

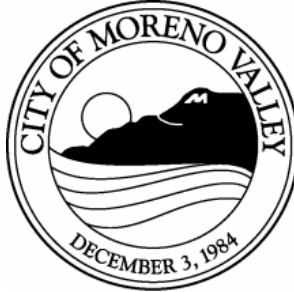
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**PLANNING COMMISSIONERS**

JEFFREY SIMS  
Chair

BRIAN LOWELL  
Vice-Chair

RAY L. BAKER  
Commissioner



JEFFREY BARNES  
Commissioner

CARLOS RAMIREZ  
Commissioner

VACANT  
Commissioner

MELI VAN NATTA  
Commissioner

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# PLANNING COMMISSION REGULAR MEETING

## Agenda

Thursday, January 8, 2015 at 7:00 P.M.  
City Hall Council Chamber – 14177 Frederick Street

### CALL TO ORDER

### ROLL CALL

### PLEDGE OF ALLEGIANCE

### APPROVAL OF AGENDA

### CONSENT CALENDAR

*All matters listed under Consent Calendar are considered to be routine and all will be enacted by one roll call vote. There will be no discussion of these items unless Members of the Planning Commission request specific items be removed from the Consent Calendar for separate action.*

### APPROVAL OF MINUTES

*None.*

### 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 shall 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, of the audience.*

### NON-PUBLIC HEARING ITEMS

1. None.

*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 Mark Sambito, ADA Coordinator, at 951.413.3120 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.*

## **PUBLIC HEARING ITEMS**

1. Case Description: PA14-0033 (Conditional Use Permit)  
PA14-0032 (Tentative Tract Map No. 34544)  
Applicant: Frontier Communities  
Owner: FH II, LLC  
Representative: Doug Stewart  
Location: North side of Cottonwood Avenue, east of Perris Boulevard (APN: 479-140-022).  
Proposal: A Tentative Tract Map 34544 and a Conditional Use Permit for a Planned Unit Development for a single family detached unit condominium complex including common recreation areas.  
Case Planner: Julia Descoteaux

- Recommendation:** **APPROVE** Resolution No. 2015-01 and thereby:
1. **ADOPT** A Negative Declaration for PA14-0033, Conditional Use Permit for a Planned Unit Development in that this project will not result in significant environmental impacts; and
  2. **APPROVE** PA14-0033 Conditional Use Permit (PUD) based on the findings contained in this resolution and subject to the attached conditions of approval with no modifications included as Exhibit A; or

- Recommendation:** **APPROVE** Resolution No. 2015-02 and thereby:
1. **ADOPT** A Negative Declaration for PA14-0032, Tentative Tract Map 34544 in that this project will not result in significant environmental impacts; and
  2. **APPROVE** PA14-0032, Tentative Tract Map 34544 based on the findings contained in this resolution and subject to the attached conditions of approval with no modifications included as Exhibit A: or

## **OTHER BUSINESS**

1. Planning Commission Rules of Procedure

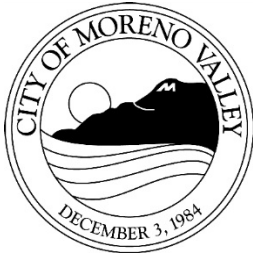
## **STAFF COMMENTS**

## **PLANNING COMMISSIONER COMMENTS**

## **ADJOURNMENT**

## **NEXT MEETING:**

*Planning Commission Regular Meeting, January 22, 2015 at 7:00 P.M., City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, CA 92553.*



## PLANNING COMMISSION STAFF REPORT

Project(s): PA14-0033 (Conditional Use Permit)  
PA14-0032 (Tentative Tract Map No. 34544)

Date: January 8, 2015

Applicant: Frontier Communities

Representative: FH II, LLC

Location: North side of Cottonwood Avenue east of  
Perris Boulevard Assessor Parcel Number  
479-140-022.

Proposal: A Tentative Tract Map 34544 and a  
Conditional Use Permit for a Planned Unit  
Development for a single family detached unit  
condominium complex including common  
recreation areas with a minimum of 72 and a  
maximum of 76 units.

Council District: 1

Recommendation: Approve with Conditions

### **SUMMARY**

The applicant, Frontier Communities, has submitted applications for a Tentative Tract Map 34544 (PA14-0032) and Conditional Use Permit (PA14-0033) for a Planned Unit Development (PUD) located in the mid portion of the City east of Perris Boulevard on the north side of Cottonwood Avenue. The project site is 9.4 gross acres and has a current net acreage of approximately 8.85. In addition to 76 single family units, the project's lay out and pedestrian design includes two interior private parks, one with a tot lot area, two paseos providing pedestrian connectivity throughout the project and a connection to Patricia Lane. It is noted that conditions of approval required for this project, particularly those associated with emergency vehicle ingress/egress, will require modifications to the condominium map that will likely result in a reduction in the total number of units below the proposed 76. This has been discussed with the project applicant and they understand the approval will address a minimum and maximum number of units rather than a specific number. The minimum number of units to

ensure compliance with the underlying Residential 10 (R10) zoning is 72 units (8du/per net acre).

## **PROJECT**

### **Tentative Tract Map 34544**

The Tentative Tract Map 34544 (PA14-0032) covers the entire 9.4 acre project site and creates a one lot subdivision for the proposed condominium project. The map presented for the Commission's review describes the condominium project with 76 detached units, 2 recreation areas, private streets, two emergency driveways and one Bio-Retention Facility.

Conditions of Approval are included in the resolution of approval for improvement modifications to two potential emergency vehicle driveways at Bencliff Lane and Tacoma Lane, (private streets), that could also provide operational enhancement for the two private streets. Conditions of Approval are also included for required improvements to Watson Way, a public street, to improve traffic maneuverability and provide for required second primary emergency vehicle ingress and egress to the project. A twenty-four foot wide emergency vehicle easement must also be added to the project along the west project boundary connecting interior streets to Watson Way. It is noted that the land area needed to accommodate these improvements will likely reduce the residential unit count below 76. As the driveways to Tacoma and Bencliff are not required emergency access points they may be eliminated and provide the applicant opportunity to preserve some unit count. The project unit count cannot be lower than 72 to ensure consistency with minimum density (8 du/per net acre) requirement of the underlying R10 zoning for the project site.

The Tentative Tract Map will include street improvements to Cottonwood Avenue, reverse frontage on Patricia Lane and Watson Way.

### **Conditional Use Permit for a Planned Unit Development**

The proposed project includes a Conditional Use Permit (PA14-0033) for a Planned Unit Development (PUD). The City's Municipal Code provides the opportunity through the Conditional Use Permit to allow the PUD process to deviate from the City Standards for development. The purpose of the PUD is to provide specific development guidelines for this project. A PUD provides for greater innovation in housing development including a variation in lot areas and amenities not found in standard housing tracts.

The proposed guidelines for the PUD provides for multiple styles of housing that meet or exceed City-wide standards in the Municipal Code. All development within the project is required to meet the standards as stated in the PUD including plotting, setbacks and four sided architecture. The PUD will require a pedestrian oriented environment with two common open space parks in the development. Enhanced landscaping will be provided on all main streets with an entry monument provided

along Cottonwood Avenue and all front yards landscaped by the developer with 25% being a xeriscape design as required per the Municipal Code.

The project is located in a Residential 10 (R10) land use district which typically includes multiple-family attached product. Detached products are allowed with the approval of a Conditional Use Permit for a Planned Unit Development (PUD). Individual residential units and associated yards within the proposed PUD range in size from 2,700 square feet to 5,039 square feet. There are no specific minimum lot size imposed for condominium projects with detached townhome style residences where a PUD is used, however, the total number of units for the PUD must be within the allowable density range for the underlying zoning. Provisions within the City's Municipal Code require that eighty (80%) percent of allowable density be achieved by all developments within multiple-family zoning. The minimum density required in the R10 land use district is eight (8) dwelling units per net acre. The density of the proposed 76 unit complex is eight point five nine (8.59) units per net acre. As noted above, conditions of approval for this project will result in a lower unit count, but the unit count cannot be lower than 72 units to ensure the R10 zoning regulations are met. The proposed project will meet housing needs provided within the City's Housing Element of the General Plan by expanding the range of housing options in the community. Moreover, the project's detached unit design and resulting density of at least 8 units per net acre is consistent with the R10 land use district.

Street side setbacks in the R10 zone are twenty (20) feet along Cottonwood Avenue and a ten (10) foot reverse frontage landscape buffer along the portion of Patricia Lane adjacent to the project.

### **Other Design Considerations**

Included in the PUD Guidelines are requirements for the architectural design of the proposed residential units. They call for three (3) footprints and three (3) elevations with two story homes between 2,308 to 2,689 square feet in size all with two car garages. The submitted PUD home plans have been reviewed and found to be consistent with the City's Design Guidelines. The plans include incorporation of three architectural styles, Spanish, Country, and Cottage with several color combinations and rooflines that will complement the architectural styles and provide a variety in mass, scale, color, and finishing of homes that will be visually appealing from the street. All units will have usable outdoor living areas and front porches and will be articulated in the Condominium Plan, and Home Owners Association (HOA) Covenants, Conditions & Restrictions (CC&R's). The proposed home plans provide all required design elements that would establish an attractive neighborhood, and would be compatible with other buildings on adjoining and nearby properties.

The applicant's proposed project is providing on-site recreation facilities in the form of private yards (minimum of 150 square feet per unit) and common open space (minimum of 300 square feet per unit), including picnic areas and a tot lot/playground. The configuration of the residential development project creates a desirable walkable community and pedestrian access is also considerate of existing commercial uses less than a half mile northwest of the project on Perris Boulevard. The proposed project

will offer new residential home ownership opportunities that are expected to be attractive to first time home buyers as well as to those buyers seeking a gated community with moderate sized homes and manageable yard area.

### **Site/Surrounding Area**

The project site in 9.4 gross acres and is a vacant lot that has been previously disked for weed abatement. The site has previously been planned for multi-family residential project that was not built. Much of the project site surrounding area is characterized by residential development, with established single-family neighborhoods to the north, east and west. Cottonwood Avenue serves as the southern project area boundary, and a church is located across Cottonwood Avenue.

### **Access/Parking**

The primary project access will be from Cottonwood Avenue with the primary point of access near the east edge of the development. Because the project size is greater than 35 units but less than 100 units, a second point of ingress/egress to a public street is needed to satisfy Fire Department requirements for developments of this size. The project is conditioned to provide this access at Watson Way. Two alternate fire access driveways are currently located along the northern property line to allow emergency vehicles to access this project site from Bencliff Lane and Tacoma Lane; however, it is important to note that the primary consideration for those improvements was to address operational interests for those private streets during emergency vehicle responses. However, the improvements are not 'required' fire access points for this condominium project and can be eliminated if the applicant desires. This has been discussed with the applicant and they will be considering modifications. If the access points are maintained it is the City's interest to work with this applicant to improve the vehicular turnaround operations on Bencliff and Tacoma, along with the design of a compatible interface between the new and existing neighborhoods. The project has been conditioned to revise the tentative tract map and the CUP to provide a cul-de-sac at Watson Way, Bencliff and Tacoma Lanes, providing a 28 foot minimum radius cul-de-sac for large vehicles to turnaround. All cul-de-sac's will include a Knox box gate for Fire ingress and egress. All proposed interior streets and recreation areas would be gated off from general outside public access and will be maintained by a homeowners association.

The units will be required by the PUD and the Home Owners Association CC&Rs to keep garages clear for parking of vehicles. Each residence in the proposed project will include an 18 foot driveway. The driveways are considered a project attribute as they can accommodate additional parking above and beyond the municipal code requirements, which would benefit the larger bedroom count units. The streets have been designed to allow for some minimal parking.

### **Design/Landscaping**

The PUD Guidelines and the City's Landscape Requirements articulate the desired landscape and fencing design. The project will be required to submit the Landscape

and Fence and Wall plans for review and approval prior to Building Permit issuance. All landscaping within the project and along Cottonwood Avenue, Watson Way and Patricia Lane will be maintained by the HOA.

A water quality detention basin, for water quality and flood control, will be constructed in the southeast corner of the PUD. Landscape, including trees, shrubs and groundcover, as well as irrigation shall be per the PUD guidelines, installed and maintained by the HOA.

## **REVIEW PROCESS**

The project application was submitted on June 9, 2014. The plan review phase required several reviews and meetings with staff and the applicant. The project layouts and design has been modified various times and have included various iterations of total unit counts between 70 and 76. Vehicular access has been a key consideration for the project and some versions of the project have include a second point of access from Cottonwood Avenue via either a knuckle to Watson Way or a cul de sac for the project.

On December 16, 2014, the applicant submitted the revised plans that are now before the Planning Commission for consideration. This version of the project eliminated the knuckle connecting Watson Way with Cottonwood Avenue, eliminated the Fire Lane along the western property line, and increased the number of units from 72 to 76 units. Staff reviewed the design and determined that the design provides some key deficiencies that must be addressed. In order to facilitate the project to the Commission by this January 8<sup>th</sup> date, staff and the applicant have agreed to address the unresolved issues through Conditions of Approval contained in the respective Resolutions for the Conditional Use Permit and Tentative Tract Map.

For the principal areas of concern for vehicular access and emergency access, staff has included conditions of approval that will effectively require the applicant to submit for subsequent review and approval designs that meet the City's objectives for connectivity and safety standards for City Streets.

## **ENVIRONMENTAL**

The project site is a 9.4 gross acre portion of the parcel located on the south side of Cottonwood Avenue east of Perris Boulevard. The site is generally an in-fill site with existing development on all sides of the project. The proposed Tentative Tract Map and Conditional Use Permit for a Planned Unit Development are consistent with the General Plan and the zoning for the site.

The project site is not within the criteria area Multi Species Habitat Conservation Plan. A survey was completed and no Owls or evidence of Owls were observed on the property. The site is relatively flat with minimal vegetation as the site has been disked for weed abatement. However, a Burrowing Owl 30 day pre-construction report is required prior to any site disturbance (grading) to avoid the potential take of any nests that may become present.

The site is located within the jurisdiction of the South Coast Air Quality Management District. The proposed project is consistent with the assumed residential use of the property and would not obstruct implementation of the South Coast Air Quality Management Plan.

The site was inspected and it was determined there was no significant riparian vegetation on the site or blue line stream. The property flows naturally from north to south, with no evidence of standing water on the site.

A Preliminary Water Quality Management Plan was reviewed by the Land Development Division of Public Works. The Preliminary Water Quality Management Plan is a conceptual drainage and storm water treatment design plan reviewed by the Land Development Division to meet the minimum requirements of a regulatory permit. During the improvement plan review phase of the project, the developer will be required to provide a Final Water Quality Management Plan with details and calculations for construction.

As with any development of a vacant parcel, the potential exists for the increase in noise, however there will be no substantial permanent increase in the ambient noise levels with the proposed project. Short term noise levels generated during construction are considered less than significant through compliance with the City's Municipal Code including restrictions on construction hours.

With consideration given to the preceding information, an Initial Study has been completed for the proposed Tentative Tract Map and Conditional Use Permit. Based upon the Initial Study, a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Therefore, the adoption of a Negative Declaration is recommended.

### **NOTIFICATION**

The project was noticed in the Press Enterprise on November 21, 2014 and a public notice was sent to all property owners of record within 300' of the project and posted on the site on December 1, 2014. The project was continued to the January 8, 2014 Planning Commission meeting.

Due to the continuance, the project was again noticed in the Press Enterprise on December 19, 2014 and site posting and mailings to all property owners within 300 feet were mailed on December 22, 2014 to ensure surrounding property owners were aware of the meeting date.

### **ALTERNATIVE**

If the applicant does not agree to the Conditions of Approval that will ensure the project includes a second required point of ingress and egress for emergency vehicle purposes, and improves the traffic operational concerns on Watson Way, staff will recommend Planning Commission denial of the project.



**STAFF RECOMMENDATION**

Recommend the Planning Commission **APPROVE** Resolution No. 2015-01:

1. **ADOPT** a Negative Declaration for PA14-0033 (Conditional Use Permit for a Planned Unit Development) pursuant to the California Environmental Quality Act (CEQA) Guidelines; and,
2. **APPROVE** PA14-0033 (Conditional Use Permit) based on the findings contained in the resolution and subject to the conditions of approval with no modifications included as Exhibit A of the resolution.

**And;**

Recommend the Planning Commission **APPROVE** Resolution No. 2015-02:

1. **ADOPT** a Negative Declaration for PA14-0032 (Tentative Tract Map 34544) pursuant to the California Environmental Quality Act (CEQA) Guidelines; and,
2. **APPROVE** PA14-0032 (Tentative Tract Map 34544) based on the findings contained in the resolution and subject to the conditions of approval with no modifications included as Exhibit A of the resolution.

Prepared by:

Julia Descoteaux  
Associate Planner

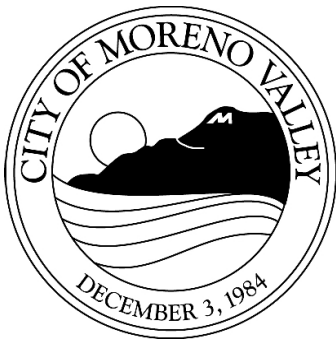
Approved by:

Richard J. Sandzimier  
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2015-01 with Conditions of Approval (Exhibit A) and Resolution No. 2015-02 with Conditions of Approval (Exhibit A)
3. Initial Study
4. Zoning Map
5. Aerial Photo
6. Project Plans
7. PUD Guidelines

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# Notice of PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the Planning Commission of the City of Moreno Valley on the following item(s):

**Project(s):** PA14-0032 (TTM 34544)  
PA14-0033 (CUP)  
**Applicant:** FH II LLC  
**Owner:** FH II LLC  
**Representative:** Lonnie Ellisor  
**APN(s):** 479-140-022  
**Location:** Cottonwood Avenue, east of Perris Boulevard  
**Proposal:** Tentative Tract Map 34544 for a detached Condominium project and a Conditional Use Permit (CUP) for Planned Unit Development (PUD) in the Residential 10 (R10) zoning district.  
**Council District:** 1  
**Case Planner:** Julia Descoteaux

The City of Moreno Valley has prepared an initial study for this project in accordance with the California Environmental Quality Act. On the basis of the initial study, this item will not have a significant effect on the environment and approval of a Negative Declaration is recommended.

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday and 7:30 a.m. to 4:30 p.m., Friday), or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The Planning Commission, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing.



**LOCATION** N Ø

## PLANNING COMMISSION HEARING

City Council Chamber, City Hall  
14177 Frederick Street  
Moreno Valley, Calif. 92553

**DATE AND TIME:** January 8, 2015 at 7 PM

**CONTACT PLANNER:** Julia Descoteaux

**PHONE:** (951) 413-3209

ATTACHMENT 1

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PLANNING COMMISSION RESOLUTION NO. 2015-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING PA14-0033 A CONDITIONAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT (PUD) FOR A CONDOMINIUM PROJECT WITH A MINIMUM OF 72 UNITS AND A MAXIMUM OF 76 UNITS LOCATED ON ASSESSOR'S PARCEL NUMBERS 479-140-022.

**WHEREAS**, the applicant, Frontier Communities has filed an application for the approval of PA14-0033, a Conditional Use Permit for a Planned Unit Development (PUD) that will include between 72 and 76 new residential units, as described in the title of this Resolution, and;

**WHEREAS**, on January 8, 2015, the Planning Commission of the City of Moreno Valley held a meeting to consider the application, and;

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred, and;

**WHEREAS**, the Planning Commission considered the initial study prepared for the project for the purpose of compliance with the California Environmental Quality Act (CEQA). Based on the initial study, it was determined that the project will not result in significant environmental impacts, therefore adoption of a Negative Declaration is recommended.

**WHEREAS**, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances, and;

**WHEREAS**, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

**NOW, THEREFORE**, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on January 8, 2015, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

ATTACHMENT 2

1. **Conformance with General Plan Policies** – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

**FACT:** The proposed Conditional Use Permit for a Planned Unit Development is consistent with the General Plan which encourages innovation in single family residential development.

2. **Conformance with Zoning Regulations** – The proposed use complies with all applicable zoning and other regulations.

**FACT:** The proposed density of 8 units per acre is within the units per net acre permitted in the Residential 10 land use district.

3. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

**FACT:** The project site is a 9.4 gross acre site located east of Perris Boulevard on the north side of Cottonwood Avenue. The project is a Conditional Use Permit for a Planned Unit Development for a condominium project with a minimum of 72 and a maximum of 76 detached units with existing development surrounding the project.

Staff has evaluated the design and potential environmental impact of the proposed project, and prepared an environmental initial study. The Initial Study found that the project would not cause significant environmental impacts. Additionally, the proposed Conditional Use Permit for a Planned Unit Development will not adversely affect the public health, safety or general welfare. Therefore a Negative Declaration has been prepared for this project.

4. **Location, Design and Operation** – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

**FACT:** The Planned Unit Development includes single family detached units which will be consistent with the existing residential properties to the north, south, east and west with connectivity to public services and interior parks and open space designed to provide for a walkable community.

Primary access to the tract will be to and from Cottonwood Avenue and will include an entry monument. Several interior parks will be provided within the gated community,

**BE IT FURTHER RESOLVED** that the Planning Commission **HEREBY APPROVES** Resolution No. 2015-01, and thereby:

1. **ADOPT** A Negative Declaration for PA14-0033, Conditional Use Permit for a Planned Unit Development, in that this project will not result in significant environmental impacts; and
2. **APPROVE** PA14-0033 Conditional Use Permit (PUD) based on the findings contained in this resolution and subject to the attached conditions of approval with no modifications included as Exhibit A.

**APPROVED** this 8<sup>th</sup> day of January, 2015

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Jeffrey D. Sims  
Chair, Planning Commission

ATTEST:

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Richard J, Sandzimier, Planning Official  
Secretary to the Planning Commission

APPROVED AS TO FORM:

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City Attorney

ATTACHED: Conditions of Approval

**CITY OF MORENO VALLEY  
CONDITIONS OF APPROVAL  
PA14-0033 CONDITIONAL USE PERMIT (PUD)  
APN: 479-140-022**

**APPROVAL DATE:** January 8, 2015  
**EXPIRATION DATE:** January 8, 2018

- Planning (P), including School District (S), Post Office (PO), Police (PD)
- Building Division (B)
- Fire Prevention Bureau (F)
- Public Works, Land Development (LD)
- Public Works – Transportation Engineering (TE)
- Financial and Management Services, Special Districts (SD)
- Parks & Community Services (PCS)

**COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT**

**Planning Division**

**For questions regarding any Planning condition of approval, please contact the Planning Division at (951) 413-3206.**

- P1. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)
- P2. 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. (MC 9.02.260)
- P3. The site shall be developed in accordance with the approved plans on file in the Community & Economic 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)

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

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

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

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



**PLANNING DIVISION  
CONDITIONS OF APPROVAL  
PA14-0033 CONDITIONAL USE PERMIT FOR PLANNED UNIT DEVELOPMENT  
DRAFT**

- P4. 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)
- P5. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
- P6. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), proposed for this development shall be designed in conformance with the sign provisions of the Development Code or approved sign program, if applicable, and shall require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
- P7. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated to ensure consistency between each and for consistency with this approval.

Special Conditions

- P8. The Conditional Use Permit has been approved for a Planned Unit Development (PUD), for condominium purposes, and includes specific Planned Unit Development Guidelines. Any change or modification to the project, except as specifically conditioned for in this Resolution, shall require separate approval. Violation of this Condition may result in revocation of the Conditional Use Permit.
- P9. Prior to approval of the final subdivision map/condominium map, the PUD Guidelines shall be revised and submitted to the City for concurrence by the Planning Official to ensure modifications comply with Conditions of Approval \_\_, \_\_\_\_, \_\_\_\_. The modified PUD Guidelines upon approval shall be labeled and signed off as "Final Approved" PUD Guidelines.
- P10. All dwelling units located along the north, east and west project site property boundaries shall be setback a minimum of 15 feet from the property line and include a minimum of 10 feet of flat useable private open space area behind the dwelling.
- P11. All interior dwellings shall include a minimum of 10 feet of flat useable area behind the dwelling.
- P12. All units will be a minimum of 10 feet apart.

