV. Applications for Hillside Development Permit**

**9.16.170 Generally.**

Hillside development can offer opportunities for spectacular views from building sites around the valley’s perimeter. It is important, however, to ensure that all are protected when designing hillside building sites. The guidelines in this section apply to the hillside areas illustrated in the general plan and official zoning atlas. Applicant’s compliance with this chapter shall be reviewed during the planning application review process for any entitlements subject to this chapter. No separate planning application or fee is required for hillside development projects.

Attachment: Omnibus Redlines [Revision 3] (6428 : 2023 Winter Omnibus)