**PLANNING DIVISION  
CONDITIONS OF APPROVAL  
PA14-0033 CONDITIONAL USE PERMIT FOR PLANNED UNIT DEVELOPMENT  
DRAFT**

- P13. Prior to issuance of the first building permit, the developer shall demonstrate to the satisfaction of the Planning Official that open space for the project will be in compliance with the City Municipal Code. Open space shall be calculated per the Municipal Code requirement of 150 square foot of private open space, and 300 square feet of common open space, per unit.
- P14. Prior to approval of the final subdivision map, if a vehicular connection is provided between the development and Tacoma Lane, the developer shall submit evidence to the City that a reciprocal access agreement has been entered into with all property owners on Tacoma Lane for ingress and egress of emergency vehicles only between the two developments.
- P15. Prior to approval of the final subdivision map, if a vehicular connection is provided between the development and Bencliff Lane, the developer shall submit evidence to the City that a reciprocal access agreement has been entered into with all property owners on Bencliff Lane for ingress and egress of emergency vehicles only between the two developments.
- P16. Prior to approval of the final subdivision map, if a vehicular connection is provided between the development and Bencliff Lane, the developer shall submit plans to the satisfaction of the Director of Public Works which includes a 28-foot radius cul-de-sac or other mutually acceptable alternative design for vehicular turnaround on Bencliff Lane outside of the private gate installed for ingress and egress of emergency vehicles only between the two developments.
- P17. Prior to approval of the final subdivision map, if a vehicular connection is provided between the development and Tacoma Lane, the developer shall submit plans to the satisfaction of the Director of Public Works which includes a 28-foot radius cul-de-sac or other mutually acceptable alternative design for vehicular turnaround on Tacoma Lane outside of the private gate installed for ingress and egress of emergency vehicles only between the two developments.
- P18. Prior to approval of the Final subdivision map, a revised map and site plan shall be submitted and approved to the satisfaction of the Public Works Director and Fire Marshall, which includes a 28-foot radius cul-de-sac or other mutually acceptable alternative design for vehicular turnaround on Watson Way outside of the private gate, and including details for the gate proposed for emergency ingress and egress to and from the development and Watson Way.
- P19. Water quality features included in the tract design that are visible from the public right-of-way shall be integrated into the landscaping and include street trees on either side of the fencing based on design.

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- P20. A Phasing Plan will be required for the development and must be submitted and approved prior to issuance of the first grading permit. Water quality treatment areas, Home Owners Association (HOA) maintained areas including streets, open space recreation areas, perimeter landscaping and fencing shall be included and developed in the first phase.
- P21. The Planned Unit Development shall be developed per the approved plans, the Conditions of Approval set forth in this Resolution, the Cottonwood Planned Unit Development Guidelines, and the City's Municipal Code. All requirements must meet or exceed the City's Municipal Code Requirements.
- P22. Prior to submittal of the Final Map, a revised map and site plan shall be submitted and approved to include a twenty four foot (24') drive lane for fire access connecting proposed Street "B" to Street "G" along the west project boundary and parallel with the existing sewer easement, providing a contiguous route to Watson Way for emergency response vehicles.

**Prior to Issuance of Grading Permits**

- P23. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic 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, 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 contacted within a reasonable timeframe 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).
- P24. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

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- P25. (GP) Prior to approval of any grading permits, plans for any security gate system shall be submitted to the Planning Division for review and approval.
- P26. (GP) Prior to the issuance of any grading permit, the final condominium tract map shall be recorded.
- P27. (GP) 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.
- P28. Prior to any disturbance of the site, clearing of the site or grading permit issuance, the clearing of potential nesting vegetation shall be conducted outside of the nesting season (February 1<sup>st</sup> to August 31<sup>st</sup>). If vegetation must be removed during the nesting season a qualified biologist shall conduct a nesting bird survey of potentially suitable nesting vegetation prior to removal not more than 3 days prior to scheduled removals. If active nests are identified, the biologist will be required to establish appropriate buffers around the vegetation containing the active nests. The vegetation contain the active nest is not permitted to be removed, and no grading shall occur within the established buffer, until a qualified biologist has determined that the nest is no longer active.
- P29. 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.
- P30. (GP) Decorative pedestrian pathways across circulation aisles/paths shall be provided throughout the development to connect dwellings with open spaces and/or recreational uses with open space and/or parking and/or the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective 46.8, DG)
- P31. (GP) Prior to the issuance of building permits, the site plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project.
- P32. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans per the Planned Unit Development Guidelines and the City's Municipal Code requirements to the Planning Division for review and approval as follows:
- A. A maximum 6 foot high solid decorative block perimeter wall with pilasters and a cap shall be required adjacent to all residential zoned areas.
  - B. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement.

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

**PRIOR TO BUILDING PERMITS**

- P33. (BP) Prior to issuance of building permits, the Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets. Gas and Electrical meters shall be located on the garage side of the dwelling out of public view. All air conditioning units shall be behind the side fence or in the rear of the parcel out of public view.
- P34. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, open space areas, and landscaping lighting, shall be submitted to the Planning Division for review and approval. The lighting plan shall be generated on the site plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed one-quarter foot-candle minimum maintained lighting measured from within five feet of any property line. The lighting level for all parking lots or structures shall be a minimum coverage as stated in the City's Municipal Code. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)
- P35. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)
- P36. (BP) Prior to issuance of building permits, for multi-family projects that will be phased, a phasing plan submitted to the Planning Division will be required if occupancy is proposed to be phased.
- P37. (BP) 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 Planned Unit Development Guidelines and the City's Landscape Standards and shall include:

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- A. Drought tolerant landscape shall be used. Sod shall be limited to gathering areas.
- B. Street trees shall be provided every 40 feet on center in the right of way.
- C. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of the within the setback area along Cottonwood Avenue and along the reverse frontage area on Patricia Lane. Trees may be massed for pleasing aesthetic effects.
- D. Enhanced landscaping shall be provided at all driveway entries and street corner locations
- E. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view.
- F. A minimum of 25% of all yard areas shall be drought tolerant and turfless.
- G. Each unit yard shall have one tree in the front yard.
- H. Enhanced landscaping shall be provided at all driveway entries and street corner locations
- I. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view.
- J. All site perimeter and open space landscaping and irrigation shall be installed prior to the release of certificate of any occupancy permits for the first unit in the project.

P38. Prior to the issuance of any building permits, landscape and irrigation plans shall be approved by the Planning Division for the HOA maintained areas, basins, parks, right of way areas, setbacks and front yards. All landscape plans shall be approved prior to the release of any building permits for the site. The plans shall be prepared in accordance with the PUD guidelines and the City's Landscape Requirements. 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 and mow curbs, or other fence or wall approved by the Planning Official is required to secure all water quality and detention basins. The plans shall be prepared in accordance with the Planned Unit Development Guidelines and the City's Municipal Code and shall include:

- A. Drought tolerant landscape shall be used. Sod shall be limited to gathering areas.
- B. Enhanced landscaping shall be provided at all driveway entries and street corner locations
- C. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view.
- D. All site perimeter and open space landscaping and irrigation shall be installed prior to the release of certificate of any occupancy permits for the first unit in

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the project.

(After the third plan check review, additional plan check fees apply).

- P39. Street trees planted every 40 foot on center shall be installed in the right-of-way on Cottonwood Avenue and the reverse frontage area of Patricia Lane and Watson Way, and be shown on the project landscape plans.
- P40. Consistent with the Planned Unit Development Guidelines all driveways shall be a minimum of 18 feet in length.
- P41. Consistent with the Planned Unit Development Guidelines all garages are required to have automatic roll up doors with remote access.
- P42. An entry monument will be provided at the entrance to the project on Cottonwood Avenue.

**PRIOR TO CERTIFICATE OF OCCUPANCY**

- P43. (CO) Prior to issuance of Certificates of Occupancy or building final, the required landscaping and irrigation shall be installed and inspected by the Planning Division.
- P44. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

**Building and Safety Division**

- B1. New buildings/structures shall comply with the current California Building Standards Code (CBC, CEC, CMC, CPC and Green Building Standards) as well as City ordinances. Plans shall be submitted to the Building and Safety Division as a separate submittal and shall include a soils report at time of first submittal. Beginning on January 1, 2014, the 2013 CBC will become effective for all new building permit applications.
- B2. Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, as a portion of the building or demolition permit process.
- B3. An automatic fire extinguishing system is required in accordance with the latest adopted California Residential Code and/or Moreno Valley Fire Code Ordinance. Fire suppression systems shall conform to the standards adopted by the National Fire Protection Association and the Moreno Valley Fire Department.

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**SCHOOL DISTRICT**

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

**UNITED STATES POSTAL SERVICE**

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

**POLICE DEPARTMENT**

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

**Standard Conditions**

- PD1. 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 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 as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (DC 9.08.080)
- PD2. (GP) 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. (DC 9.08.080)



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PD3. (CO)Prior to the issuance of a Certificate of Occupancy, an Emergency Contact information Form for the project shall be completed at the permit counter of the Community and Economic Development Department - Building Division for routing to the Police Department. (DC 9.08.080)

PD4.Addresses need to be in plain view visible from the street and visible at night. It needs to have a backlight, so the address will reflect at night or a lighted address will be sufficient.

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**FIRE PREVENTION BUREAU**

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards: The following conditions will apply: (These conditions are based on the most current revised submittal of 12/15/2014)

- F1. Based on the number of proposed units this development will require a minimum of 2 (two) fire access entry points/roads. Tacoma St. and Bencliff avenues are both private roads which are not publicly maintained and may not be available for emergency response due to obstructed access or deterioration of street pavement. Watson Way shall be designed to accommodate the required emergency access.
- F2. Prior to precise grading, and due to proposed revisions shown on plan a connection on the West side of development between B street and G street will be required to provide a continuous route to Watson Way for emergency response vehicles. In the event of a multiple alarm fire in which multiple apparatus may be assigned, the thoroughway will provide for effective and efficient exiting by fire apparatus and prevent emergency response delays due to the closed loop street design.
- F3. The minimum setback for fire access gates to shall be 60 feet from curb to gate.
- F4. Alternative means and materials (Screed) for fire access entry will not be approved if it does not meet MVFD requirements for fire access roads. Required road or access (all weather surface) are to be capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MV City Standard Engineering Plan 108d)
- F5. Hydrants are required along Cottonwood Ave. frontage.
- F6. 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)
- F7. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MV City Standard Engineering Plan 108d)
- F8. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])

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- F9. Prior to construction, "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.060, CFC 501.4)
- F10. 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)
- F11. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])
- F12. 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)
- F13. 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)
- F14. 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)
- F15. Maximum cul-de-sac or dead end road length shall not exceed 660 feet. The Fire Chief, based on City street standards, shall determine minimum turning radius for fire apparatus based upon fire apparatus manufacture specifications. (CFC 503.2, MVMC 9.15.030)
- F16. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire.
- F17. Prior to Certificate of Occupancy all locations where medians are constructed and prohibit vehicular ingress/egress into or away from the site, provisions must be made to construct a median-crossover at all locations determined by the Fire Marshal and the City Engineer. Prior to the construction, design plans will be submitted for review and approval by the City Engineer and all applicable inspections conducted by Land Development Division. apparatus. (CFC 503.1 and 503.2.5)
- F18. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer. (Example: speed bumps, if applicable.)

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- F19. 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)
- F20. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:
- a) Be signed by a registered civil engineer or a certified fire protection engineer;
  - b) Contain a Fire Prevention Bureau approval signature block; and
  - c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

- F21. 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)
- F22. 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 MV City Standard Engineering Plan 422 a, b, c)
- F23. Single Family Dwellings. Schedule "A" fire prevention approved standard fire hydrants (6" x 4" x 2 1/2") located at each intersection of all residential streets and spaced no more than 500 feet apart in any direction, more than 250 feet from any portion of the building as measured along approved emergency vehicular travel ways. Minimum fire flow shall be **1000 GPM for 2 hours 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).
- F24. 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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- F25. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.
- F26. Prior to issuance of Certificate of Occupancy or Building Final, all residential dwellings shall display street numbers in a prominent location on the street side of the residence in such a position that the numbers are easily visible to approaching emergency vehicles. The numbers shall be located consistently on each dwelling throughout the development. The numerals shall be no less than four (4) inches in height and shall be low voltage lighted fixtures. (CFC 505.1, MVMC 8.36.060[I])
- F27. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.
- F28. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 105)
- F29. Prior to issuance of a Certificate of Occupancy or Building Final, a “Knox Box Rapid Entry System” shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. 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)
- F30. Prior to issuance of a Certificate of Occupancy or Building Final, a directory display monument sign shall be required for apartment, condominium, townhouse or mobile home parks. Each complex shall have an illuminated diagrammatic layout of the complex which indicates the name of the complex, all streets, building identification, unit numbers, and fire hydrant locations within the complex. Location of the sign and design specifications shall be submitted to, and approved by, the Community Development Department – Planning Division and the Fire Prevention Bureau prior to installation. (MVMC 9.12.060 [H,I])
- F31. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.
- F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105, MVMC 8.36.100[A])

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- F33. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)
- F34. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 33 & CBC Chapter 33)
- F35. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC 102.3)
- F36. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 105)
- F37. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 105)
- F38. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.8)

**CITY OF MORENO VALLEY  
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION  
CONDITIONS OF APPROVAL  
PA14-0032 / TTM 34544 – Subdivision of 9.4 Ac into a single lot subdivision for  
condominium purposes  
APN 479-140-022**

**PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION**

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

**General Conditions**

- LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)
- LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.
- LD3. (G) It is understood that the tentative map correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)
- LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at

such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

- LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.
- LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:
- (a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.
  - (b) Observance of working hours as stipulated on permits issued by the Public Works Department.
  - (c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.
  - (d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

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

- LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)
- LD8. (G) Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer.
- LD9. (G) For single family residential subdivisions, all lots shall drain toward the street unless otherwise approved by the City Engineer. Residential lot drainage to the



street shall be by side yard swales and include yard drain pipes and inlet grates (or stubbed and capped if area is not yet landscaped) that convey flows to the street in accordance to City Standard No. 303 independent of adjacent lots. No over the sidewalk drainage shall be allowed, all drainage shall be directed to a driveway or drainage devices located outside the right-of-way. (MC 9.14.110)

- LD10. (G) A detailed final drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.
- LD11. (G) Water quality basins designed to meet Water Quality Management Plan (WQMP) requirements for single-family residential development may not be used as a construction best management practice. The water quality basin shall be maintained for the entire duration of project construction and be used to treat runoff from those developed portions of the project. The water quality basin shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. The water quality basin shall be graded per the approved design drawings and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to an established Homeowner's Association.
- LD12. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)
- LD13. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Transportation Uniform Mitigation Fee (TUMF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable improvements. If the developer fails to complete this agreement by the timing as specified above, no credits or reimbursements will be given for any work. Prior to approval of the TUMF Improvement Credit Agreement, an approved engineer's cost estimate and street improvement plan are required.
- LD14. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these

plan sets and the approved plans shall be available in the field during grading and construction.

- LD15. (G) Upon approval of the tentative tract map by the Planning Commission, the Developer shall submit the approved tentative tract map on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.
- LD16. (G) This Project will be required to submit design plans for plan review of Rough Grading Plans, Precise Grading Plans, Street Improvement Plans, Storm Drain Plans, Sewer and Water Plans, Signing and Striping Plans, Traffic Control Plans on 24"x36" sheet size for City review and approval.

Prior to Grading Plan Approval or Grading Permit

- LD17. (GPA) Prior to approval of the Rough and Precise Grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.
- LD18. (GPA) Prior to approval of Rough and Precise Grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:
- a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. This includes accommodating existing drainage entering the project from off-site. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.
  - b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.
  - c. A grading permit shall be obtained from the Public Works Department, Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.
  - d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)
  - e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.
- LD19. (GPA) Prior to Rough and Precise Grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices

(BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

- LD20. (GPA) Prior to approval of the Rough grading plans 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). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.
- LD21. (GPA) Prior to the Rough and Precise Grading plan approval, , the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (F-WQMP) for review and approval by the City Engineer that :
- 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. Incorporates Treatment Control BMPs and provides information regarding design considerations;
  - d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
  - e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.
  - f. The approved F-WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format;
  - g. Upon approval, a F-WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained;
  - h. The approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

A copy of the final F-WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

- LD22. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.
- LD23. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check and inspection fees.

- LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners 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.
- LD25. (GP) Prior to issuance of a grading permit, if the project does not involve the subdivision of land and if the developer chooses to construct the project in construction phases, a Construction Phasing Plan for the construction of on-site public and private improvements shall be reviewed and approved by the City Engineer.
- LD26. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100).
- LD27. (GP) Prior to issuance of a grading permit, the developer shall obtain from Riverside County Flood Control District a connection permit to join to MDP Line P.
- LD28. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project. (MC 8.21.070)
- LD29. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the implementation and maintenance of erosion control measures required as a condition of approval of the project. At least twenty-five (25) percent of the required security shall be in cash and shall be deposited with the City. (MC 8.21.160)

#### Prior to Map Approval or Recordation

- LD30. (MA) Prior to approval of the Final Map , the developer shall submit a copy of the Covenants, Conditions and Restrictions (CC&Rs) to the Land Development Division for review and approval. 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, and documentation informing future owners of their implementation and maintenance requirement of the approved F-WQMP. In addition, for single-family residential development, the developer shall submit bylaws and articles of incorporation for review and approval as part of the maintenance agreement for any water quality basin.
- LD31. (MA) Prior to approval of the Final Map , all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

- LD32. (MA) Prior to approval of the Final Map , the Developer shall provide a security as a guarantee of the completion of the public improvements required as a condition of approval of the project. A Public Improvement Agreement (PIA) will be required to be executed.
- LD33. (MA) Prior to approval of the Final Map , 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. (MC 9.14.110)
- LD34. (MR) Prior to recordation of the Final Map , if the developer chooses to construct the project in construction phases, a Construction Phasing Plan for the construction of on-site public and private improvements shall be reviewed and approved by the City Engineer. This approval must be obtained prior to the Developer submitting a Phasing Plan to the California State Department of Real Estate.
- LD35. (MR) Prior to recordation of the Final Map , if applicable, the developer shall have all street names approved by the City Engineer. (MC 9.14.090)
- LD36. (MR) Prior to recordation of the Final Map or issuance of the first building permit, whichever happens first, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System (NPDES) as mandated by the Federal Clean Water Act and must adhere to the following requirements:
- a. Establish a Home Owners Association (HOA) to finance the maintenance of the "Water Quality Ponds/Bio-swales". Any lots which are identified as "Water Quality Ponds/Bio-Swales" shall be owned in fee by the HOA.
  - b. Dedicate a maintenance easement to the City of Moreno Valley.
  - c. Execute a maintenance agreement between the City of Moreno Valley and the HOA. The maintenance agreement must be approved by City Council.
  - d. Establish a trust fund per the terms of the maintenance agreement.
  - e. Provide a certificate of insurance per the terms of the maintenance agreement.
  - f. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
    - i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Residential NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process, or
    - ii. Establish an endowment to cover future maintenance costs for the Residential NPDES Regulatory Rate Schedule.
  - g. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. The final option selected shall be in

place prior to the issuance of certificate of occupancy. (California Government Code & Municipal Code)

- LD37. (MR) Prior to recordation of the Final Map, the Grading Plan(s) and Landscape and Irrigation Plan(s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)
- LD38. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

- LD39. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.
- LD40. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)
- LD41. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.
- LD42. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:
- a. Corner cutbacks in conformance with City Standard MVSI-165-0 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.
  - b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)
  - c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)
  - d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees per City Standard No. MVSI-106A-0, or as approved by the City Engineer. (MC 9.14.020)
  - e. All reverse curves shall include a minimum tangent of one hundred (100) feet in length.

- LD43. (IPA) Prior to approval of the improvement plans, the developer shall pothole to determine the exact location of existing wet and dry underground utilities. The improvement plans shall be designed based on the pothole field investigation results. The developer shall coordinate with all affected utility companies and bear all costs of utility relocations. Any conflicting utilities shall be identified and addressed on the plans. The pothole survey data shall be submitted with the street improvement plans for reference purposes.
- LD44. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.
- LD45. (IPA) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)
- LD46. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)
- LD47. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, 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 Public Works Department – Land Development Division. (MC 9.14.110)
- LD48. (CP) All work performed within the City right-of-way requires an encroachment permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a Public Improvement Agreement (PIA) as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)
- LD49. (CP) Prior to issuance of an encroachment permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD50. (CP) Prior to issuance of an encroachment permit, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD51. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD52. (BP) Prior to issuance of building permits, if the project involves a residential subdivision, the map shall be recorded (excluding model homes). (MC 9.14.090)

LD53. (BP) Prior to issuance of building permits for non-subdivision projects, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD54. (BP) Prior to the issuance of the first building permit (excluding model homes), the Developer shall execute and record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department.

LD55. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD56. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer, and the Engineer of Record and/or the Geotechnical Engineer shall provide pad certifications verifying the graded pads are in accordance with the approved grading plans.

LD57. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

- a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include



- roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
- b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
- c. The vendor(s) that the applicant proposes to use to haul the materials.
- d. Facility(s) the materials will be hauled to, and their expected diversion rates.
- e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

- LD58. (BP) Prior to issuance of the first building permit, the developer shall record with the County-Clerk Recorder a "Covenant and Agreement" that informs future property owners and Home Owners Association (HOA) of the requirement to maintain Lot I, as shown on the Grading Plans on file at the City of Moreno Valley Public Works Department as a bio-retention/detention basin. The owner of Lot I, will not be allowed to build over, grade, or otherwise modify the bio-retention/detention basin. The "Covenant and Agreement" shall be in a form acceptable to the City of Moreno Valley. Proof of recordation must be provided to the City prior to issuance of the first building permit (excluding model homes).

Prior to Certificate of Occupancy

- LD59. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

- LD60. (CO) Prior to issuance of the first certificate of occupancy (excluding model homes), this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System (NPDES) as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of certificate of occupancy issuance. Following are the requirements:

- a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
  - i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
  - ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

- b. Notify the Special Districts Division of the intent to request building permits 90 days prior to their issuance and the financial option selected. The financial option selected shall be in place prior to the issuance of certificate of occupancy. (California Government Code & Municipal Code)

LD61. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of the first occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy. Cottonwood Avenue may be eligible for DIF credits for eligible improvements. The developer would have to enter into a credit agreement to secure credit.

LD62. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of the first occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD63. (CO) Prior to issuance of a certificate of the first occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

- a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.
- b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
- c. City-owned utilities.
- d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.
- e. Under grounding of existing and proposed utility lines less than 115,000 volts.
- f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD64. (CO) Prior to issuance of the first certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD65. (CO) Prior to issuance of a certificate of occupancy or building final for the last 20% or last 5 lots (whichever is greater, unless as otherwise determined by the

City Engineer) residential lots of any Map Phase, punch list work for improvements and capping of streets in that phase must be completed and approved for acceptance by the City.

LD66. (CO) Prior to issuance of the first certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

- a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
- b. Provide the City with an Engineer's Line and Grade Certification.
- c. Perform and pass a flow test per City test procedures.

LD67. (CO) Prior to issuance of a certificate of occupancy or building final for the last 20% of the permitted structures or the last five (5) lots (whichever is greater) for any Phase of the development , the Developer shall:

- a. Notify City Staff (Land Development Division) prior to construction and installation of all structural BMPs so that an inspection(s) 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, reports, recommendations 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 basin, including regrading to approved civil drawing if necessary.
- f. Provide City with updated Engineer's Line and Grade Certification.
- g. Obtain approval from City to install irrigation and landscaping.
- h. Complete installation of irrigation and landscaping.

LD68. (CO) Prior to issuance of a certificate of occupancy or building final, 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 to the City for review and approval.

Prior to Acceptance of Streets into the City Maintained Road System

LD69. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to the end of the one-year warranty period of the public streets at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

SPECIAL CONDITIONS

LD70. Prior to rough grading the developer shall obtain from all on-site easements holders written permission for right of entry for grading and construction.

LD71. Prior to issuance of building permits, this project shall cause the quitclaim of existing 15' wide easements along the northerly property line, especially those easements underneath any proposed building footprints. This shall include, but not limited to, the 15-foot wide existing EMWD easement across building areas 1 through 11. All utilities shall be relocated, as necessary, prior to quitclaim. All new easements shall be granted prior to utility relocations and quitclaims of existing easements.

LD72. Prior to final map approval, the map shall clearly show an easement in favor of Eastern Municipal Water District (EMWD) at two locations along the project's northerly property line, as approved by EMWD and the City Engineer, and any other locations as shown on the tentative tract map.

LD73. Prior to rough grading plan approval, the plans shall show a 30-foot reservation at two locations along the northerly property line for Fire Access if required.

LD74. Prior to approval of the Final Map, the map shall show the following:

- a. A 4-foot street right-of-way dedication on the south side of Cottonwood Avenue along project frontage to ensure a centerline to north right-of-way distance of 44 feet for a Minor Arterial, City Standard MVSI-105A-0.
- b. The appropriate street right-of-way dedications within the tract to ensure a curb to curb distance of 36 feet and 6 foot wide sidewalk for a General Local modified City Standard MVSI-107A-0.
- c. The appropriate street right-of-way dedication for the extension of Watson Street per City Standard Plan MVSI-107A-0 and the cul-de-sac at the mid-

street terminus north of Cottonwood Avenue per City Standard Plan MVSI-162-0 or as approved by the City Engineer.

- d. Additional right of way maybe required along the project east property line of Patricia Lane, unless the applicant can show the right of way exist.
  - e. Corner cutbacks per City Standard MVSI-165-0.
- LD75. Prior to Final Map approval, the limits of private and public streets shall be clearly delineated on the map. The developer shall dedicate those streets intended for public use to the City and construct them per City standards.
- LD76. Prior to any grading plan approval, the plans shall clearly show that any slope near the public right-of-way has a minimum set-back area at 2% maximum of 2 feet before the start of the top or toe of slope.
- LD77. Prior to rough grading plan approval, obtain permission (right of entry and grading restrictions) from the existing gas line easement holder to grade and construct over the existing easement.
- LD78. Prior to rough grading plan approval, the grading plans shall clearly demonstrate that drainage is properly collected and conveyed. The plans shall show all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements. The developer will be required to obtain the necessary permission for off-site construction including easements.
- LD79. Prior to approval of any grading plan, the plans and the submitted final drainage study shall clearly demonstrate this project's increased runoff mitigation. This project shall not discharge runoff at a rate greater in the post-developed condition than that in the pre-developed condition, for any given storm event. The storms to be studied include the 1-hour, 3-hour, 6-hour and 24-hour duration events for the 2-year, 5-year, 10-year and 100-year return frequencies.
- LD80. Prior to grading plan approval, as all of this site resides in FEMA floodzone designation Zone X shaded which, by definition, could include 100 year flooding up to 1 foot, the plans shall clearly demonstrate that any building finished floor elevations shall be 1 foot minimum above the 100-year base flood elevation.
- LD81. Prior to rough grading plan approval, emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. This may include, but not be limited to, an emergency spillway in the basin and an emergency overflow at any sump catch basin location. The developer is responsible for securing any necessary on-site or off-site drainage easements as required for emergency overflow.
- LD82. Prior to storm drain plan approval, the plans shall clearly identify the maintenance responsibility of proposed storm drain lines. Generally, those storm

drains within private streets will be maintained by a homeowner's association and those within public streets by the City.

- LD83. The developer shall connect the proposed private storm drain system to the existing Sunnymead Area Drainage Plan Line P. A storm drain manhole shall be placed at the right-of-way to mark the beginning of the publicly maintained portion of this storm drain.
- LD84. Due to the relatively shallow street grade of existing Cactus Avenue, storm drain inlets shall be installed. Spacing, sizing and location shall be determined per the final drainage study as approved by the City Engineer.
- LD85. Prior to Final Map approval, the Developer shall guarantee the construction of the following improvements by entering into a Public Improvement Agreement (PIA) and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.
- a. Cottonwood Avenue, Minor Arterial, City Standard, MVS1-105A-0 (88-foot RW / 64-foot CC) shall be constructed to half-width plus an additional 12 feet south of the centerline, along the entire project's south frontage. A 4-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the tract map. The developer shall construct any missing or deficient improvements along the project frontage, including the ultimate structural section for pavement, any missing off-site improvements from the projects westerly property line west for approximately 215 feet to join the existing street improvements (east of Perris Blvd), and replace the access ramp at the northeast corner of Perris Blvd with an ADA compliant ramp and landing. The City Engineer may require additional signing and striping for the frontage improvements to accommodate increased traffic imposed by the development. Improvements shall consist of, but not be limited to, pavement, base, redwood header, curb, gutter, sidewalk, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal and undergrounding of any power poles with overhead utility lines less than 115,000 volts, and remove/relocate overhead utilities lining crossing the street and dry and wet utilities, except those power poles along the west tract boundary.
  - b. Prior to issuance of any building permit, the developer shall construct or secure the construction of curb, gutter, and sidewalk improvements along Patricia Lane to meet the City's requirements for a local street per City Standard No. MVS1-107A-0.
  - c. No decorative pavers shall be placed within the public right-of-way.
  - d. Pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of alternate pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal depending on the severity

of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

- e. The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements of master plan storm drain lines.
- LD86. Prior to issuance of occupancy permits, all overhead utility lines less than 115,000 volts fronting or within the entire project site boundary shall be placed underground per Section 9.14.130C of the City Municipal Code.
- LD87. Prior to issuance of any building permit, the developer shall construct or secure the construction improvements along Street A through E for a 36-foot wide CC street section per City Standard No. MVSI-107A-0, including sidewalk adjacent structural section.
- LD88. Prior to rough grading plan approval, the plans shall show proposed mechanisms to treat onsite runoff before it enters into the public storm drain system. The plans shall show locations of proposed structural best management practices. The developer shall submit to the City for review and approval, those structural best management practices proposed onsite to control predictable pollutant runoff. The developer shall select those structural best management practices identified in Supplement A and Supplement A Attachment to the Riverside County Drainage Area Management Plans. [www.floodcontrol.co.riverside.ca.us](http://www.floodcontrol.co.riverside.ca.us) The developer shall first maximize the use of site design and source control best management practices before selecting treatment control best management practices.
- LD89. Prior to precise grading plan approval, the plans shall clearly show that the developer has made every attempt to treat runoff, prior to the runoff reaching the treatment control Best Management Practice(s) (BMPs), via maximum use of site design and source control BMPs.
- LD90. Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped areas rather than being routed directly to the parking lot or roadway. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice.
- LD91. The following project engineering design plans (24"x36" sheet size) shall be submitted for review and approval as well as additional plans deemed necessary by the City during the plan review process:
- a. Rough Grading Plan
  - b. Precise Grading Plan
  - c. Street Improvement Plan
  - d. Signing and Striping Plan

- e. Traffic Control Plan
- f. Final Drainage Study
- g. Final WQMP
- i. As-Built Plans of all “plans” listed above.





CITY OF MORENO VALLEY  
Public Works  
Transportation Engineering Division

## MEMORANDUM

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To: Julia Descoteaux, Associate Planner  
From: Michael Lloyd, Senior Engineer  
Date: December 31, 2014  
Subject: **Revised Conditions of Approval for PA14-0032/0033** – TTM 34544 and Conditional Use Permit for 76 condominium units located north of Cottonwood Avenue and east of Perris Boulevard.

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Attached are the Transportation Engineering Conditions of approval for the subject project.

**CITY OF MORENO VALLEY**  
**CONDITIONS OF APPROVAL**  
**PA14-0032/0033**

TTM 34544 and Conditional Use Permit for 76 condominium units located north of  
Cottonwood Avenue and east of Perris Boulevard.

**Transportation Engineering Division – Conditions of Approval**

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

**GENERAL CONDITIONS**

- TE1. Cottonwood Avenue is classified as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. MVSI-105A-0. Any improvements to the roadway shall be per City standards or as approved by the City Engineer. Improvements to Cottonwood Avenue shall connect to the existing street improvements (i.e. curb and gutter, pavement, etc.) to the west of the project.
- TE2. Watson Way is classified as a Local Street (56'RW/36'CC) per City Standard Plan No. MVSI-107A-0. Watson Way shall include a cul de sac at its terminus with a minimum 28' radius or as approved by the City Engineer.
- TE3. Driveways shall conform to Section 9.11.080, and Table 9.11.080-14 of the City's Development Code – Design Guidelines and City Standard Plan No. MVSI-112C-0 for commercial driveway approach.
- TE4. The Cottonwood Avenue gated entrance shall be provided with the following:
- a) A storage lane with 60' provided for queuing.
  - b) A second storage lane for visitors to stop in prior to the gate to utilize a call box (or other device) to receive permission to enter the site.
  - c) Signing and striping for a and b.
  - d) A turnaround outside the gates.
  - e) No Parking signs shall be posted in the turnaround areas.
  - f) A separate pedestrian entry.
  - g) Presence loop detectors (or another device) within 1 to 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

- TE5. If fire access Lot A located along the northern property boundary connecting to Bencliff Drive is proposed, then it shall include a turnaround to the satisfaction of the City Engineer.

TE6. If fire access Lot B located along the northern property boundary connecting to Tacoma Street is proposed, then it shall include a turnaround to the satisfaction of the City Engineer.

TE7. Interior streets shall be designed and constructed per City Standards or to the satisfaction of the City Engineer, consistent with Municipal Code Section 9.14.020 C.4. This may include but not be limited to street widths and structural sections, curb and gutter, knuckles, sidewalks, etc.

TE8. Conditions of approval may be modified or added if a phasing plan is submitted for this development.

#### **PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT**

TE9. 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.

TE10. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer may be required for plan approval or as required by the City Traffic Engineer.

TE11. Prior to final approval of the street improvement plans, the project plans shall demonstrate that sight distance at proposed streets and driveways conforms to City Standard Plan No. MVSI-164A, B, C-0.

#### **PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL**

TE12. (CO) Prior to issuance of a Certificate of Occupancy, all approved signing and striping shall be installed per current City Standards

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

TE13. 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.

**CITY OF MORENO VALLEY  
CONDITIONS OF APPROVAL  
Case Nos.: PA14-0032 (TTM 34544 for detached condos)  
PA14-0033 (Conditional Use Permit)  
APN: 479-140-022**

**FINANCIAL & MANAGEMENT SERVICES DEPARTMENT**

**Special Districts Division**

**Acknowledgement of Conditions**

The following items are the Special Districts Division's Conditions of Approval for projects **PA14-0032 (TTM 34544 for detached condos)** and **PA14-0033 (Conditional Use Permit)**; this project shall be completed at no cost to any Government Agency. All questions regarding the following Conditions including but not limited to intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Financial & Management Services Department 951.413.3480 or by emailing [specialdistricts@moval.org](mailto:specialdistricts@moval.org).

**General Conditions**

- SD-1     The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services District Zone A (Parks & Community Services) and Zone C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual parcel taxes for Zone A and Zone C for operations and capital improvements.
  
- SD-2     Any damage to existing landscape areas maintained by the City of Moreno Valley due to project construction shall be repaired/replaced by the Developer, or Developer's successors in interest, at no cost to the City of Moreno Valley.
  
- SD-3     The ongoing maintenance of any landscaping required to be installed behind the curb on **Cottonwood Avenue** shall be the responsibility of the property owner.
  
- SD-4     Street Light Authorization forms for all street lights conditioned to be installed on public right-of-ways as part of this project must be submitted to the Special Districts Division for approval, prior to street light installation. The Street Light Authorization form can be obtained from the utility company providing electric service to the project, either Moreno Valley Utility or Southern California Edison.

### **Prior to Recordation of Final Map**

- SD-5 (R) This project has been conditioned to provide a funding source for the continued maintenance, enhancement, and/or retrofit of parks, open spaces, linear parks, and/or trail systems. The Developer shall satisfy this condition with one of the options below. The Developer must notify the Special Districts Division of its selected financial option 90 days prior to City Council action authorizing recordation of the final map for the development to allow adequate time to be in compliance with the provisions of Articles 13C of the California Constitution.
- a. Participate in a special election for annexation into **Community Facilities District No. 1** and pay all associated costs with the special election process and formation costs, if any; or
  - b. Establish an endowment fund to cover future maintenance costs for new neighborhood parks.

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

- SD-6 (R) This project has been identified to be included in the formation of a Community Facilities District for **Public Safety** services including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. If this District has been formed, the property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the property owner shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. If the District has not been formed prior to the recordation of the final map, this condition will not apply. The Developer must contact the Special Districts Division at 951.413.3480 prior to its intent to record the final map for the development. If the District has been formed, the special election (mail ballot) process will need to occur 90 days prior to City Council action authorizing recordation of the map to allow adequate time to be in compliance with the provisions of Article 13C of the California Constitution. (California Government Code Section 53313 et. seq.)
- SD-7 (R) This project is conditioned to provide a funding source for the capital improvements, energy charges, and maintenance for residential street lights installed in the public right-of-way and the Developer shall satisfy

this condition with either option a or b below and for street lights installed on private streets, the Developer shall satisfy this condition with option c below. The Developer must contact the Special Districts Division at 951.413.3480 to notify of its selected financial option 90 days prior to City Council action authorizing recordation of the final map for the development to allow adequate time to be in compliance with the provisions of Article 13C of the California Constitution.

- a. Participate in a ballot proceeding for **street lighting** and pay all associated costs with the ballot process and formation costs, if any for residential street lights installed in the public right-of-way. Financing may be structured through a Community Services District zone, Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the City; or
- b. Establish an endowment fund to cover future operation and maintenance costs for residential street lights installed in the public right-of-way.
- c. Projects with privately maintained streets, establish a Property Owner Association (POA) or Home Owner's Association (HOA) which will be responsible for any and all operation and maintenance costs associated with the street lights installed on private roadways. This does not apply to publicly accepted roadways.

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

- SD-8 (R) If this District has been formed, this project is conditioned to provide a funding source for the operation and maintenance of public improvements and/or services associated with new development in that territory. The Developer shall satisfy this condition with one of the options below. The Developer must contact the Special Districts Division at 951.413.340 to determine if the District will be formed prior to City Council action authorizing recordation of the final map and if so, select the financial option. Participation in a special election requires 90 days prior to City Council action authorizing recordation of the final map for the development to allow adequate time to be in compliance with the provisions of Article 13C of the California Constitution. If the District has not been formed, this conditions will not apply.

- a. Participate in a special election for **maintenance/services** and pay all associated costs with the election process and formation costs, if any. Financing may be structured through a Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the City; or
- b. Establish an endowment fund to cover the future maintenance and/or service costs.

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

SD-9 *Residential (R)* If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the required continuous operation, maintenance, monitoring, system evaluations and enhancements, remediation and/or replacement, a funding source needs to be established. The Developer must notify the Special Districts Division of its selected financial option (see Land Development's related condition) 90 days prior to City Council action authorizing recordation of the final map for the development to allow adequate time to be in compliance with the provisions of Article 13D of the California Constitution. (California Health and Safety Code Sections 5473 through 5473.8 (Ord. 708 Section 3.1, 2006) & City of Moreno Valley Municipal Code Title 3, Section 3.50.050.)

### **Prior to Building Permit Issuance**

SD-10 (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of major thoroughfares and/or freeway improvements. The property owner(s) shall participate in such District and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. The Developer must notify the Special Districts Division of intent to request building permits 90 days prior to their issuance to determine whether the development will be subjected to this condition. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

Special Districts Division  
Conditions of Approval  
PA14-0032 (TTM 34544 for 70 condos)  
PA14-0033 (Conditional Use Permit)  
APN: 479-140-022  
Date: 1.5.15  
Page 5 of 5

- SD-11 (BP) Prior to the issuance of the first building permit for this project, the Developer shall pay Advanced Energy fees for all applicable Residential and Arterial Street Lights required for this development. Payment shall be made to the City of Moreno Valley and collected by the Land Development Division. Fees are based upon the Advanced Energy fee rate in place at the time of payment, as set forth in the current Listing of City Fees, Charges, and Rates adopted by City Council. The Developer shall provide a copy of the receipt to the Special Districts Division (*specialdistricts@moval.org*). Any change in the project which may increase the number of street lights to be installed will require payment of additional Advanced Energy fees at the then current fee.



**CITY OF MORENO VALLEY  
CONDITIONS OF APPROVAL FOR  
TTM 34544, Case No. PA 14-0032, PA14-0033**

**PARKS AND COMMUNITY SERVICES DEPARTMENT**

**Acknowledgement of Conditions**

The following items are Parks and Community Services Department Conditions of Approval for project **TTM 34544, Case No. PA 14-0032, PA14-0033**; this project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department regarding the conditions.

**PCS-1 SPECIFIC CONDITIONS OF APPROVAL**

Not Applicable

**PCS-2 Parks and Community Services Department  
Standard Conditions:**

Not Applicable

**PCS-3** (R) This project is required to supply a funding source for the continued maintenance, enhancement, and or retrofit of neighborhood parks, open spaces, linear parks, and/or trails systems. The Developer must notify Special Districts of intent to record the final map 70 days prior to recordation of the final map and the financial option selected to fund the continued maintenance. (California Government Code, GP Chapter 2.7)

**PCS-3b** (BP) This project is required to supply a funding source for the continued maintenance, enhancement, and or retrofit of neighborhood parks, open spaces, linear parks, and/or trails systems. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance and the financial option selected to fund the continued maintenance. (California Government Code, GP Chapter 2.7)

**PCS-4** The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks and Community Services). All assessable parcels therein shall be subject to the annual Zone 'A' charge for operations and capital improvements. Proof of such shall be supplied to Parks and Community Services upon Final Map and at Building Permits.

**PCS-5** This project is subject to current Development Impact Fees.

**PCS-6** This project is subject to current Quimby Fees.

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PLANNING COMMISSION RESOLUTION NO. 2015-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING PA14-0032 (TENTATIVE TRACT MAP 34544) A SINGLE LOT CONDOMINIUM MAP FOR 9.4 GROSS ACRES WITH A MINIMUM OF 72 UNITS AND A MAXIMUM OF 76 UNITS LOCATED ON ASSESSOR'S PARCEL NUMBER 479-140-022.

**WHEREAS**, the applicant, Frontier Communities has filed an application for the approval of PA14-0032, a Tentative Tract Map 34544 as described in the title of this Resolution, and;

**WHEREAS**, on January 8, 2015, the Planning Commission of the City of Moreno Valley held a meeting to consider the application, and;

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred, and;

**WHEREAS**, the Planning Commission considered the initial study prepared for the project for the purpose of compliance with the California Environmental Quality Act (CEQA). Based on the initial study, it was determined that the project will not result in significant environmental impacts, therefore adoption of a Negative Declaration is recommended.

**WHEREAS**, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances, and;

**WHEREAS**, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

**NOW, THEREFORE**, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on January 8, 2015, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:
  1. That the proposed land division is consistent with applicable general and specific plans;

**FACT:** Tentative Tract Map 34544 a Condominium Map for 9.4 gross acres will allow for a detached housing complex. The project as proposed is consistent with the City's General Plan which includes various residential housing types designed to City standards located in the mid portion of the City on the north side of Cottonwood Avenue east of Perris Boulevard. The project meets the Residential 10(R10) zoning standards with the approval of the Conditional Use Permit for a Planned Unit Development for a variation of housing types. The proposed density is approximately eight (8) units per net acre which is within the required density for the zoning. The project is not within a Specific Plan.

2. That the site of the proposed land division is physically suitable for the type of development;

**FACT:** The site is vacant with flat area gently sloping south with no physical constraint and is physically suited to residential development.

3. 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;

**FACT:** The site is vacant and gently sloping with no serious physical constraints and is physically suitable for the proposed density. The project is a condominium development comprised of a minimum of 72 and a maximum of 76 detached units in the R10 zone which will have yard areas between 2,700 and 5,039 square feet with development standards as stated in the Planned Unit Development requirements submitted in conjunction with the proposed map. The project as planned and conditioned is consistent with the surrounding development.

The project site is located in an area that the Multi Species Habitat Conservation Plan (MSHCP) has identified as having the potential for burrowing owl habitat. A Burrowing Owl habitat survey was conducted and no evidence of the Burrowing Owl were identified, however, the applicant is required to conduct a Burrowing Owl Survey to include a 30-day pre-construction survey prior to any disturbance of the site.

Staff has evaluated the design and potential environmental impact of the proposed project, and prepared an

environmental initial study. The Initial Study found that the project would not cause significant environmental impacts. Additionally, the proposed tentative tract map will not adversely affect the public health, safety or general welfare. Therefore a Negative Declaration has been prepared for this project.

- 4. That the design of the proposed land division or the type of improvements are unlikely to cause serious public health problems:

**FACT:** The proposed land division would not cause serious public health problems. The Eastern Municipal Water District will provide water and sewer services to the subdivision. There are no known hazardous conditions associated with the property, the design of the land division or the type of improvements.

- 5. That the design of the land division 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:

**FACT:** The project site is a 9.4 gross acre site located east of Perris Boulevard on Cottonwood Avenue. The project is a tentative tract map for a condominium project with a minimum of 72 and a maximum of 76 detached units. The project site is bordered by existing residential development surrounding the project on the west, north and east edges; Cottonwood serves as the southern border. The project is conditioned to provide public improvements on Cottonwood Avenue to Perris Boulevard, provide vehicle turnarounds on Watson Way, on Bencliff and Tacoma as warranted, and the addition of reverse frontage improvements to the portion of Patricia Lane that fronts the project. All easements within the project site have been included in the design and will be addressed with the final map.

- 6. That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision;

**FACT:** The size, configuration and orientation of most of the units in this land division allow solar access for passive heating. The site development plan provides opportunities for placement of shade trees and other vegetation for cooling.

7. That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

**FACT:** The tentative map will allow development of between 72 and 76 detached housing units. The project will supplement the City's fiscal resources by paying impact fees for public facilities, Transportation Uniform Mitigation Fees and environmental fees based on residential fees in place at the time of payment but not before building permit issuance. Additionally, future residents will pay Community Services District fees, property tax, sales tax and other taxes and fees that will be used to provide landscape maintenance as well as police, fire and other public services.

**BE IT FURTHER RESOLVED** that the Planning Commission **HEREBY APPROVES** Resolution No. 2015-02, and thereby:

1. **ADOPTING** A Negative Declaration for PA14-0032, Tentative Tract Map 34544 in that this project will not result in significant environmental impacts; and
2. **APPROVE** PA14-0032, Tentative Tract Map 34544 based on the findings contained in this resolution and subject to the attached conditions of approval included as Exhibit A.

**APPROVED** this 8<sup>th</sup> day of January 8, 2015.

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Jeffrey D. Sims  
Chair, Planning Commission

ATTEST:

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Richard J, Sandzimier, Planning Official  
Secretary to the Planning Commission

APPROVED AS TO FORM:

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City Attorney

ATTACHED: Conditions of Approval

**CITY OF MORENO VALLEY  
CONDITIONS OF APPROVAL  
PA14-0032 TENTATIVE TRACT MAP 34544  
A.P.N.: 479-140-022**

**APPROVAL DATE:** January 8, 2015  
**EXPIRATION DATE:** January 8, 2018

- Planning (P), including School District (S), Post Office (PO), Police (PD)**
- Building Division (B)**
- Fire Prevention Bureau (F)**
- Public Works, Land Development (LD)**
- Public Works – Transportation Engineering (TE)**
- Financial and Management Services, Special Districts (SD)**
- Parks & Community Services (PCS)**

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

**COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT**

**Planning Division**

**For questions regarding any Planning condition of approval, please contact the Planning Division at (951) 413-3206.**

- P1. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.
- P2. 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)

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

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

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

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

**PLANNING DIVISION  
CONDITIONS OF APPROVAL  
PA14-0032 TENTATIVE TRACT MAP 34544  
DRAFT**

- P3. The site has been approved for a single lot condominium map and shall be developed in accordance with the requirements and regulation set forth in the Conditional Use Permit for the Planned Unit Development (Planning Commission Resolution 2015-01) and the “Final Approved” Planned Unit Development Guidelines.
- P4. All dwellings along the north, east and west property lines shall be a minimum of 15 feet from the property line.
- P5. Prior to approval of the final subdivision map, if a vehicular connection is provided between the development and Tacoma Lane, the developer shall submit evidence to the City that a reciprocal access agreement has been entered into with all property owners on Tacoma Lane for ingress and egress of emergency vehicles only between the two developments.
- P6. Prior to approval of the final subdivision map, if a vehicular connection is provided between the development and Bencliff Lane, the developer shall submit evidence to the City that a reciprocal access agreement has been entered into with all property owners on Bencliff Lane for ingress and egress of emergency vehicles only between the two developments.
- P7. Prior to approval of the final subdivision map, if a vehicular connection is provided between the development and Bencliff Lane, the developer shall submit plans to the satisfaction of the Director of Public Works which includes a 28-foot radius cul-de-sac or other mutually acceptable alternative design for vehicular turnaround on Bencliff Lane outside of the private gate installed for ingress and egress of emergency vehicles only between the two developments.
- P8. Prior to approval of the final subdivision map, if a vehicular connection is provided between the development and Tacoma Lane, the developer shall submit plans to the satisfaction of the Director of Public Works which includes a 28-foot radius cul-de-sac or other mutually acceptable alternative design for vehicular turnaround on Tacoma Lane outside of the private gate installed for ingress and egress of emergency vehicles only between the two developments.
- P9. Prior to approval of the Final subdivision map, a revised map and site plan shall be submitted and approved to the satisfaction of the Public Works Director and Fire Marshall, which includes a 28-foot radius cul-de-sac or other mutually acceptable alternative design for vehicular turnaround on Watson Way outside of the private gate, and including details for the gate proposed for emergency ingress and egress to and from the development and Watson Way.



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- P10. Prior to submittal of the Final Map, a revised map and site plan shall be submitted and approved to include a twenty four foot (24') drive lane for fire access connecting proposed Street "B" to Street "G" along the west project boundary and parallel with the existing sewer easement, providing a contiguous route to Watson Way for emergency response vehicles.
- P11. The site shall be developed in accordance with the approved tentative map on file in the Community & Economic Development Department -Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. (MC 9.14.020)
- P12. A drought tolerant, low water using landscape palette shall be utilized throughout the tract to the extent feasible.
- P13. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)
- P14. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
- P15. All site plans, grading plans, landscape and irrigation plans, and street improvement plans shall be coordinated for consistency with this approval.

**PRIOR TO GRADING**

- P16. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
- P17. (GP) 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 the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. 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)
- P18. (GP) Prior to approval of precise grading plan, final front and street side yard landscape and irrigation plans shall be submitted to the Planning Division for review. The plans shall be prepared in accordance with the Planned Unit Development Guidelines, the City's Municipal Code in conjunction with the landscape requirements, and include required street trees.

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P19. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic 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, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented.  
(GP Objective 23.3, DG, CEQA).

P20. (GP) Prior to the issuance of grading permits, a pre-construction Burrowing Owl survey shall be completed with written documentation provided to the Planning Division. The survey shall be completed in accordance with the Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Area.

P21. (GP) Prior to issuance of grading permits, plans for any security gate system shall be submitted to the Planning Division for review and approval.

P22. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval for a six (6) foot high solid decorative block perimeter wall with cap, along the sides and rear perimeter of the project and iron fencing with pilasters along Cottonwood Avenue per the Planned Unit Development Guidelines and City Standards. A decorative block wall shall be provided along the street side for corner lots within the development. (MC 9.08.070)

P23. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval per the Planned Unit Development Guidelines and the City Standards which include:

A. Side and rear yard fences/walls (not adjacent to a right of way) are required to be constructed of decorative block, poly-vinyl or wood.

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- B. A solid decorative block wall with pilasters and a cap is required along the perimeter of the tract adjacent to any right of way or reverse frontage location and along any right of way within the interior of the tract (all corner lots).
  - D. Decorative open iron or steel fencing with pilasters is required adjacent to open space areas and water quality features.
- P24. (GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an HOA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix w/irrigation is acceptable for the bottom of all 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 Community & Economic Development Director is required to secure all water quality and detention basins more than 18 inches in depth.

**PRIOR TO RECORDATION OF FINAL MAP**

- P25. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the 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)
- P26. (R) Prior to recordation of the final map, the developer shall submit to the Planning Division for review and approval, the form of deed restriction or open space easement (secured by Development Agreement or other form) binding on the land, the subdivider, and/or future land owners which shall prohibit an increase in the number of lots within the Hillside Residential District. The map shall then be recorded with the approved restriction in place.
- P27. (R) Prior to recordation of the final subdivision map, the developer shall submit for review and approval the following documents to 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

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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 (apartments, condominiums and townhomes) 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:

- The developer and homeowners association shall promote and install the use of native plants and trees and drought tolerant species.
- (R) 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.
- Maintenance of any and all common facilities including private streets.
- A conservation easement for lettered lots shall be recorded on the deed of the property and shown on the final map. Said easement shall include access restrictions prohibiting motorized vehicles from these areas.

**PRIOR TO BUILDING PERMIT**

P28. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P29. (BP) 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.

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- P30. (BP) Prior to issuance of building permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an HOA, or other private entity, shall be approved for the sides and or slopes of all water quality basins and drainage areas. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community & Economic Development Director is required to secure all water quality and detention basins more than 18 inches in depth.

**PRIOR TO CERTIFICATE OF OCCUPANCY**

- P31. (CO) Prior to the issuance of Certificates of Occupancy or building final, all landscape and irrigation shall be installed per the plans on file in the Planning Division.
- P32. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed per the approved plans on file in the Planning Division.
- P33. (CO) For 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.

**Building and Safety Division**

- B1. New buildings/structures shall comply with the current California Building Standards Code (CBC, CEC, CMC, CPC and Green Building Standards) as well as City ordinances. Plans shall be submitted to the Building and Safety Division as a separate submittal and shall include a soils report at time of first submittal. Beginning on January 1, 2014, the 2013 CBC will become effective for all new building permit applications.
- B2. Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, as a portion of the building or demolition permit process.
- B3. An automatic fire extinguishing system is required in accordance with the latest adopted California Residential Code and/or Moreno Valley Fire Code Ordinance. Fire suppression systems shall conform to the standards adopted by the National Fire Protection Association and the Moreno Valley Fire Department.

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**SCHOOL DISTRICT**

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

**UNITED STATES POSTAL SERVICE**

PO-1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

**POLICE DEPARTMENT**

PD1. 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 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 as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (DC 9.08.080)

PD2. (GP) 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. (DC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact information Form for the project shall be completed at the permit counter of the Community Development Department - Building Division for routing to the Police Department. (DC 9.08.080)

PD4. Recreation and mail box areas shall include light fixtures to ensure safety designed to meet the City's Municipal Code.

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**FIRE PREVENTION BUREAU**

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards: The following conditions will apply: (These conditions are based on the most current revised submittal of 12/15/2014)

- F1. Based on the number of proposed units this development will require a minimum of 2 (two) fire access entry points/roads. Tacoma St. and Bencliff avenues are both private roads which are not publicly maintained and may not be available for emergency response due to obstructed access or deterioration of street pavement. Watson Way shall be designed to accommodate the required emergency access.
- F2. Prior to precise grading, and due to proposed revisions shown on plan a connection on the West side of development between B street and G street will be required to provide a continuous route to Watson Way for emergency response vehicles. In the event of a multiple alarm fire in which multiple apparatus may be assigned, the thoroughway will provide for effective and efficient exiting by fire apparatus and prevent emergency response delays due to the closed loop street design.
- F3. The minimum setback for fire access gates to shall be 60 feet from curb to gate.
- F4. Alternative means and materials (Screed) for fire access entry will not be approved if it does not meet MVFD requirements for fire access roads. Required road or access (all weather surface) are to be capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MV City Standard Engineering Plan 108d)
- F5. Hydrants are required along Cottonwood Ave. frontage.
- F6. 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)
- F7. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MV City Standard Engineering Plan 108d)
- F8. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])

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- F9. Prior to construction, "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.060, CFC 501.4)
- F10. 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)
- F11. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])
- F12. 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)
- F13. 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)
- F14. 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)
- F15. Maximum cul-de-sac or dead end road length shall not exceed 660 feet. The Fire Chief, based on City street standards, shall determine minimum turning radius for fire apparatus based upon fire apparatus manufacture specifications. (CFC 503.2, MVMC 9.15.030)
- F16. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire.
- F17. Prior to Certificate of Occupancy all locations where medians are constructed and prohibit vehicular ingress/egress into or away from the site, provisions must be made to construct a median-crossover at all locations determined by the Fire Marshal and the City Engineer. Prior to the construction, design plans will be submitted for review and approval by the City Engineer and all applicable inspections conducted by Land Development Division. apparatus. (CFC 503.1 and 503.2.5)
- F18. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer. (Example: speed bumps, if applicable.)



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- F19. 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)
- F20. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:
- a) Be signed by a registered civil engineer or a certified fire protection engineer;
  - b) Contain a Fire Prevention Bureau approval signature block; and
  - c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

- F21. 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)
- F22. 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 MV City Standard Engineering Plan 422 a, b, c)
- F23. Single Family Dwellings. Schedule "A" fire prevention approved standard fire hydrants (6" x 4" x 2 1/2") located at each intersection of all residential streets and spaced no more than 500 feet apart in any direction, more than 250 feet from any portion of the building as measured along approved emergency vehicular travel ways. Minimum fire flow shall be **1000 GPM for 2 hours 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).
- F24. 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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- F25. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.
- F26. Prior to issuance of Certificate of Occupancy or Building Final, all residential dwellings shall display street numbers in a prominent location on the street side of the residence in such a position that the numbers are easily visible to approaching emergency vehicles. The numbers shall be located consistently on each dwelling throughout the development. The numerals shall be no less than four (4) inches in height and shall be low voltage lighted fixtures. (CFC 505.1, MVMC 8.36.060[I])
- F27. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.
- F28. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 105)
- F29. Prior to issuance of a Certificate of Occupancy or Building Final, a “Knox Box Rapid Entry System” shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. 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)
- F30. Prior to issuance of a Certificate of Occupancy or Building Final, a directory display monument sign shall be required for apartment, condominium, townhouse or mobile home parks. Each complex shall have an illuminated diagrammatic layout of the complex which indicates the name of the complex, all streets, building identification, unit numbers, and fire hydrant locations within the complex. Location of the sign and design specifications shall be submitted to, and approved by, the Community Development Department – Planning Division and the Fire Prevention Bureau prior to installation. (MVMC 9.12.060 [H,I])
- F31. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.
- F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105, MVMC 8.36.100[A])

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- F33. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)
- F34. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 33 & CBC Chapter 33)
- F35. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC 102.3)
- F36. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 105)
- F37. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 105)
- F38. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.8)

**CITY OF MORENO VALLEY  
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION  
CONDITIONS OF APPROVAL  
PA14-0032 / TTM 34544 – Subdivision of 9.4 Ac into a single lot subdivision for  
condominium purposes  
APN 479-140-022**

**PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION**

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

**General Conditions**

- LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)
- LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.
- LD3. (G) It is understood that the tentative map correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)
- LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at

such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

- LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.
- LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:
- (a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.
  - (b) Observance of working hours as stipulated on permits issued by the Public Works Department.
  - (c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.
  - (d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

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

- LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)
- LD8. (G) Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer.
- LD9. (G) For single family residential subdivisions, all lots shall drain toward the street unless otherwise approved by the City Engineer. Residential lot drainage to the

street shall be by side yard swales and include yard drain pipes and inlet grates (or stubbed and capped if area is not yet landscaped) that convey flows to the street in accordance to City Standard No. 303 independent of adjacent lots. No over the sidewalk drainage shall be allowed, all drainage shall be directed to a driveway or drainage devices located outside the right-of-way. (MC 9.14.110)

- LD10. (G) A detailed final drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.
- LD11. (G) Water quality basins designed to meet Water Quality Management Plan (WQMP) requirements for single-family residential development may not be used as a construction best management practice. The water quality basin shall be maintained for the entire duration of project construction and be used to treat runoff from those developed portions of the project. The water quality basin shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. The water quality basin shall be graded per the approved design drawings and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to an established Homeowner's Association.
- LD12. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)
- LD13. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Transportation Uniform Mitigation Fee (TUMF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable improvements. If the developer fails to complete this agreement by the timing as specified above, no credits or reimbursements will be given for any work. Prior to approval of the TUMF Improvement Credit Agreement, an approved engineer's cost estimate and street improvement plan are required.
- LD14. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these

plan sets and the approved plans shall be available in the field during grading and construction.

- LD15. (G) Upon approval of the tentative tract map by the Planning Commission, the Developer shall submit the approved tentative tract map on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.
- LD16. (G) This Project will be required to submit design plans for plan review of Rough Grading Plans, Precise Grading Plans, Street Improvement Plans, Storm Drain Plans, Sewer and Water Plans, Signing and Striping Plans, Traffic Control Plans on 24"x36" sheet size for City review and approval.

Prior to Grading Plan Approval or Grading Permit

- LD17. (GPA) Prior to approval of the Rough and Precise Grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.
- LD18. (GPA) Prior to approval of Rough and Precise Grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:
- a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. This includes accommodating existing drainage entering the project from off-site. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.
  - b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.
  - c. A grading permit shall be obtained from the Public Works Department, Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.
  - d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)
  - e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.
- LD19. (GPA) Prior to Rough and Precise Grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices

(BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

- LD20. (GPA) Prior to approval of the Rough grading plans 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). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.
- LD21. (GPA) Prior to the Rough and Precise Grading plan approval, , the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (F-WQMP) for review and approval by the City Engineer that :
- 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. Incorporates Treatment Control BMPs and provides information regarding design considerations;
  - d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
  - e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.
  - f. The approved F-WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format;
  - g. Upon approval, a F-WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained;
  - h. The approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

A copy of the final F-WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

- LD22. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.
- LD23. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check and inspection fees.



- LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners 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.
- LD25. (GP) Prior to issuance of a grading permit, if the project does not involve the subdivision of land and if the developer chooses to construct the project in construction phases, a Construction Phasing Plan for the construction of on-site public and private improvements shall be reviewed and approved by the City Engineer.
- LD26. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100).
- LD27. (GP) Prior to issuance of a grading permit, the developer shall obtain from Riverside County Flood Control District a connection permit to join to MDP Line P.
- LD28. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project. (MC 8.21.070)
- LD29. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the implementation and maintenance of erosion control measures required as a condition of approval of the project. At least twenty-five (25) percent of the required security shall be in cash and shall be deposited with the City. (MC 8.21.160)

#### Prior to Map Approval or Recordation

- LD30. (MA) Prior to approval of the Final Map , the developer shall submit a copy of the Covenants, Conditions and Restrictions (CC&Rs) to the Land Development Division for review and approval. 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, and documentation informing future owners of their implementation and maintenance requirement of the approved F-WQMP. In addition, for single-family residential development, the developer shall submit bylaws and articles of incorporation for review and approval as part of the maintenance agreement for any water quality basin.
- LD31. (MA) Prior to approval of the Final Map , all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

- LD32. (MA) Prior to approval of the Final Map , the Developer shall provide a security as a guarantee of the completion of the public improvements required as a condition of approval of the project. A Public Improvement Agreement (PIA) will be required to be executed.
- LD33. (MA) Prior to approval of the Final Map , 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. (MC 9.14.110)
- LD34. (MR) Prior to recordation of the Final Map , if the developer chooses to construct the project in construction phases, a Construction Phasing Plan for the construction of on-site public and private improvements shall be reviewed and approved by the City Engineer. This approval must be obtained prior to the Developer submitting a Phasing Plan to the California State Department of Real Estate.
- LD35. (MR) Prior to recordation of the Final Map , if applicable, the developer shall have all street names approved by the City Engineer. (MC 9.14.090)
- LD36. (MR) Prior to recordation of the Final Map or issuance of the first building permit, whichever happens first, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System (NPDES) as mandated by the Federal Clean Water Act and must adhere to the following requirements:
- a. Establish a Home Owners Association (HOA) to finance the maintenance of the "Water Quality Ponds/Bio-swales". Any lots which are identified as "Water Quality Ponds/Bio-Swales" shall be owned in fee by the HOA.
  - b. Dedicate a maintenance easement to the City of Moreno Valley.
  - c. Execute a maintenance agreement between the City of Moreno Valley and the HOA. The maintenance agreement must be approved by City Council.
  - d. Establish a trust fund per the terms of the maintenance agreement.
  - e. Provide a certificate of insurance per the terms of the maintenance agreement.
  - f. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
    - i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Residential NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process, or
    - ii. Establish an endowment to cover future maintenance costs for the Residential NPDES Regulatory Rate Schedule.
  - g. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. The final option selected shall be in

place prior to the issuance of certificate of occupancy. (California Government Code & Municipal Code)

- LD37. (MR) Prior to recordation of the Final Map, the Grading Plan(s) and Landscape and Irrigation Plan(s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)
- LD38. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

- LD39. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.
- LD40. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)
- LD41. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.
- LD42. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:
- a. Corner cutbacks in conformance with City Standard MVSI-165-0 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.
  - b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)
  - c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)
  - d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees per City Standard No. MVSI-106A-0, or as approved by the City Engineer. (MC 9.14.020)
  - e. All reverse curves shall include a minimum tangent of one hundred (100) feet in length.

- LD43. (IPA) Prior to approval of the improvement plans, the developer shall pothole to determine the exact location of existing wet and dry underground utilities. The improvement plans shall be designed based on the pothole field investigation results. The developer shall coordinate with all affected utility companies and bear all costs of utility relocations. Any conflicting utilities shall be identified and addressed on the plans. The pothole survey data shall be submitted with the street improvement plans for reference purposes.
- LD44. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.
- LD45. (IPA) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)
- LD46. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)
- LD47. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, 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 Public Works Department – Land Development Division. (MC 9.14.110)
- LD48. (CP) All work performed within the City right-of-way requires an encroachment permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a Public Improvement Agreement (PIA) as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)
- LD49. (CP) Prior to issuance of an encroachment permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD50. (CP) Prior to issuance of an encroachment permit, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD51. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD52. (BP) Prior to issuance of building permits, if the project involves a residential subdivision, the map shall be recorded (excluding model homes). (MC 9.14.090)

LD53. (BP) Prior to issuance of building permits for non-subdivision projects, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD54. (BP) Prior to the issuance of the first building permit (excluding model homes), the Developer shall execute and record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department.

LD55. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD56. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer, and the Engineer of Record and/or the Geotechnical Engineer shall provide pad certifications verifying the graded pads are in accordance with the approved grading plans.

LD57. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

- a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include

- roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
- b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
  - c. The vendor(s) that the applicant proposes to use to haul the materials.
  - d. Facility(s) the materials will be hauled to, and their expected diversion rates.
  - e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

- LD58. (BP) Prior to issuance of the first building permit, the developer shall record with the County-Clerk Recorder a "Covenant and Agreement" that informs future property owners and Home Owners Association (HOA) of the requirement to maintain Lot I, as shown on the Grading Plans on file at the City of Moreno Valley Public Works Department as a bio-retention/detention basin. The owner of Lot I, will not be allowed to build over, grade, or otherwise modify the bio-retention/detention basin. The "Covenant and Agreement" shall be in a form acceptable to the City of Moreno Valley. Proof of recordation must be provided to the City prior to issuance of the first building permit (excluding model homes).

#### Prior to Certificate of Occupancy

- LD59. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.
- LD60. (CO) Prior to issuance of the first certificate of occupancy (excluding model homes), this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System (NPDES) as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of certificate of occupancy issuance. Following are the requirements:
- a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
    - i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
    - ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

- b. Notify the Special Districts Division of the intent to request building permits 90 days prior to their issuance and the financial option selected. The financial option selected shall be in place prior to the issuance of certificate of occupancy. (California Government Code & Municipal Code)

LD61. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of the first occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy. Cottonwood Avenue may be eligible for DIF credits for eligible improvements. The developer would have to enter into a credit agreement to secure credit.

LD62. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of the first occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD63. (CO) Prior to issuance of a certificate of the first occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

- a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.
- b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
- c. City-owned utilities.
- d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.
- e. Under grounding of existing and proposed utility lines less than 115,000 volts.
- f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD64. (CO) Prior to issuance of the first certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD65. (CO) Prior to issuance of a certificate of occupancy or building final for the last 20% or last 5 lots (whichever is greater, unless as otherwise determined by the

City Engineer) residential lots of any Map Phase, punch list work for improvements and capping of streets in that phase must be completed and approved for acceptance by the City.

LD66. (CO) Prior to issuance of the first certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

- a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
- b. Provide the City with an Engineer's Line and Grade Certification.
- c. Perform and pass a flow test per City test procedures.

LD67. (CO) Prior to issuance of a certificate of occupancy or building final for the last 20% of the permitted structures or the last five (5) lots (whichever is greater) for any Phase of the development , the Developer shall:

- a. Notify City Staff (Land Development Division) prior to construction and installation of all structural BMPs so that an inspection(s) 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, reports, recommendations 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 basin, including regrading to approved civil drawing if necessary.
- f. Provide City with updated Engineer's Line and Grade Certification.
- g. Obtain approval from City to install irrigation and landscaping.
- h. Complete installation of irrigation and landscaping.

LD68. (CO) Prior to issuance of a certificate of occupancy or building final, 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 to the City for review and approval.



### Prior to Acceptance of Streets into the City Maintained Road System

LD69. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to the end of the one-year warranty period of the public streets at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

### SPECIAL CONDITIONS

LD70. Prior to rough grading the developer shall obtain from all on-site easements holders written permission for right of entry for grading and construction.

LD71. Prior to issuance of building permits, this project shall cause the quitclaim of existing 15' wide easements along the northerly property line, especially those easements underneath any proposed building footprints. This shall include, but not limited to, the 15-foot wide existing EMWD easement across building areas 1 through 11. All utilities shall be relocated, as necessary, prior to quitclaim. All new easements shall be granted prior to utility relocations and quitclaims of existing easements.

LD72. Prior to final map approval, the map shall clearly show an easement in favor of Eastern Municipal Water District (EMWD) at two locations along the project's northerly property line, as approved by EMWD and the City Engineer, and any other locations as shown on the tentative tract map.

LD73. Prior to rough grading plan approval, the plans shall show a 30-foot reservation at two locations along the northerly property line for Fire Access if required.

LD74. Prior to approval of the Final Map, the map shall show the following:

- a. A 4-foot street right-of-way dedication on the south side of Cottonwood Avenue along project frontage to ensure a centerline to north right-of-way distance of 44 feet for a Minor Arterial, City Standard MVS1-105A-0.
- b. The appropriate street right-of-way dedications within the tract to ensure a curb to curb distance of 36 feet and 6 foot wide sidewalk for a General Local modified City Standard MVS1-107A-0.
- c. The appropriate street right-of-way dedication for the extension of Watson Street per City Standard Plan MVS1-107A-0 and the cul-de-sac at the mid-

street terminus north of Cottonwood Avenue per City Standard Plan MVSI-162-0 or as approved by the City Engineer.

- d. Additional right of way maybe required along the project east property line of Patricia Lane, unless the applicant can show the right of way exist.
  - e. Corner cutbacks per City Standard MVSI-165-0.
- LD75. Prior to Final Map approval, the limits of private and public streets shall be clearly delineated on the map. The developer shall dedicate those streets intended for public use to the City and construct them per City standards.
- LD76. Prior to any grading plan approval, the plans shall clearly show that any slope near the public right-of-way has a minimum set-back area at 2% maximum of 2 feet before the start of the top or toe of slope.
- LD77. Prior to rough grading plan approval, obtain permission (right of entry and grading restrictions) from the existing gas line easement holder to grade and construct over the existing easement.
- LD78. Prior to rough grading plan approval, the grading plans shall clearly demonstrate that drainage is properly collected and conveyed. The plans shall show all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements. The developer will be required to obtain the necessary permission for off-site construction including easements.
- LD79. Prior to approval of any grading plan, the plans and the submitted final drainage study shall clearly demonstrate this project's increased runoff mitigation. This project shall not discharge runoff at a rate greater in the post-developed condition than that in the pre-developed condition, for any given storm event. The storms to be studied include the 1-hour, 3-hour, 6-hour and 24-hour duration events for the 2-year, 5-year, 10-year and 100-year return frequencies.
- LD80. Prior to grading plan approval, as all of this site resides in FEMA floodzone designation Zone X shaded which, by definition, could include 100 year flooding up to 1 foot, the plans shall clearly demonstrate that any building finished floor elevations shall be 1 foot minimum above the 100-year base flood elevation.
- LD81. Prior to rough grading plan approval, emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. This may include, but not be limited to, an emergency spillway in the basin and an emergency overflow at any sump catch basin location. The developer is responsible for securing any necessary on-site or off-site drainage easements as required for emergency overflow.
- LD82. Prior to storm drain plan approval, the plans shall clearly identify the maintenance responsibility of proposed storm drain lines. Generally, those storm

drains within private streets will be maintained by a homeowner's association and those within public streets by the City.

- LD83. The developer shall connect the proposed private storm drain system to the existing Sunnymead Area Drainage Plan Line P. A storm drain manhole shall be placed at the right-of-way to mark the beginning of the publicly maintained portion of this storm drain.
- LD84. Due to the relatively shallow street grade of existing Cactus Avenue, storm drain inlets shall be installed. Spacing, sizing and location shall be determined per the final drainage study as approved by the City Engineer.
- LD85. Prior to Final Map approval, the Developer shall guarantee the construction of the following improvements by entering into a Public Improvement Agreement (PIA) and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.
- a. Cottonwood Avenue, Minor Arterial, City Standard, MVS1-105A-0 (88-foot RW / 64-foot CC) shall be constructed to half-width plus an additional 12 feet south of the centerline, along the entire project's south frontage. A 4-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the tract map. The developer shall construct any missing or deficient improvements along the project frontage, including the ultimate structural section for pavement, any missing off-site improvements from the projects westerly property line west for approximately 215 feet to join the existing street improvements (east of Perris Blvd), and replace the access ramp at the northeast corner of Perris Blvd with an ADA compliant ramp and landing. The City Engineer may require additional signing and striping for the frontage improvements to accommodate increased traffic imposed by the development. Improvements shall consist of, but not be limited to, pavement, base, redwood header, curb, gutter, sidewalk, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal and undergrounding of any power poles with overhead utility lines less than 115,000 volts, and remove/relocate overhead utilities lining crossing the street and dry and wet utilities, except those power poles along the west tract boundary.
  - b. Prior to issuance of any building permit, the developer shall construct or secure the construction of curb, gutter, and sidewalk improvements along Patricia Lane to meet the City's requirements for a local street per City Standard No. MVS1-107A-0.
  - c. No decorative pavers shall be placed within the public right-of-way.
  - d. Pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of alternate pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal depending on the severity

of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

- e. The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements of master plan storm drain lines.
- LD86. Prior to issuance of occupancy permits, all overhead utility lines less than 115,000 volts fronting or within the entire project site boundary shall be placed underground per Section 9.14.130C of the City Municipal Code.
- LD87. Prior to issuance of any building permit, the developer shall construct or secure the construction improvements along Street A through E for a 36-foot wide CC street section per City Standard No. MVS1-107A-0, including sidewalk adjacent structural section.
- LD88. Prior to rough grading plan approval, the plans shall show proposed mechanisms to treat onsite runoff before it enters into the public storm drain system. The plans shall show locations of proposed structural best management practices. The developer shall submit to the City for review and approval, those structural best management practices proposed onsite to control predictable pollutant runoff. The developer shall select those structural best management practices identified in Supplement A and Supplement A Attachment to the Riverside County Drainage Area Management Plans. [www.floodcontrol.co.riverside.ca.us](http://www.floodcontrol.co.riverside.ca.us) The developer shall first maximize the use of site design and source control best management practices before selecting treatment control best management practices.
- LD89. Prior to precise grading plan approval, the plans shall clearly show that the developer has made every attempt to treat runoff, prior to the runoff reaching the treatment control Best Management Practice(s) (BMPs), via maximum use of site design and source control BMPs.
- LD90. Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped areas rather than being routed directly to the parking lot or roadway. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice.
- LD91. The following project engineering design plans (24"x36" sheet size) shall be submitted for review and approval as well as additional plans deemed necessary by the City during the plan review process:
- a. Rough Grading Plan
  - b. Precise Grading Plan
  - c. Street Improvement Plan
  - d. Signing and Striping Plan

- e. Traffic Control Plan
- f. Final Drainage Study
- g. Final WQMP
- i. As-Built Plans of all “plans” listed above.



CITY OF MORENO VALLEY  
Public Works  
Transportation Engineering Division

## MEMORANDUM

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To: Julia Descoteaux, Associate Planner  
From: Michael Lloyd, Senior Engineer  
Date: December 31, 2014  
Subject: **Revised Conditions of Approval for PA14-0032/0033** – TTM 34544 and Conditional Use Permit for 76 condominium units located north of Cottonwood Avenue and east of Perris Boulevard.

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Attached are the Transportation Engineering Conditions of approval for the subject project.

**CITY OF MORENO VALLEY**  
**CONDITIONS OF APPROVAL**  
**PA14-0032/0033**

TTM 34544 and Conditional Use Permit for 76 condominium units located north of Cottonwood Avenue and east of Perris Boulevard.

**Transportation Engineering Division – Conditions of Approval**

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

**GENERAL CONDITIONS**

- TE1. Cottonwood Avenue is classified as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. MVSI-105A-0. Any improvements to the roadway shall be per City standards or as approved by the City Engineer. Improvements to Cottonwood Avenue shall connect to the existing street improvements (i.e. curb and gutter, pavement, etc.) to the west of the project.
- TE2. Watson Way is classified as a Local Street (56'RW/36'CC) per City Standard Plan No. MVSI-107A-0. Watson Way shall include a cul de sac at its terminus with a minimum 28' radius or as approved by the City Engineer.
- TE3. Driveways shall conform to Section 9.11.080, and Table 9.11.080-14 of the City's Development Code – Design Guidelines and City Standard Plan No. MVSI-112C-0 for commercial driveway approach.
- TE4. The Cottonwood Avenue gated entrance shall be provided with the following:
- a) A storage lane with 60' provided for queuing.
  - b) A second storage lane for visitors to stop in prior to the gate to utilize a call box (or other device) to receive permission to enter the site.
  - c) Signing and striping for a and b.
  - d) A turnaround outside the gates.
  - e) No Parking signs shall be posted in the turnaround areas.
  - f) A separate pedestrian entry.
  - g) Presence loop detectors (or another device) within 1 to 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

- TE5. If fire access Lot A located along the northern property boundary connecting to Bencliff Drive is proposed, then it shall include a turnaround to the satisfaction of the City Engineer.

- TE6. If fire access Lot B located along the northern property boundary connecting to Tacoma Street is proposed, then it shall include a turnaround to the satisfaction of the City Engineer.
- TE7. Interior streets shall be designed and constructed per City Standards or to the satisfaction of the City Engineer, consistent with Municipal Code Section 9.14.020 C.4. This may include but not be limited to street widths and structural sections, curb and gutter, knuckles, sidewalks, etc.
- TE8. Conditions of approval may be modified or added if a phasing plan is submitted for this development.

#### **PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT**

- TE9. 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.
- TE10. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer may be required for plan approval or as required by the City Traffic Engineer.
- TE11. Prior to final approval of the street improvement plans, the project plans shall demonstrate that sight distance at proposed streets and driveways conforms to City Standard Plan No. MVSI-164A, B, C-0.

#### **PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL**

- TE12. (CO) Prior to issuance of a Certificate of Occupancy, all approved signing and striping shall be installed per current City Standards

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

- TE13. 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.



**CITY OF MORENO VALLEY  
CONDITIONS OF APPROVAL  
Case Nos.: PA14-0032 (TTM 34544 for detached condos)  
PA14-0033 (Conditional Use Permit)  
APN: 479-140-022**

**FINANCIAL & MANAGEMENT SERVICES DEPARTMENT**

**Special Districts Division**

**Acknowledgement of Conditions**

The following items are the Special Districts Division's Conditions of Approval for projects **PA14-0032 (TTM 34544 for detached condos)** and **PA14-0033 (Conditional Use Permit)**; this project shall be completed at no cost to any Government Agency. All questions regarding the following Conditions including but not limited to intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Financial & Management Services Department 951.413.3480 or by emailing [specialdistricts@moval.org](mailto:specialdistricts@moval.org).

**General Conditions**

- SD-1     The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services District Zone A (Parks & Community Services) and Zone C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual parcel taxes for Zone A and Zone C for operations and capital improvements.
  
- SD-2     Any damage to existing landscape areas maintained by the City of Moreno Valley due to project construction shall be repaired/replaced by the Developer, or Developer's successors in interest, at no cost to the City of Moreno Valley.
  
- SD-3     The ongoing maintenance of any landscaping required to be installed behind the curb on **Cottonwood Avenue** shall be the responsibility of the property owner.
  
- SD-4     Street Light Authorization forms for all street lights conditioned to be installed on public right-of-ways as part of this project must be submitted to the Special Districts Division for approval, prior to street light installation. The Street Light Authorization form can be obtained from the utility company providing electric service to the project, either Moreno Valley Utility or Southern California Edison.

### **Prior to Recordation of Final Map**

- SD-5 (R) This project has been conditioned to provide a funding source for the continued maintenance, enhancement, and/or retrofit of parks, open spaces, linear parks, and/or trail systems. The Developer shall satisfy this condition with one of the options below. The Developer must notify the Special Districts Division of its selected financial option 90 days prior to City Council action authorizing recordation of the final map for the development to allow adequate time to be in compliance with the provisions of Articles 13C of the California Constitution.
- a. Participate in a special election for annexation into **Community Facilities District No. 1** and pay all associated costs with the special election process and formation costs, if any; or
  - b. Establish an endowment fund to cover future maintenance costs for new neighborhood parks.

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

- SD-6 (R) This project has been identified to be included in the formation of a Community Facilities District for **Public Safety** services including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. If this District has been formed, the property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the property owner shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. If the District has not been formed prior to the recordation of the final map, this condition will not apply. The Developer must contact the Special Districts Division at 951.413.3480 prior to its intent to record the final map for the development. If the District has been formed, the special election (mail ballot) process will need to occur 90 days prior to City Council action authorizing recordation of the map to allow adequate time to be in compliance with the provisions of Article 13C of the California Constitution. (California Government Code Section 53313 et. seq.)
- SD-7 (R) This project is conditioned to provide a funding source for the capital improvements, energy charges, and maintenance for residential street lights installed in the public right-of-way and the Developer shall satisfy

this condition with either option a or b below and for street lights installed on private streets, the Developer shall satisfy this condition with option c below. The Developer must contact the Special Districts Division at 951.413.3480 to notify of its selected financial option 90 days prior to City Council action authorizing recordation of the final map for the development to allow adequate time to be in compliance with the provisions of Article 13C of the California Constitution.

- a. Participate in a ballot proceeding for **street lighting** and pay all associated costs with the ballot process and formation costs, if any for residential street lights installed in the public right-of-way. Financing may be structured through a Community Services District zone, Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the City; or
- b. Establish an endowment fund to cover future operation and maintenance costs for residential street lights installed in the public right-of-way.
- c. Projects with privately maintained streets, establish a Property Owner Association (POA) or Home Owner's Association (HOA) which will be responsible for any and all operation and maintenance costs associated with the street lights installed on private roadways. This does not apply to publicly accepted roadways.

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

- SD-8 (R) If this District has been formed, this project is conditioned to provide a funding source for the operation and maintenance of public improvements and/or services associated with new development in that territory. The Developer shall satisfy this condition with one of the options below. The Developer must contact the Special Districts Division at 951.413.340 to determine if the District will be formed prior to City Council action authorizing recordation of the final map and if so, select the financial option. Participation in a special election requires 90 days prior to City Council action authorizing recordation of the final map for the development to allow adequate time to be in compliance with the provisions of Article 13C of the California Constitution. If the District has not been formed, this conditions will not apply.

- a. Participate in a special election for **maintenance/services** and pay all associated costs with the election process and formation costs, if any. Financing may be structured through a Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the City; or
- b. Establish an endowment fund to cover the future maintenance and/or service costs.

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

SD-9 *Residential (R)* If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the required continuous operation, maintenance, monitoring, system evaluations and enhancements, remediation and/or replacement, a funding source needs to be established. The Developer must notify the Special Districts Division of its selected financial option (see Land Development's related condition) 90 days prior to City Council action authorizing recordation of the final map for the development to allow adequate time to be in compliance with the provisions of Article 13D of the California Constitution. (California Health and Safety Code Sections 5473 through 5473.8 (Ord. 708 Section 3.1, 2006) & City of Moreno Valley Municipal Code Title 3, Section 3.50.050.)

### **Prior to Building Permit Issuance**

SD-10 (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of major thoroughfares and/or freeway improvements. The property owner(s) shall participate in such District and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. The Developer must notify the Special Districts Division of intent to request building permits 90 days prior to their issuance to determine whether the development will be subjected to this condition. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

Special Districts Division  
Conditions of Approval  
PA14-0032 (TTM 34544 for 70 condos)  
PA14-0033 (Conditional Use Permit)  
APN: 479-140-022  
Date: 1.5.15  
Page 5 of 5

- SD-11 (BP) Prior to the issuance of the first building permit for this project, the Developer shall pay Advanced Energy fees for all applicable Residential and Arterial Street Lights required for this development. Payment shall be made to the City of Moreno Valley and collected by the Land Development Division. Fees are based upon the Advanced Energy fee rate in place at the time of payment, as set forth in the current Listing of City Fees, Charges, and Rates adopted by City Council. The Developer shall provide a copy of the receipt to the Special Districts Division (*specialdistricts@moval.org*). Any change in the project which may increase the number of street lights to be installed will require payment of additional Advanced Energy fees at the then current fee.

**CITY OF MORENO VALLEY  
CONDITIONS OF APPROVAL FOR  
TTM 34544, Case No. PA 14-0032, PA14-0033**

**PARKS AND COMMUNITY SERVICES DEPARTMENT**

**Acknowledgement of Conditions**

The following items are Parks and Community Services Department Conditions of Approval for project **TTM 34544, Case No. PA 14-0032, PA14-0033**; this project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department regarding the conditions.

**PCS-1 SPECIFIC CONDITIONS OF APPROVAL**

Not Applicable

**PCS-2 Parks and Community Services Department  
Standard Conditions:**

Not Applicable

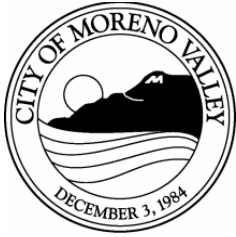
**PCS-3** (R) This project is required to supply a funding source for the continued maintenance, enhancement, and or retrofit of neighborhood parks, open spaces, linear parks, and/or trails systems. The Developer must notify Special Districts of intent to record the final map 70 days prior to recordation of the final map and the financial option selected to fund the continued maintenance. (California Government Code, GP Chapter 2.7)

**PCS-3b** (BP) This project is required to supply a funding source for the continued maintenance, enhancement, and or retrofit of neighborhood parks, open spaces, linear parks, and/or trails systems. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance and the financial option selected to fund the continued maintenance. (California Government Code, GP Chapter 2.7)

**PCS-4** The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks and Community Services). All assessable parcels therein shall be subject to the annual Zone 'A' charge for operations and capital improvements. Proof of such shall be supplied to Parks and Community Services upon Final Map and at Building Permits.

**PCS-5** This project is subject to current Development Impact Fees.

**PCS-6** This project is subject to current Quimby Fees.



**INITIAL STUDY/  
ENVIRONMENTAL CHECKLIST FORM  
CITY OF MORENO VALLEY**

1. Project Title: PA14-0032 Tentative Tract Map 34544  
PA14-0033 Conditional Use Permit for a Planned Unit Development
2. Lead Agency Name and Address: City of Moreno Valley  
14177 Frederick Steet  
Moreno Valley CA 92553
3. Contact Person and Phone Number: Julia Descoteaux, Associate Planner (951) 413-3209
4. Project Location: North side of Cottonwood Avenue East of Perris Boulevard  
Assessor's Parcel Number 479-140-022
5. Project Sponsor's Name and Address: FH II, LLC  
8300 Utica Ave, Ste. 300  
Rancho Cucamonga CA 91730
6. General Plan Designation: Residential 10
7. Zoning: Residential 10
8. Description of the Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)  

The proposed project is a 9.4 acre single lot Condominium Development for 72 detached single family residences with shared open space. The project would include the following amenities: four pocket parks with more than 19,000 square feet including child-play areas, (Tot Lot) barbeque areas and exercise areas. The project would also include a 14,889 square-foot bio-retention basin. The proposed unit areas range in area from 2,700 to 5,039 square feet with fenced yards. The residential units will include living areas from 1,893 sf (5 bedrooms) to 2,274 sf (5 bedrooms) and attached 415 square foot garages.
9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)  

Properties to the north, east and west include developed single family residences zoned Residential 5 (R5) office (O) and R5 zoning to the south.
10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement).  
None.

ATTACHMENT 4

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below( n ) 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.

|  |                        |  |                               |  |                                    |
|--|------------------------|--|-------------------------------|--|------------------------------------|
|  | Aesthetics             |  | Greenhouse Gas Emissions      |  | Population/Housing                 |
|  | Agricultural Resources |  | Hazards & Hazardous Materials |  | Public Services                    |
|  | Air Quality            |  | Hydrology/Water Quality       |  | Recreation                         |
|  | Biological Resources   |  | Land Use/Planning             |  | Transportation/Traffic             |
|  | Cultural Resources     |  | Mineral Resources             |  | Utilities/Service Systems          |
|  | Geology/Soils          |  | Noise                         |  | 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.  | X |
| 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 “potential 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 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.   |   |

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Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Julia Descoteaux

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Printed Name \_\_\_\_\_ For \_\_\_\_\_



## 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 may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Potentially Significant Unless Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less 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 “Earlier Analysis,” as described in (5) below, may be cross-referenced).
- 5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other 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 Analysis 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 analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

| Issues and Supporting Information | Potentially Significant Impact | Less than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----------------------------------|--------------------------------|--|------------------------------|-----------|
|-----------------------------------|--------------------------------|--|------------------------------|-----------|

|  |  |  |   |   |
|--|--|--|---|---|
| <b>I. AESTHETICS.</b> Would the project:   |  |  |   |   |
| a) Have a substantial adverse effect on a scenic vista?  |  |  |   | X |
| The project site is not located in an area identified in the General Plan as an aesthetic resource or a significant visual resource. Since the project is proposed in an area where development has taken place over the years, the effect would be a less than significant effect on the aesthetics of the surrounding area. The project as designed and conditioned will assure a design standard that will not have a substantial adverse effect on the scenic vista of the area. |  |  |   |   |
| b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?  |  |  |   | X |
| There are no trees, rock outcroppings or historic buildings on the site. There are no state scenic highways in the vicinity of the site. The site has been disked over the years for weed abatement. As designed and conditioned, the project will not substantially damage scenic resources.  |  |  |   |   |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings?  |  |  |   | X |
| The site is currently vacant and is bounded on the north, east and west by developed single family residences zoned R5. The proposed Condominium Map and the Conditional Use Permit for a Planned Unit Development will provide for approximately 72 single family detached units within the Residential 10 zone. The project as designed and conditioned will not substantially degrade the existing visual character or quality of the site and its surroundings.                  |  |  |   |   |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?  |  |  | X |   |
| As the site is currently vacant, the proposed development will add new light and glare similar to other residential developments in the area. All project lighting will be required to comply with the Municipal Code provisions regarding light and glare. Compliance with the Municipal Code, including shielding of all exterior lights, will reduce light and glare impacts to surrounding properties to less than significant.  |  |  |   |   |
| <b>II. AGRICULTURE 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 Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project?   |  |  |   |   |
| 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?   |  |  |   | X |
| The Municipal Code allows for agricultural uses such as crops in all zoning districts. The site has no agriculturally productive activities occurring within the project boundaries.   |  |  |   |   |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?   |  |  |   | X |
| The site is not currently in agricultural use, or under Williamson Act control. There is no existing surrounding agricultural use, or sites under Williamson Act contract. The Municipal Code allows for agricultural uses such as crops in all zoning districts, therefore, the proposed project does not conflict with existing zoning for agricultural use, or impact sites under Williamson Act contract.  |  |  |   |   |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?  |  |  |   | X |
| There is no immediate surrounding agricultural use, or any proposed according to the General Plan. The proposed project will not involve changes to the existing environment, which will result in the conversion of farmland to non-agricultural use.   |  |  |   |   |
| <b>III. AIR QUALITY:</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:   |  |  |   |   |
| a) Conflict with or obstruct implementation of the applicable air quality plan?  |  |  | X |   |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation.   |  |  |   | X |
| c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?  |  |  |   | X |
| (a. through c.) The project is located within the jurisdiction of the South Coast Air Quality Management District. The project is consistent with the General Plan. The project would not obstruct implementation of the South Coast Air Quality Management Plan. The proposed project falls below the threshold of project size identified in the SCAQMD Air Quality Handbook.  |  |  |   |   |
| d) Expose sensitive receptors to substantial pollutant concentrations?   |  |  |   | X |

| Issues and Supporting Information | Potentially Significant Impact | Less than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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The proposed residential project will not result in substantial pollutant concentrations after mitigation, and therefore will not expose people to pollutant concentrations.

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| e) Create objectionable odors affecting a substantial number of people? |  |  |  | X |
|---|--|--|--|---|

The proposed residential project would not create any source of objectionable odors affecting other people since it does not involve any industrial or other production activities.

**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? |  |  |  | X |
|---|--|--|--|---|

There are no blue line streams or riparian vegetation noted on the site, or on the USGS Maps reviewed. The site is free from any standing water. The parcel is considered an infill development project, with development surrounding the site. A Burrowing Owl Survey will be required prior to any disturbance of the site.

|  |  |  |  |   |
|--|--|--|--|---|
| b) Have a substantially 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. Wildlife Service? |  |  |  | X |
|--|--|--|--|---|

Based on the site visit, no major riparian habitat or other sensitive community was found on the site. The site was free from standing water or condensed riparian vegetation that could warrant a habitat area for sensitive or endangered species. It is not anticipated that the proposed project would have a substantially adverse effect on existing land use conditions on the site.

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| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? |  |  |  | X |
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The proposed project will not conflict with any General Plan or local policies pertaining to the protection of biological resources. The proposed project is consistent with the goals and objectives of the General Plan under the current land use designation. There are no federally protected wetland areas such as marsh or vernal pool evident at the site.

|  |  |  |  |   |
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| d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites? |  |  |  | X |
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|   |  |  |  |   |
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| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? |  |  |  | X |
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(d. and e.) The proposed project will not conflict with any General Plan or local policies pertaining to the protection of biological resources. The project site is an infill location well removed from hillsides and the San Jacinto Preserve areas that are the focus of local biological resources preservation programs. The project site is an infill location in an urban setting. The project is consistent with the goals and objectives of the General Plan and the Municipal Code related to the residential land use designation.

|  |  |  |  |   |
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| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan? |  |  |  | X |
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The proposed project will not conflict with the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP) pertaining to the protection of biological resources or any other known local, regional or state habitat conservation plans. If not previously paid, the SKR Habitat plan will require a fee of \$500.00 per acre to be paid by the developer to assist in setting aside established protection areas for said habitat.

The project site is within the plan area for the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP). The project is outside the plan Criteria Area, does not support riparian resources and is not within the special survey areas designated under the plan for narrow endemic plants, small mammals or amphibians. The proposed project will not conflict with the Riverside County Multi-species plan. Multi-species mitigation fees will also be in affect and collected prior to building permit issuance and support existing MSHCP conservation and management programs. A Burrowing Owl Study was completed and no Owls or evidence of was observed. A 30-day pre-construction Owl report is required prior to any site disturbance or grading permit issuance.

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

|   |  |  |  |   |
|---|--|--|--|---|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5? |  |  |  | X |
|---|--|--|--|---|

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| b) Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5? |  |  |  | X |
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|---|--|--|--|---|
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? |  |  |  | X |
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| <b>Issues and Supporting Information</b> | Potentially Significant Impact | Less than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
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(a.through c.) Based on the review of the Cultural Resources Inventory for the City of Moreno Valley (October 1987), there are no known archaeological or historical resources on the site. There are no known paleontological or unique geological features on the site.

d) Disturb any human remains, including those interred outside of formal cemeteries? X

There is no known location of archaeological resources or human remains on the site. The standard condition of approval of any future development proposed for the site would be the requirement of work on the project to be terminated in the event that human remains are found on the site.

**VI. GEOLOGY AND SOILS.** Would the project:

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? Refer to Division of Mines and Geology Special Publication 42. X

The site is not within an Alquist-Priolo zone or other designated vault hazard zone.

(ii) Strong seismic ground shaking? X

The nearest fault system is the San Jacinto fault system, which lies over 3 miles east of the site. The San Andreas fault is more than 25 miles from the site. The active sierra Madre and San Gabriel fault zones lie roughly 35 and 40 miles respectively to the northwest of the site. The active Elsinore and Newport-Inglewood fault zones lie approximately 20 and 45 miles respectively to the southwest of the site. This faulting is not considered a significant constraint to development on the site with use of development codes.

(iii) Seismic-related ground failure, including liquefaction?

It is anticipated that there will be a low chance of significant impact from surface fault rupture, seismic ground shaking or ground failure. The site is not in an area subject to liquefaction.

(iv) Landslides?

Since the site is generally flat, there is no potential hazard related to landslides.

(b) Result in substantial soil erosion or the loss of topsoil? X

In the construction phase of development, exposed soils on the project site may be prone to erosion as a result of exposure to both wind and rain. Established regulatory programs of the South Coast Air Quality Management District (SCAQMD) and the California Regional Water Quality Control Board require implementation of known best management practices during construction. This issue will be addressed as part of standard construction of any proposed project, with such measures as watering to reduce dust and sandbagging, if required, during rainy periods. The Stormwater Pollution Prevention Plan required for compliance with RWQCB regulations details the applicable measure, the location of the application, and the responsibility for monitoring and maintenance of control plans are implemented during construction and that erosion impact during project construction are less than significant. Once completed, the buildings, paving, landscaping and any water quality basins that will occupy the site will establish a condition presenting negligible potential for soil erosion.

(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

(c.through d.) According to the information developed as part of the City's General Plan, the project site is not known to be exposed to any unstable geologic or soil conditions. Standard building code requirements establish standards for investigation of potentially stability hazards and engineering design to address any identified stability issues. Established City procedures for plan check, permit issuance, and building inspection ensure incorporation of engineering recommendations in project design.

(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? X

The proposed project will be served by the regional sewer system serviced by Eastern Municipal Water District.

**VII. GREENHOUSE GAS EMISSIONS.** Would this project?

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

| <b>Issues and Supporting Information</b> | Potentially Significant Impact | Less than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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(a, and b.) “Global climate change is caused by greenhouse gas (GHG) emissions throughout the world. Mitigating global climate change will require worldwide solutions. Greenhouse gases are gases emitted from the earth’s surface that absorb infrared radiation in the atmosphere. Increases in these gases lead to more absorption of radiation and warm the lower atmosphere, and therefore increase evaporation rates and temperatures on the Earth’s surface. At this time, there are no widely accepted thresholds of significance for determining the impact of GHG emissions from an individual project, or from a cumulative standpoint. As provided for in the CEQA Guidelines (Section 15064.4), it is necessary for the lead agency to make a good-faith effort in considering GHG emissions on a project specific basis. Based on the limited scope of the project, and consistency of the project with the City’s adopted General Plan and zoning, the City has chosen to rely on a qualitative analysis. The project is consistent with the goals and objectives of the City’s General Plan and will not create regional growth beyond that already considered in the General Plan. To the extent possible based on scientific and factual data available, it has been determined that this project will not result in generating greenhouse gas emissions that will either directly or indirectly have a significant impact on the environment.”

**VIII. 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? |  |  | X |  |
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| 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 |  |
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| 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 |  |
|---|--|--|---|--|

(a.through c.) The proposed project will not involve the routine transport, use or disposal of hazardous materials. The proposed project will not create a significant hazard to the public or the environment through the routine transport, or use or disposal of hazardous materials. Since the project will not involve the routine transport, use or disposal of hazardous material, there will not be the potential for significant hazard to the public or environment.

|   |  |  |  |   |
|---|--|--|--|---|
| 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 |
|---|--|--|--|---|

The site is not located on a list of hazardous material sites compiled pursuant to Government Code Section 65962.54.

|  |  |  |  |   |
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| 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 for people residing or working in the project area? |  |  |  | X |
|--|--|--|--|---|

The site is not within an airport land use plan.

|   |  |  |  |   |
|---|--|--|--|---|
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? |  |  |  | X |
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There are no private airstrips within the City of Moreno Valley.

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| g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan? |  |  | X |  |
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|  |  |  |  |   |
|--|--|--|--|---|
| h) 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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(g and h) The proposed project would not have any direct effect on an adopted emergency response plan, or emergency evacuation plan. The City has an adopted Hazardous Waste Management Plan (January 1991) as part of its General Plan, which addresses emergency response pertaining to hazardous materials. The City’s emergency plans are also consistent with the General Plan. Since the proposed project is consistent with the General Plan, the proposed project would not be in conflict in any way with the emergency response or emergency evacuation plans.

**IX. HYDROLOGY AND WATER QUALITY.** Would the project:

|   |  |  |  |  |
|---|--|--|--|--|
| a) Violate any water quality standards or waste discharge requirements? |  |  |  |  |
|---|--|--|--|--|

|   |  |  |  |   |
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| b) 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)? |  |  |  | X |
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(a and b) The project will have a negligible effect on groundwater supply. The project will create more impervious surfaces through the construction of streets, hardscape, and structures.

|   |  |  |  |   |
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| c) Substantially alter the existing drainage pattern of the site or area, including |  |  |  | X |
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| <b>Issues and Supporting Information</b>  | Potentially Significant Impact | Less than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?  |                                |  |                              |           |
| The project will not substantially alter the existing drainage pattern of the site or area, in a manner, which would result in substantial erosion or siltation on or off-site. The site is within the zone X which is determined to be outside the 0.2% annual chance floodplain. The project is required to participate in a Water Quality Management Plan to ensure proper drainage of the site, and has dedicated one lot for water quality and retention basins. |                                |  |                              |           |
| d) 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 X site?  |                                |  |                              | X         |
| The project will not substantially alter the existing drainage pattern of the site or area in a manner, which would result in substantial erosion or siltation on or off-site.  |                                |  |                              |           |
| e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?   |                                |  |                              | X         |
| f) Otherwise substantially degrade water quality?   |                                |  |                              | X         |
| (e and f) The proposed tentative tract map is consistent with the General Plan. The proposal would be consistent with planned stormwater drainage systems and will not exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff or otherwise substantially degrade water quality.  |                                |  |                              |           |
| g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?  |                                |  | X                            |           |
| The project would not place housing within a 100-year flood plain. The project is in Zone X area, less than the 1% and not within the 100 year floodplain.  |                                |  |                              |           |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?   |                                |  | X                            |           |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?  |                                |  | X                            |           |
| (h and i) The site is within the Zone X which is determined to be outside the 0.2% annual chance floodplain. The proposed tentative tract map is an in-fill project which will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.  |                                |  |                              |           |
| j) Inundation by seiche, tsunami, or mudflow?   |                                |  |                              | X         |
| The site is not identified in the General Plan as a location subject to seiche, or mudflow.   |                                |  |                              |           |
| <b>X. LAND USE AND PLANNING.</b> Would the project:   |                                |  |                              |           |
| a) Physically divide an established community?  |                                |  |                              | X         |
| The project will not divide an established community. The project provides a connection from the site to the project to the east and provides a street to connect the houses to the west to Cottonwood Avenue.  |                                |  |                              |           |
| b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?   |                                |  | X                            |           |
| The proposed project is consistent with the General Plan and will not conflict with any applicable land use plan or policy. The project will include a Conditional Use Permit for a Planned Unit Development to accommodate the variation in housing and tract design consistent with the City's Municipal Code. The projects density is 8.13 which is within the criteria for the Residential 10 zoning requirements.  |                                |  |                              |           |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan?   |                                |  |                              |           |
| The project is not within a reserve area established under the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP). In addition, the project is not within the criteria area of the Multi-species Habitat Conservation Plan for the burrowing owl. The project will be required to obtain a Burrowing Owl survey and provide a 30 days pre-construction survey prior to any land disturbance.  |                                |  |                              |           |
| <b>XI. MINERAL RESOURCES.</b> Would the project:  |                                |  |                              |           |
| 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?  |                                |  |                              | X         |
| There are no known mineral resources on the site. There are no locally important mineral resource recovery sites in the proximity to the site.  |                                |  |                              |           |
| b) Result in the loss of availability of a locally-important mineral resource   |                                |  |                              | X         |

| <b>Issues and Supporting Information</b>   | Potentially Significant Impact | Less than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| recovery site delineated on a local general plan, specific plan or other land use plan?  |                                |  |                              |           |
| There are no known mineral resources on the site. There are no locally important mineral resource recovery sites in the proximity to the site.   |                                |  |                              |           |
| <b>XII. NOISE.</b> Would the project result in:  |                                |  |                              |           |
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?  |                                |  | X                            |           |
| While short-term noise levels would be generated during each construction phase of development, long-term noise impacts were expected to result from the increased on-site population and stationary source intensity, as well as the mobile noise resulting from corresponding vehicle trips. Noise from construction would be less than significant by complying with the Municipal Code standards, and the long-term noise impacts would be typical of a residential tract development.   |                                |  |                              |           |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?  |                                |  |                              | X         |
| The proposed project has incorporated the City's conditions of approval into the project design. As a result, construction and operation activities would be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, and from 7:00 AM to 8:00 PM on weekends and holidays. As a result, no significant impacts would occur.   |                                |  |                              |           |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?   |                                |  | X                            |           |
| There will be not substantial permanent increase in ambient noise levels with the proposed project as designed and conditioned, there would be only minor increases in noise levels over existing conditions. The project is consistent with the General Plan and Zoning.  |                                |  |                              |           |
| d) A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?   |                                |  | X                            |           |
| This proposed project is consistent with the General Plan. During construction, there will be limited impact of noise from construction equipment. The Public Works Department has a standard condition of approval regarding the public nuisance aspect of the construction activities. The construction operations including building related activities and deliveries shall be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, and from 7:00 AM to 8:00 PM on weekends and holidays, in accordance with City Municipal Code 8.14.040, unless otherwise extended or shortened by the City Engineer or Building Official. |                                |  |                              |           |
| 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 expose people residing or working in the project area to excessive noise levels?   |                                |  |                              | X         |
| The proposed project site is not within an airport land use plan.  |                                |  |                              |           |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?   |                                |  |                              | X         |
| There is no private airstrip within the vicinity of the site, or within the City of Moreno Valley.   |                                |  |                              |           |
| <b>XIII. POPULATION AND HOUSING.</b> Would the project:  |                                |  |                              |           |
| 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                            |           |
| This infill project with 72 new residential units, and will have a minimal impact on population growth in the area.  |                                |  |                              |           |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?  |                                |  |                              | X         |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?  |                                |  |                              | X         |
| (b and c) This property is currently vacant. Hence, no housing will be displaced.  |                                |  |                              |           |
| <b>XIV. PUBLIC SERVICES.</b> Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government 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:  |                                |  |                              |           |
| a) Fire protection?  |                                |  | X                            |           |
| The project will require service from fire. The proposed project has incorporated the City's standard conditions of approval into its design. These standards include measures, which specifically address concerns regarding the Fire Prevention Bureau with regards to residential development. Upon consultation with the fire department and payment of applicable development impact fees, impacts would be less than significant.  |                                |  |                              |           |

| <b>Issues and Supporting Information</b>   | Potentially Significant Impact | Less than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| b) Police protection?  |                                |  | X                            |           |
| The project will require police service. It is in conformance with the General Plan. Conditions of approval specifically addressing the concerns of the Police Department such as security fencing during construction, and providing emergency contact information have all been incorporated into the project's design. Police protection to the project area is provided through the Moreno Valley Police. Development of the project site would increase the demand on the Police Department. The addition of 72 dwelling units at this location would not over-burden the ability to provide high quality police service. Impacts would be less than significant. |                                |  |                              |           |
| c) Schools?  |                                |  | X                            |           |
| d) Parks?  |                                |  | X                            |           |
| (c and d) The project will require service from schools, parks, and other public facilities. It is expected that the level of service for these uses would be typical for a residential development. The project is conditioned to pay Development Impact Fees.  |                                |  |                              |           |
| e) Other public facilities?  |                                |  | X                            |           |
| As the project is consistent with the General Plan, all other public facilities can be adequately provided.  |                                |  |                              |           |
| <b>XV. RECREATION.</b>   |                                |  |                              |           |
| a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?  |                                |  | X                            |           |
| The project will have a minimal impact on existing parks. The project will include several pocket parks within the development for use by the residents. Additionally, the project will pay Development Impact fees and Parks fees based on current City requirements.   |                                |  |                              |           |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?  |                                |  | X                            |           |
| The project will include several pocket parks within the development for use by the residents. There will be no adverse physical effects on the environment.   |                                |  |                              |           |
| <b>XVI. TRANSPORTATION/TRAFFIC.</b> Would the project:   |                                |  |                              |           |
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?  |                                |  | X                            |           |
| This project, with the addition of 72 new dwellings, is consistent with the General Plan, and will result in a minimal increase in traffic. The project was not required to complete a Traffic Study.  |                                |  |                              |           |
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?   |                                |  | X                            |           |
| The project, with the addition of 72 new dwelling units will not exceed a level of service established by an adopted regional congestion management plan.  |                                |  |                              |           |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?  |                                |  |                              | X         |
| The proposed project would have no direct or indirect effect on air traffic patterns.  |                                |  |                              |           |
| d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?  |                                |  |                              | X         |
| All streets would be developed to the specifications of the City Engineer and Traffic Engineer, as well as General Plan. Additionally, all standard conditions of approval have been incorporated into the project design related to street design, permitting, sidewalk and driveway construction and lighting criteria. This would ensure that no hazardous traffic situations would occur during construction or with completion of the project. Additionally, this would ensure that emergency access is not jeopardized.  |                                |  |                              |           |
| e) Result in inadequate emergency access?  |                                |  |                              | X         |
| All streets would be developed to the specifications of the City Engineer and Traffic Engineer, as well as General Plan. Additionally, all standard conditions of approval have been incorporated into the project design related to street design, permitting, sidewalk and driveway construction and lighting criteria. This would ensure that no hazardous traffic situations would occur during construction or with completion of the project. Additionally, this would ensure that emergency access is not jeopardized.  |                                |  |                              |           |
| f) Conflict with adopted policies or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?   |                                |  |                              | X         |



| <b>Issues and Supporting Information</b> | Potentially Significant Impact | Less than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
|--|--------------------------------|--|------------------------------|-----------|

The proposed project will not conflict with adopted policies or programs supporting alternative transportation.

**XVII. UTILITIES AND SERVICE SYSTEMS.** Would the project:

|   |  |  |  |   |
|---|--|--|--|---|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? |  |  |  | X |
|---|--|--|--|---|

|  |  |  |  |   |
|--|--|--|--|---|
| b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? |  |  |  | X |
|--|--|--|--|---|

|   |  |  |  |   |
|---|--|--|--|---|
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? |  |  |  | X |
|---|--|--|--|---|

|  |  |  |  |   |
|--|--|--|--|---|
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? |  |  |  | X |
|--|--|--|--|---|

|  |  |  |  |   |
|--|--|--|--|---|
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? |  |  |  | X |
|--|--|--|--|---|

(a through e) The proposed tentative tract map is consistent with the General Plan, and therefore will not exceed wastewater requirements of the Regional Water Quality Control Board. Since the project is consistent with the General Plan, the project would not require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities.

|  |  |  |  |   |
|--|--|--|--|---|
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? |  |  |  | X |
|--|--|--|--|---|

The needs of the project for solid waste capacity would be negligible. Since the project is consistent with the General Plan, there would be adequate solid waste capacity to satisfy the project.

|  |  |  |  |   |
|--|--|--|--|---|
| g) Comply with federal, state, and local statues and regulations related to solid waste? |  |  |  | X |
|--|--|--|--|---|

The City is complying with State and Federal regulations regarding solid waste. This project will also comply with the current policies regarding solid waste.

**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.**

|   |  |  |  |   |
|---|--|--|--|---|
| 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, 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 |
|---|--|--|--|---|

The project does not have the potential to substantially degrade the quality of the environment. The project has been previously disturbed through weed abatement and no plants of significance are located on the site. There are no historic structures on the site, and there will be no impact to historic resources.

|  |  |  |   |  |
|--|--|--|---|--|
| 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 projects, and the effects of probable future projects)? |  |  | X |  |
|--|--|--|---|--|

As the project is consistent with the General Plan, the proposed project will not result in impacts that are individually limited but cumulatively considerable. Thus, will have a less than significant impact on the environment.

|   |  |  |  |   |
|---|--|--|--|---|
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? |  |  |  | X |
|---|--|--|--|---|

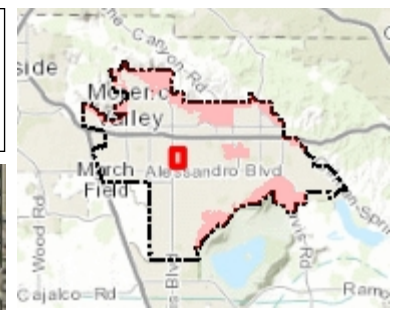
The project is a residential tract consisting of 72 detached residential units on 9.4 acres. The project will be consistent with the General Plan. As designed and conditioned, the proposed project will not cause substantial adverse effects on human beings, either directly or indirectly.

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# PA14-0032 & PA14-0033

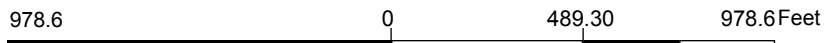


**Legend**

- Public Facilities
  - Public Facilities
  - ★ Fire Stations
- Parcels
- ⬡ City Boundary
- ◻ Sphere of Influence

**Notes**

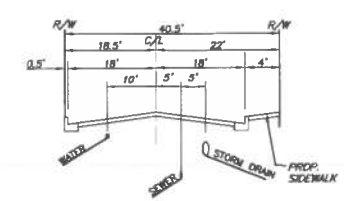
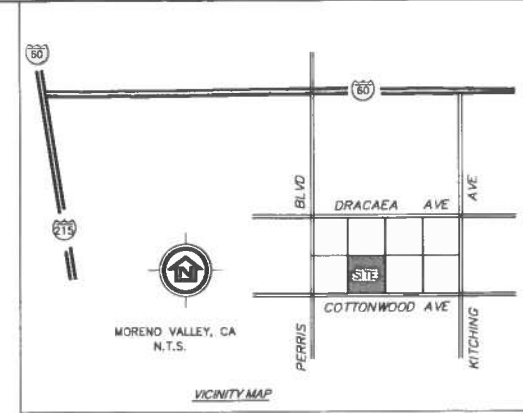
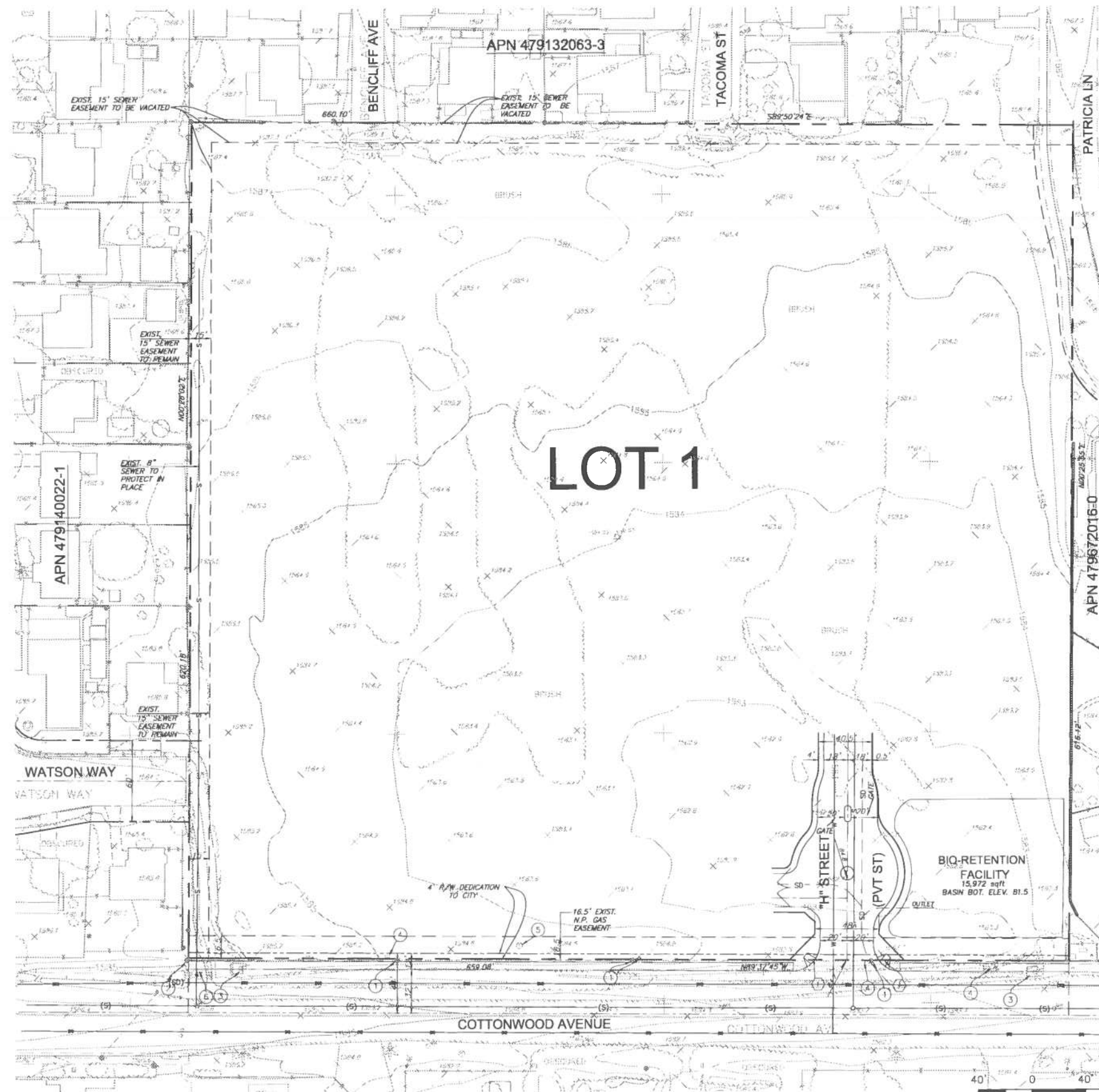
ATTACHMENT 6



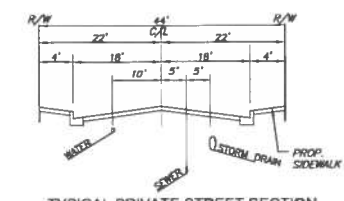
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DISCLAIMER: The information shown on this map was compiled from the City of Moreno Valley GIS and Riverside County GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent 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.

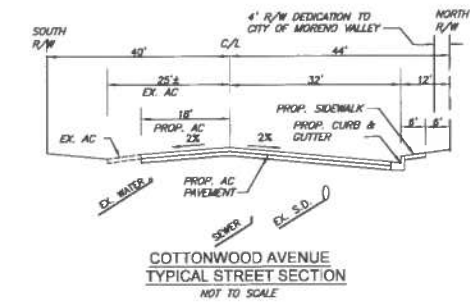
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TYPICAL PRIVATE STREET SECTION  
NOT TO SCALE



TYPICAL PRIVATE STREET SECTION  
NOT TO SCALE



COTTONWOOD AVENUE  
TYPICAL STREET SECTION  
NOT TO SCALE

NOTE:  
THIS PROJECT SHALL COMPLETE THE OFFSITE INFILL IMPROVEMENTS BEYOND THE WEST PROJECT PROPERTY BOUNDARY TO THE EXISTING IMPROVEMENTS, APPROXIMATELY 340 FEET EAST OF PERRIS/COTTONWOOD NORTHEAST CORNER CURB RETURN BCR.

**LEGEND**

|      |                         |
|------|-------------------------|
| (S)  | EXISTING SEWER          |
| —    | PROPOSED SEWER          |
| —    | EXISTING WATER          |
| —    | PROPOSED WATER          |
| —    | PROPOSED STORM DRAIN    |
| —    | PROPOSED FIRST FLUSH    |
| (SD) | EXISTING STORM DRAIN    |
| —    | PERIMETER FENCE         |
| □    | FIRST FLUSH PUMP        |
| —    | PROPOSED FORCE MAIN     |
| —    | PROPOSED PRIVATE STREET |
| ☼    | PROPOSED STREET LIGHT   |

- REMOVAL NOTES:**
- EXISTING POWER POLE TO BE REMOVED/UNDERGROUND.
  - EXISTING POWER POLE TO REMAIN.
  - EXISTING STORM DRAIN INLET TO BE RELOCATED/REMODEL.
  - UTILITY VAULT TO BE ADJUSTED TO GRADE.
  - EXISTING SIGN TO BE RELOCATED
  - EXISTING CM PIPES TO BE REMOVED.

- CONSTRUCTION NOTES:**
- CONSTRUCT PEDESTRIAN RAMP PER CITY STD. MV51-114A-0.



SCALE 1"=40'



CONTOUR INTERVAL 1'

**APPLICANT**  
FRONTIER COMMUNITIES  
8300 UTICA AVE, SUITE 300  
RANCHO CUCAMONGA, CA 91730

**ASSESSOR'S PARCEL NO.**  
479-140-022

**LEGAL DESCRIPTION**  
9.39 ACRES M/L IN LOT 6 BLK 73 MB  
011 / 010 SB BEAR VALLEY AND  
ALESSANDRO DEVELOPMENT CO.

**AREA AND DENSITY**  
GROSS ACREAGE 9.4 ACRES  
\*NET AREA 9.27 ACRES  
TOTAL NO. OF UNITS CREATED 76  
DENSITY: 8.20 U/AC

\*NET AREA EXCLUDES 4 FT STREET DEDICATION ALONG COTTONWOOD AVE. (0.06 AC) AND PATRICIA LANE DEDICATION (0.07 AC).

**PARKING**  
2 CAR GARAGE PER UNIT 152  
ON STREET PARKING PER CITY OF MORENO VALLEY STANDARDS

**FLOOD HAZARD**  
THE SUBJECT TRACT OUTSIDE THE 500 YEAR ZONE X FLOOD PLAN. FLOOD INSURANCE PANEL NO. 065074 00250. THE SUBJECT TRACT IS WITHIN THE SUNNYMEAD MASTER DRAINAGE PLAN AND SERVED BY LINE "S-2".

**PUBLIC UTILITIES**

|             |          |
|-------------|----------|
| WATER       | EMWD     |
| SEWER       | EMWD     |
| ELECTRICITY | SCE      |
| TELEPHONE   | VERIZON  |
| CABLE       | ADELPHIA |

**SCHOOL**  
MORENO VALLEY UNIFIED SCHOOL DISTRICT

**THOMAS BROTHERS GUIDE**  
PAGE 717 G-4, 2005 EDITION

**LAND USE AND ZONING**

|          |                      |
|----------|----------------------|
| CURRENT  | GENERAL R10          |
| CURRENT  | ZONING R10           |
| PROPOSED | ZONING R10           |
| PROPOSED | LAND USE CONDOMINIUM |

**FEMA FLOOD ZONE**  
PROJECT SITE IS LOCATED IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAN) PER FLOOD INSURANCE RATE MAP No. 06065C0761G

**GRADING QUANTITIES**  
CUT = 3,550 CY  
FILL = 19,800 CY  
OVER EXCAVATION = 46,000 CY  
SHRINKAGE = 3,250 CY  
IMPORT = 19,500 CY

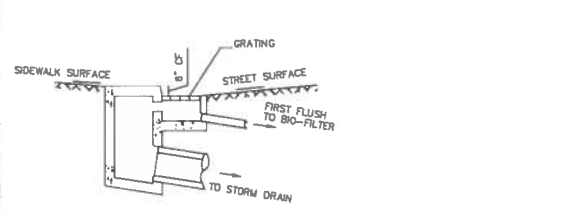
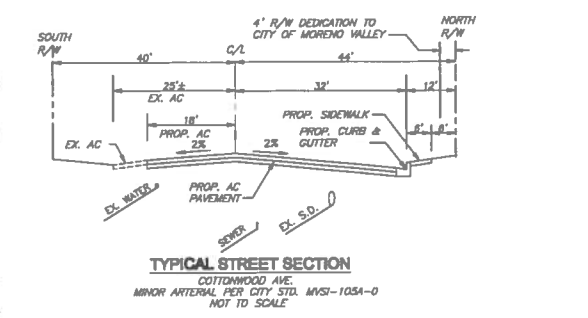
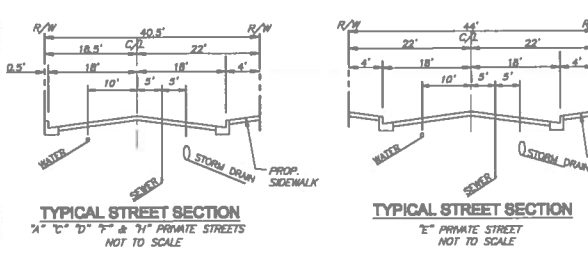
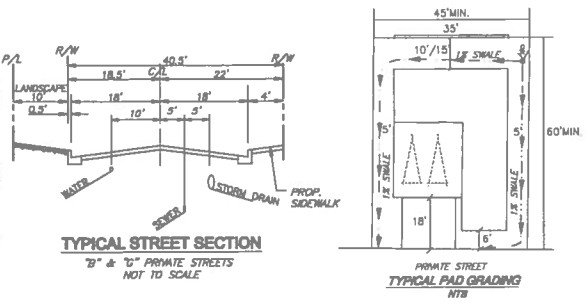
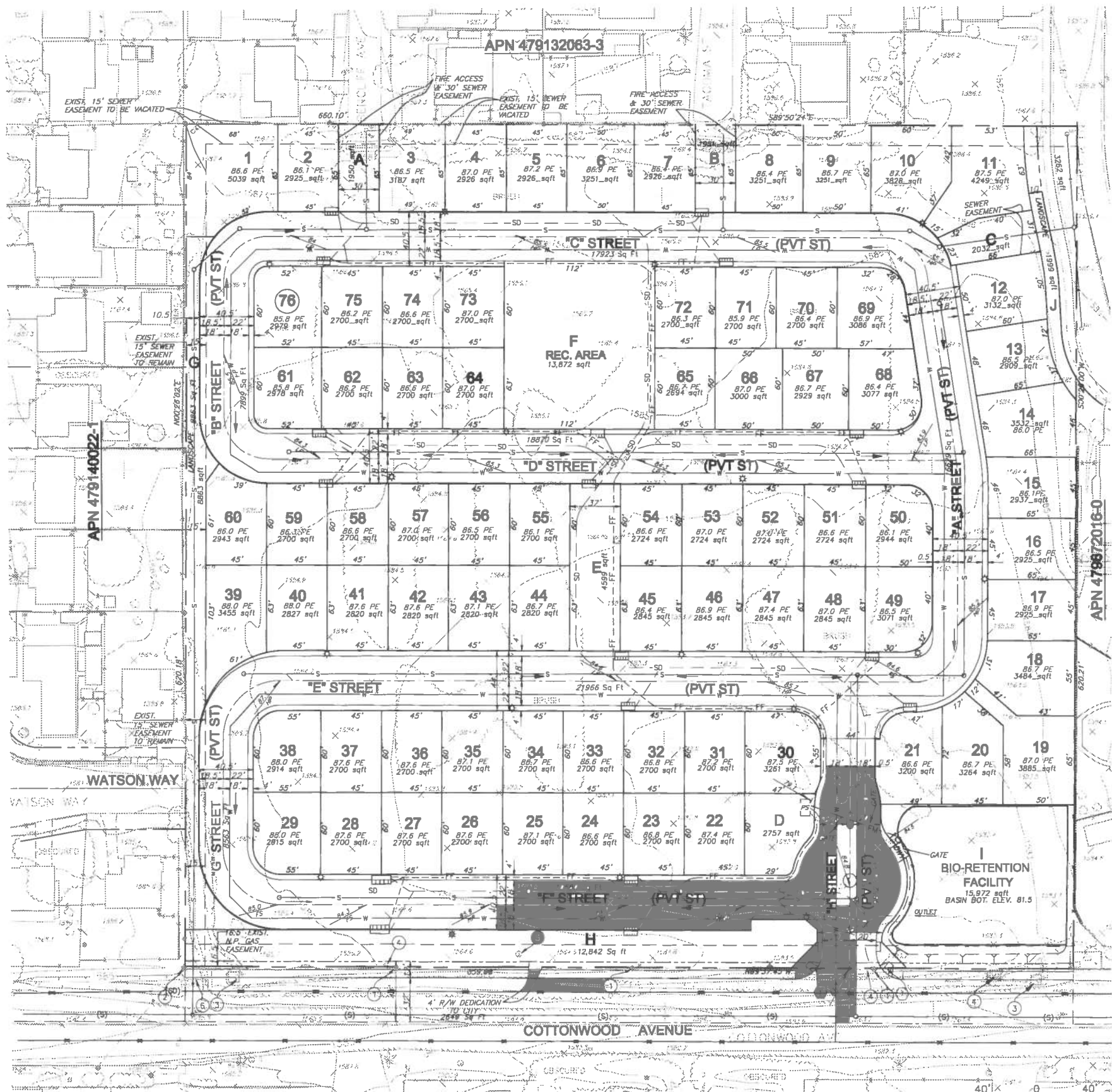
**TOPOGRAPHY**  
PROVIDED BY: DON READ CORPORATION.  
DATED: 4/7/2014

**PA14-0032 TTM 34544  
FOR CONDOMINIUM PURPOSES**

**B & E ENGINEERS** 20 E. FOOTHILL BLVD., STE. 230  
ARCADIA, CA 91006-2375  
CIVIL ENGINEERING, SURVEYING & LAND PLANNING TEL: (925) 448-4449 FAX: (925) 448-6566

**TENTATIVE TRACT MAP No. 34544**  
LOCATED IN THE CITY OF MORENO VALLEY  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

|               |                        |
|---------------|------------------------|
| 12-12-2014    | RAMP F. AMND RCE 41729 |
| SCALE: 1"=40' | JN 2014109-00          |
|               | SHT. 1 OF 1 SHTS.      |

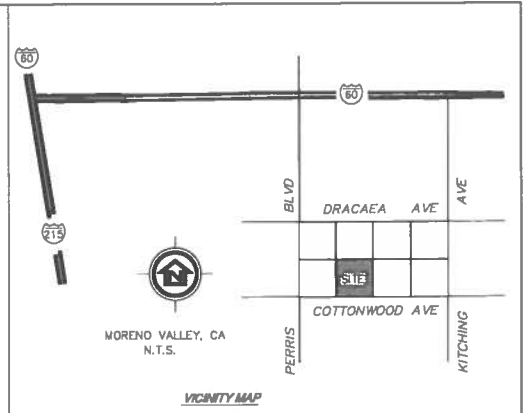
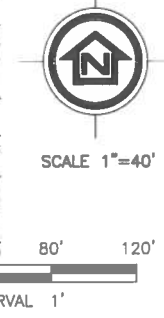


**NOTE:**  
THIS PROJECT SHALL COMPLETE THE OFFSITE INFILL IMPROVEMENTS BEYOND THE WEST PROJECT PROPERTY BOUNDARY TO THE EXISTING IMPROVEMENTS, APPROXIMATELY 340 FEET EAST OF PERRIS/COTTONWOOD NORTHEAST CORNER CURB RETURN BCR.

**LEGEND**

|          |                         |
|----------|-------------------------|
| (S)      | EXISTING SEWER          |
| (-S)     | PROPOSED SEWER          |
| (W)      | EXISTING WATER          |
| (-W)     | PROPOSED WATER          |
| (SD)     | PROPOSED STORM DRAIN    |
| (-SD)    | PROPOSED FIRST FLUSH    |
| (SD)     | EXISTING STORM DRAIN    |
| (PS)     | PERIMETER FENCE         |
| (FM)     | FIRST FLUSH PUMP        |
| (PVT ST) | PROPOSED FORCE MAIN     |
| (S)      | PROPOSED PRIVATE STREET |
| (S)      | PROPOSED STREET LIGHT   |

- REMOVAL NOTES:**
- EXISTING POWER POLE TO BE REMOVED/UNDERGROUND.
  - EXISTING POWER POLE TO REMAIN.
  - EXISTING STORM DRAIN INLET TO BE RELOCATED/REMODEL.
  - UTILITY VAULT TO BE ADJUSTED TO GRADE.
  - EXISTING SIGN TO BE RELOCATED
  - EXISTING CM PIPES TO BE REMOVED.
- CONSTRUCTION NOTES:**
- CONSTRUCT PAVED RAMP HI R CITY STD. MVS-114A-0



**APPLICANT**  
FRONTIER COMMUNITIES  
6300 UTICA AVE, SUITE 300  
RANCHO CUCAMONGA, CA 91730

**ASSESSOR'S PARCEL NO.**  
479-140-022

**LEGAL DESCRIPTION**  
9.39 ACRES M/L IN LOT 6 BLK 73 MB 011 / 010 SB BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO.

**AREA AND DENSITY**

|                            |            |
|----------------------------|------------|
| GROSS ACREAGE              | 9.4 ACRES  |
| *NET AREA                  | 9.27 ACRES |
| TOTAL NO. OF UNITS CREATED | 76         |
| DENSITY:                   | 8.20 U/AC  |

\*NET AREA EXCLUDES 4 FT STREET DEDICATION ALONG COTTONWOOD AVE. (0.06 AC) AND PATRICIA LANE DEDICATION (0.07 AC).

**PARKING**  
2 CAR GARAGE PER UNIT 152  
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**FLOOD HAZARD**  
THE SUBJECT TRACT OUTSIDE THE 500 YEAR ZONE X FLOOD PLAN. FLOOD INSURANCE PANEL NO. 065074 0025A. THE SUBJECT TRACT IS WITHIN THE SUNNYMEAD MASTER DRAINAGE PLAN AND SERVED BY LINE "S-2".

**PUBLIC UTILITIES**

|             |         |
|-------------|---------|
| WATER       | CHWD    |
| SEWER       | CHWD    |
| ELECTRICITY | SCE     |
| TELEPHONE   | VERIZON |
| CABLE       | ADELPHI |

**SCHOOL**  
MORENO VALLEY UNIFIED SCHOOL DISTRICT

**THOMAS BROTHERS GUIDE**  
PAGE 717 G-4, 2005 EDITION

**LAND USE AND ZONING**

|                                 |             |
|---------------------------------|-------------|
| CURRENT                         | GENERAL R10 |
| CURRENT ZONING                  | R10         |
| PROPOSED ZONING                 | R10         |
| PROPOSED USE AND URB. ORDINANCE |             |

**FEMA FLOOD ZONE**  
PROJECT SITE IS LOCATED IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAN) PER FLOOD INSURANCE RATE MAP No. 06065C0761G

**GRADING QUANTITIES**

|                 |             |
|-----------------|-------------|
| CUT             | = 3,550 CY  |
| FILL            | = 19,800 CY |
| OVER EXCAVATION | = 46,000 CY |
| SHRINKAGE       | = 3,250 CY  |
| IMPORT          | = 19,500 CY |

**TOPOGRAPHY**  
PROVIDED BY: DON READ CORPORATION.  
DATED: 4/7/2014

**SITE PLAN**  
**PA14-0032 TTM 34544**  
**FOR CONDOMINIUM PURPOSES**

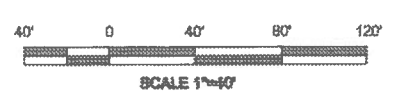
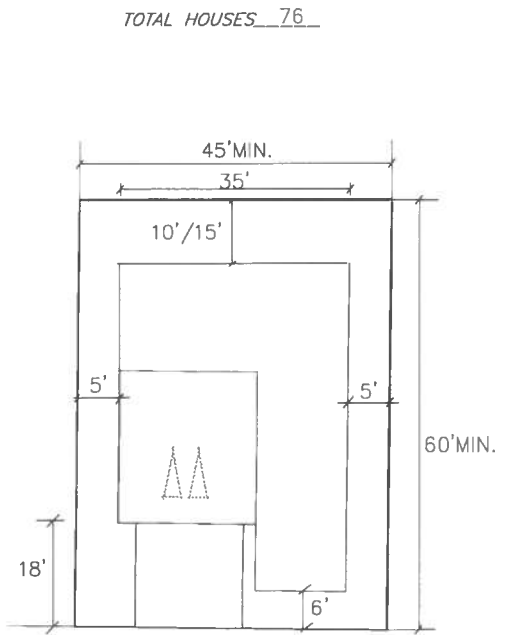
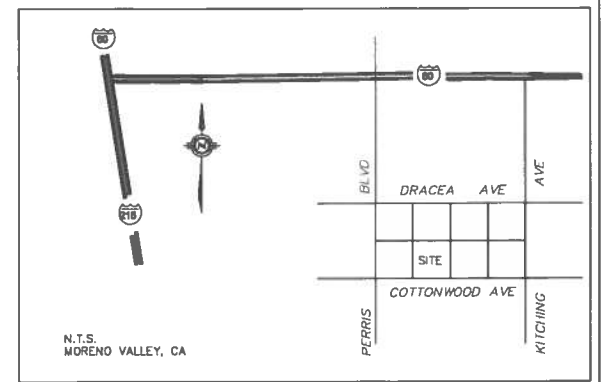
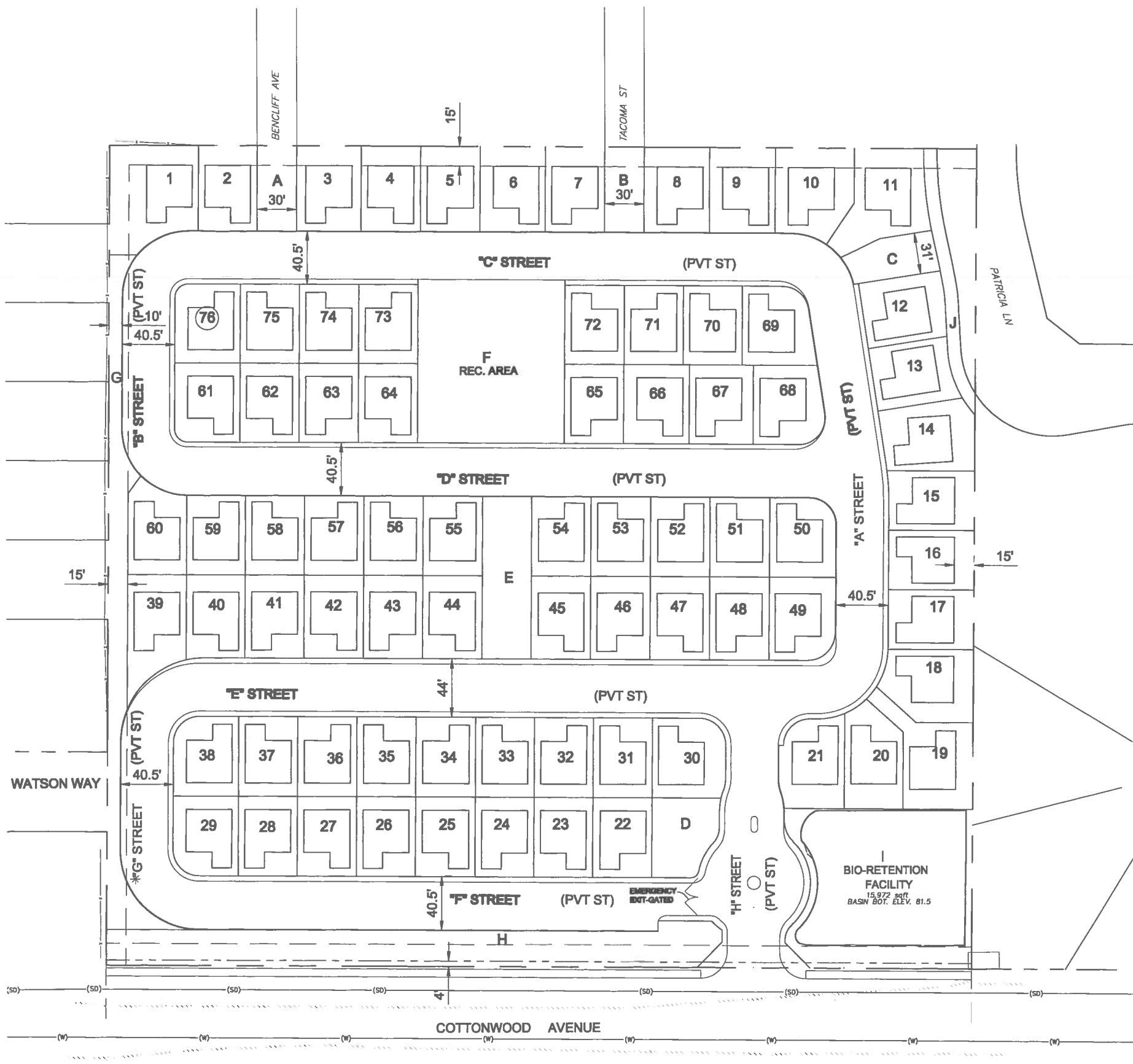
**B & E ENGINEERS** 20 E. FOOTBALL BLVD., STE. 230  
ARCAHUA, CA 91006-2375  
CIVIL ENGINEERING, SURVEYING, & LAND PLANNING TEL: (928) 448-4449 FAX: (928) 448-8588

**TENTATIVE TRACT MAP No. 34544**  
LOCATED IN THE CITY OF MORENO VALLEY  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

DATE: 12-15-2014 RARY F. ANNO RCE 41729  
SCALE: 1"=40' JUN 2014109-00 SHT. 1 OF 1 SHTS.







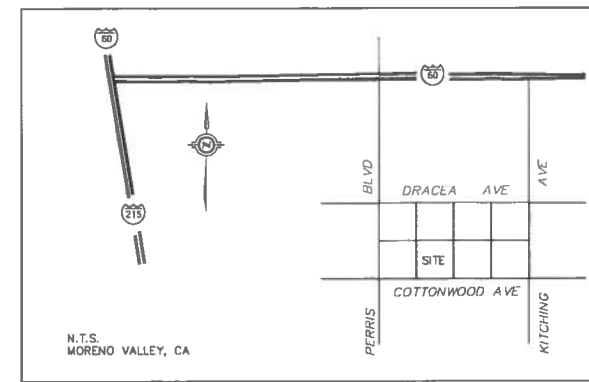
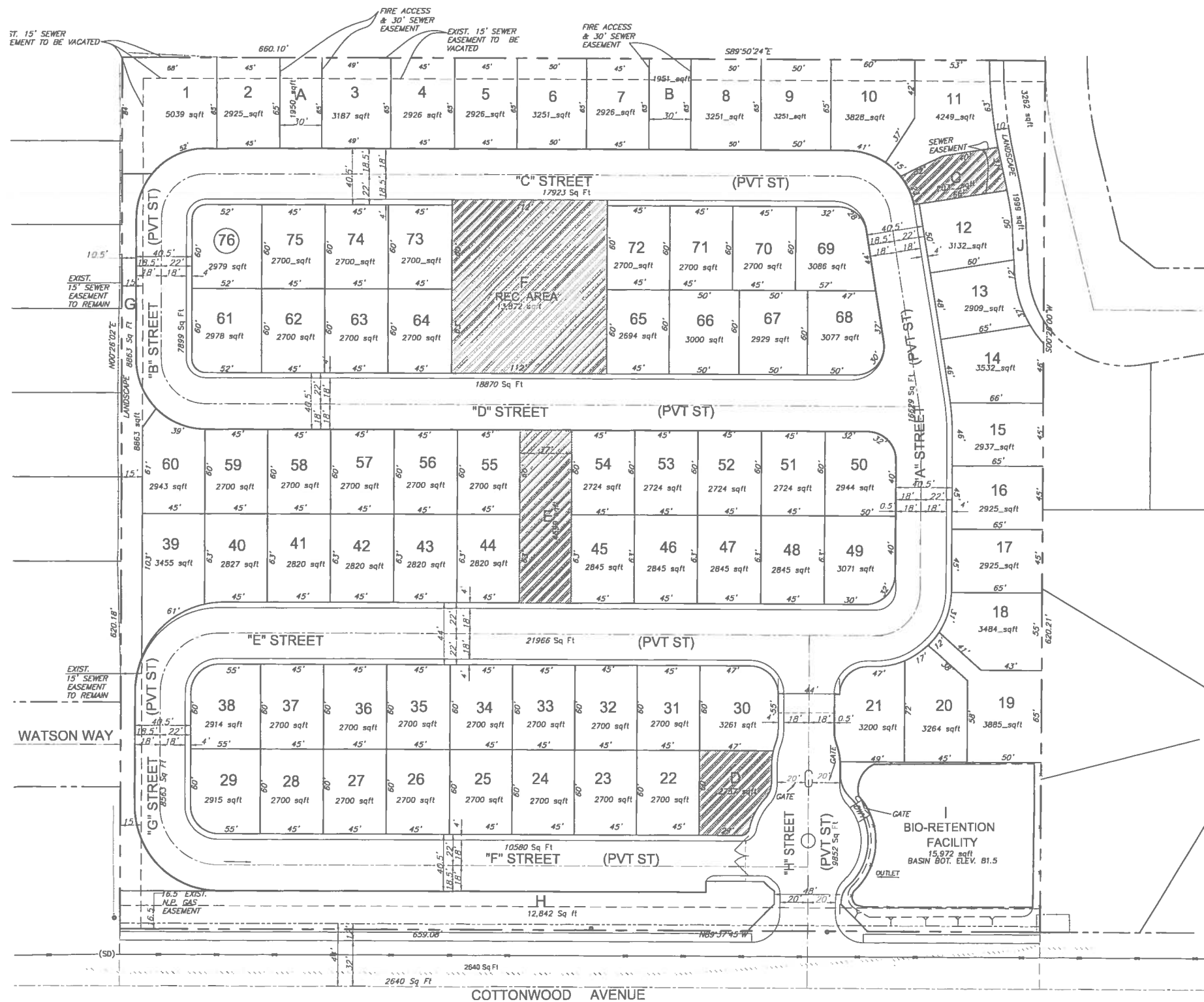
**HOUSE PLOTTING**  
**PA14-0032 TTM 34544**  
**FOR CONDOMINIUM PURPOSES**

**B & E ENGINEERS** 20 E. FOOTHILL BLVD., STE. 230  
 ARCADIA, CA 91006-3375  
 TEL: (626) 446-4448 FAX: (626) 446-6568

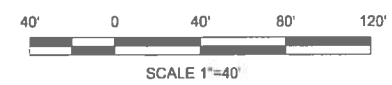
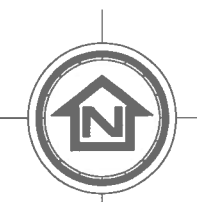
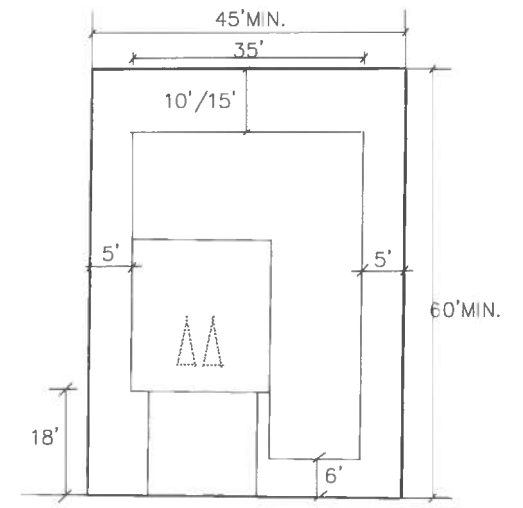
**TENTATIVE TRACT MAP No. 34544**  
 LOCATED IN THE CITY OF MORENO VALLEY  
 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

12-15-2014 Remy F. Arad RCE 41729  
 SCALE: 1"=40' JN 2014109-00 SHT. 1 OF 1 SHTS.

PLANNING PREPARED BY: B&E ENGINEERS, 20 E. FOOTHILL BLVD., STE. 230, ARCADIA, CA 91006-3375, TEL: (626) 446-4448, FAX: (626) 446-6568



| LOT   | AREA(sf) |
|-------|----------|
| C     | 2,003    |
| D     | 2,757    |
| E     | 4,599    |
| F     | 13,872   |
| TOTAL | 23,231   |



**LOT AREAS  
PA14-0032 TTM 34544  
FOR CONDOMINIUM PURPOSES**

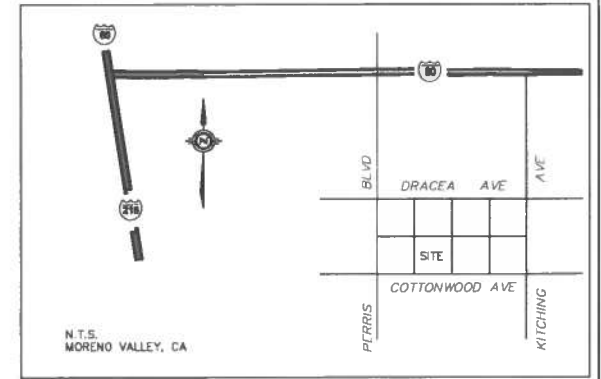
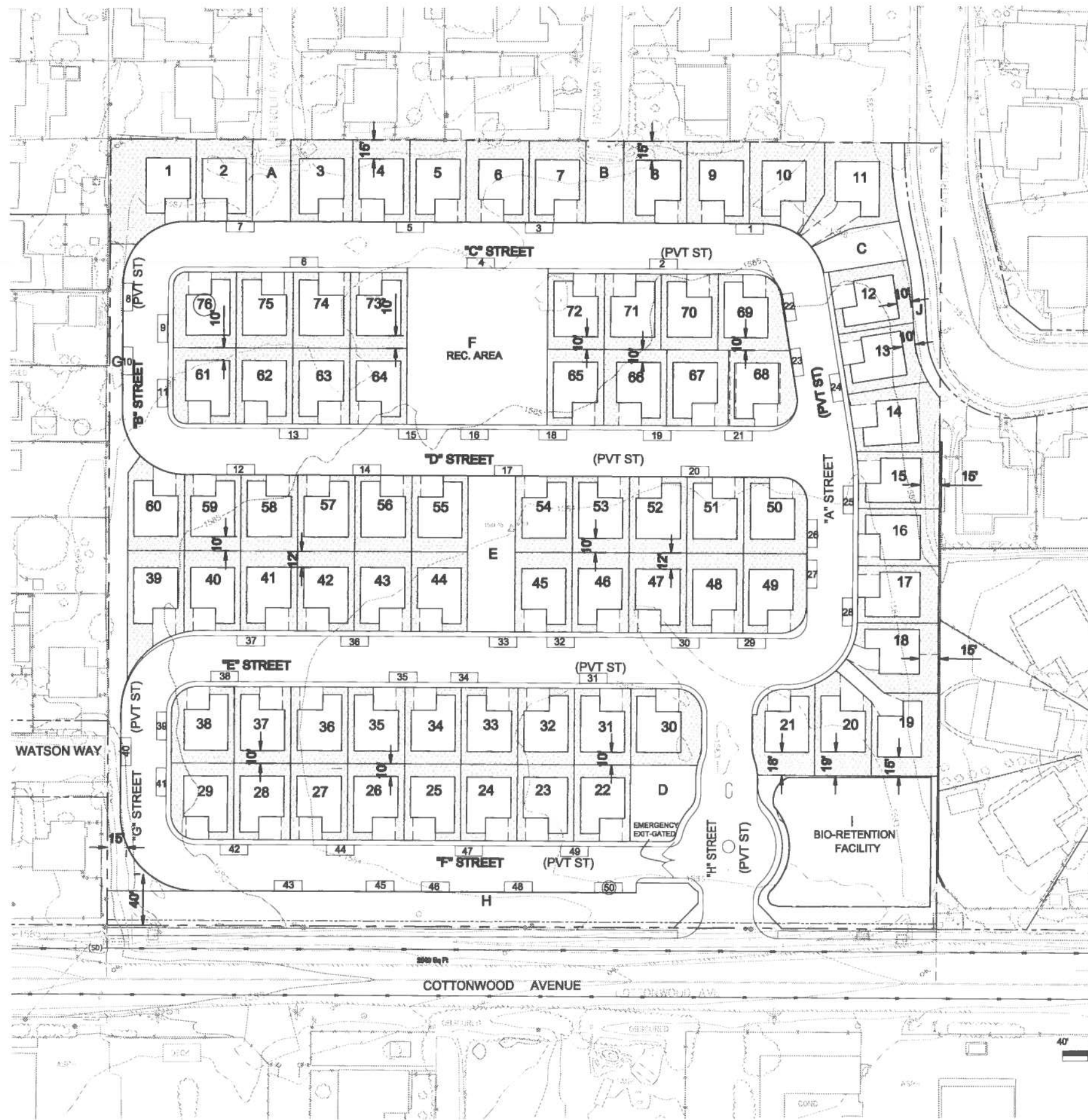
**B & E ENGINEERS** 20 E. FOOTHILL BLVD., STE. 230  
ARCADIA, CA 91006-2375  
TEL (626) 446-4449 FAX (626) 446-8566

**TENTATIVE TRACT MAP No. 34544**  
LOCATED IN THE CITY OF MORENO VALLEY  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

12-12-2014 RAMY F. ANAD RCE 41729

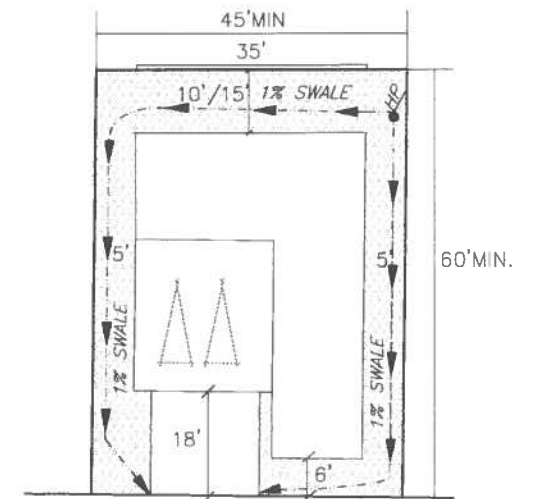
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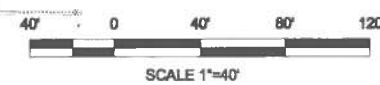
**PARKING SPACES**

|                         |     |
|-------------------------|-----|
| 2 GARAGE /UNIT          | 152 |
| SPACES IN DRIVEWAY      | 152 |
| SUBTOTAL                | 304 |
| STREET PARKING PER CITY |     |
| OF MORENO VALLEY STDS   | 50  |
| TOTAL                   | 354 |



PRIVATE STREET  
TYPICAL PAD GRADING AND  
TYPICAL YARD SETBACKS

NTS



**YARD EXHIBIT  
PA14-0032 TTM 34544  
FOR CONDOMINIUM PURPOSES**

**B & E ENGINEERS** 20 E. FOOTHILL BLVD., STE. 230  
ARCADIA, CA 91006-2375  
TEL: (626) 448-4449  
FAX: (626) 448-4568



**TENTATIVE TRACT MAP No. 34544**  
LOCATED IN THE CITY OF MORENO VALLEY  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

12-15-2014 RANDY F. ANAND RCE 41729  
SCALE: 1"=40' JN 2014109-00 SHT. 1 OF 1 SHTS.

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# **COTTONWOOD**

## **TTM 34544 PLANNED UNIT DEVELOPMENT**

*Lead Agency:*

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

*Developed by:*

**FRONTIER COMMUNITIES**  
8300 Utica Avenue, Suite 300  
Rancho Cucamonga, CA 31739

*Prepared by:*

**T&B PLANNING, INC.**  
17542 East 17<sup>th</sup> Street, Suite 100  
Tustin, CA 92780

*In Consultation With:*

B&E Engineers  
*Civil Engineering*

Kevin L. Crook Architect, Inc.  
*Architecture*

BMLA  
*Landscape Architecture*

**December 2014**

**ATTACHMENT 8**

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B. Project Location I-1
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B. Plotting Standards II-1
III. Architectural Design Guidelines III-1
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## I. INTRODUCTION

### A. DOCUMENT PURPOSE

Pursuant to City of Moreno Valley Municipal Code Section 9.03.060, Planned Unit Developments allow for greater innovation in housing development and diversity of housing choice than would otherwise be possible according to the strict application of the site development regulations defined by the City's Municipal Code.

This document serves as the Planned Unit Development for the COTTONWOOD community, Tentative Tract Map 34544, as shown on Figure I-1, *Tentative Tract Map 34544*, which shall be enforced by the City of Moreno Valley via conditions of approval placed on TTM 34544, these PUD Guidelines and where silent, the City's Municipal Code requirements will apply. Tentative Tract Map 34544 creates a residential condominium map that provides for the development of 76 detached residences. Development within the COTTONWOOD community is required to substantially conform to the physical characteristics and design concepts set forth in this document. The City has the discretion to determine if implementing actions substantially conform to this Planned Unit Development document. If an implementing action does not substantially conform, a formal modification to this Planned Unit Development document may be required, which shall require approval by the City of Moreno Valley

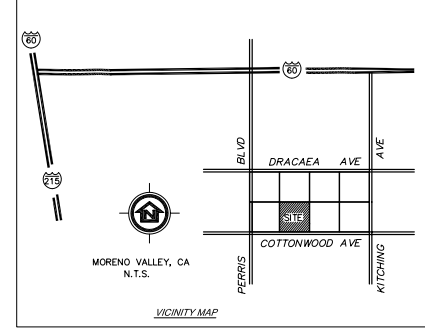
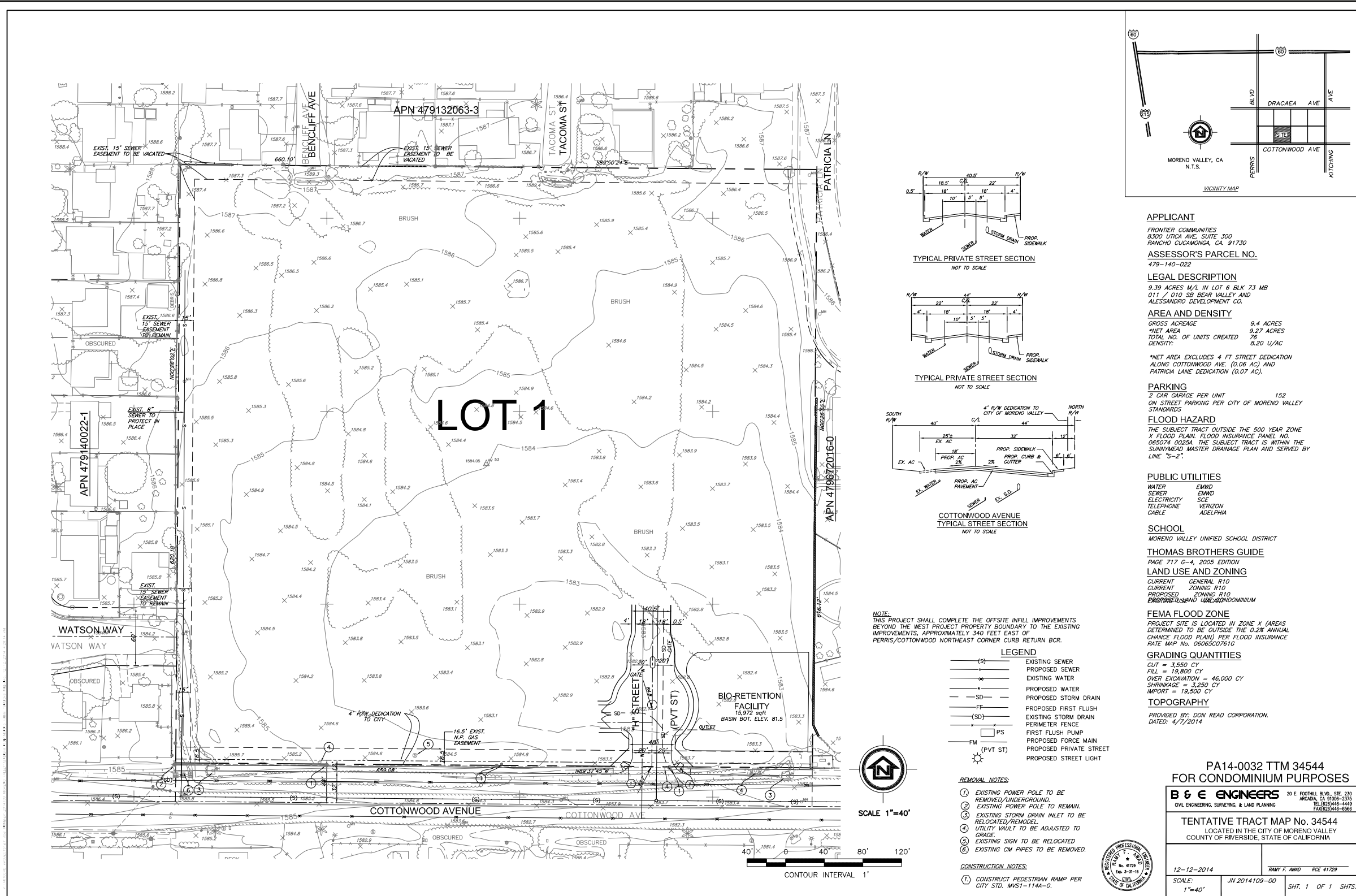
The Site Planning and Design Standards (Section II) set forth minimum requirements that shall be adhered to when plotting a home on a residential lot. The Architectural Design Guidelines (Section III) and Landscape Design Guidelines (Section IV) set forth the community's design theme and contain graphic representations that illustrate COTTONWOOD's design theme and its key implementing elements, include residential floor plans and elevations, landscaping, and community theming elements such as entry monumentation, gates and walls.

### B. PROJECT LOCATION

The COTTONWOOD community is located on approximately 9.4 acres in the City of Moreno Valley, Riverside County, California. Specifically, COTTONWOOD is located north of Cottonwood Avenue, west of Kitching Avenue, east of Perris Boulevard, and south of Dracea Avenue. The location of the COTTONWOOD community is graphically depicted on Figure I-2, *Vicinity Map*.



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**APPLICANT**  
FRONTIER COMMUNITIES  
8300 UTICA AVE, SUITE 300  
RANCHO CUCAMONGA, CA 91730

**ASSESSOR'S PARCEL NO.**  
479-140-022

**LEGAL DESCRIPTION**  
9.39 ACRES M/L IN LOT 6 BLK 73 MB  
011 / 010 SB BEAR VALLEY AND  
ALESSANDRO DEVELOPMENT CO.

**AREA AND DENSITY**

|                            |            |
|----------------------------|------------|
| GROSS ACREAGE              | 9.4 ACRES  |
| NET AREA                   | 9.27 ACRES |
| TOTAL NO. OF UNITS CREATED | 76         |
| DENSITY:                   | 8.20 U/AC  |

\*NET AREA EXCLUDES 4 FT STREET DEDICATION ALONG COTTONWOOD AVE. (0.06 AC) AND PATRICIA LANE DEDICATION (0.07 AC).

**PARKING**  
2 CAR GARAGE PER UNIT 152  
ON STREET PARKING PER CITY OF MORENO VALLEY STANDARDS

**FLOOD HAZARD**  
THE SUBJECT TRACT OUTSIDE THE 500 YEAR ZONE X FLOOD PLAIN. FLOOD INSURANCE PANEL NO. 065074 0029A. THE SUBJECT TRACT IS WITHIN THE SUNNYMEAD MASTER DRAINAGE PLAN AND SERVED BY LINE "S-2".

**PUBLIC UTILITIES**

|             |          |
|-------------|----------|
| WATER       | EMWD     |
| SEWER       | EMWD     |
| ELECTRICITY | SCE      |
| TELEPHONE   | VERIZON  |
| CABLE       | ADELPHIA |

**SCHOOL**  
MORENO VALLEY UNIFIED SCHOOL DISTRICT

**THOMAS BROTHERS GUIDE**  
PAGE 717 G-4, 2005 EDITION

**LAND USE AND ZONING**

|                 |                            |
|-----------------|----------------------------|
| CURRENT ZONING  | R10                        |
| PROPOSED ZONING | R10                        |
| PROPOSED USE    | RESIDENTIAL MEDIUM DENSITY |

**FEMA FLOOD ZONE**  
PROJECT SITE IS LOCATED IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN) PER FLOOD INSURANCE RATE MAP No. 9006507610

**GRADING QUANTITIES**

|                 |             |
|-----------------|-------------|
| CUT             | = 3,500 CY  |
| FILL            | = 18,800 CY |
| OVER EXCAVATION | = 46,000 CY |
| SHRINKAGE       | = 3,250 CY  |
| IMPORT          | = 18,500 CY |

**TOPOGRAPHY**  
PROVIDED BY: DON READ CORPORATION.  
DATED: 4/7/2014

PA14-0032 TTM 34544  
FOR CONDOMINIUM PURPOSES

**B & E ENGINEERS** 20 E. FOOTHILL BLVD., STE. 230  
ARCADIA, CA 91006-2375  
TEL: (916) 446-4489  
FAX: (916) 446-6566

CIVIL ENGINEERING, SURVEYING, & LAND PLANNING

TENTATIVE TRACT MAP No. 34544  
LOCATED IN THE CITY OF MORENO VALLEY  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

12-12-2014 RARY F. ANAD RCE 41729

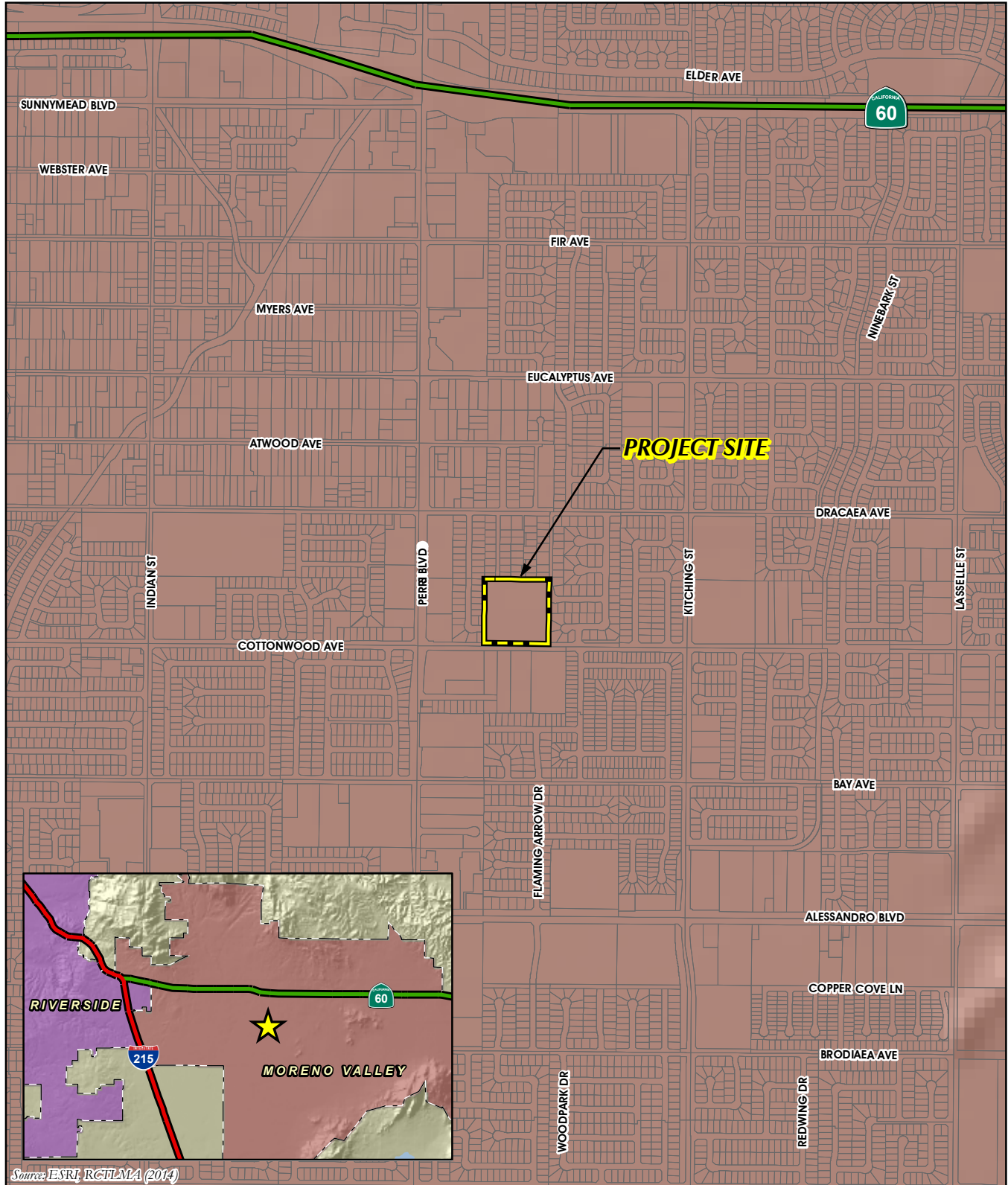
SCALE: 1"=40' JUN 2014 109-00 SHT. 1 OF 1 SHTS.

Source: B&E Engineers (12-12-2014)

# COTTONWOOD



TTM 34544 Planned Unit Development



**T&B PLANNING, INC.**  
17342 East 17th Street, Suite 100 | Tustin, CA 92780  
p. 714.505.6360 | f. 714.505.6361  
www.tbplanning.com



Figure I-2  
**VICINITY MAP**

**II. SITE PLANNING AND DESIGN**

This section includes site planning and design standards that will be enforced to provide for a varied street scene and enable interconnectivity between each home and the community’s recreational amenities.

**A. DEVELOPMENT STANDARDS**

In order to ensure a varied street scene and to avoid the monotonous repetitive appearance, this Planned Unit Development applies the following development standards to accomplish these goals:

- i. Covered or uncovered porches may be located 6 feet from the edge of sidewalk.
- ii. Driveways for each residential unit shall be a minimum of 18 feet from the back of curb to garage door.
- iii. Minimum setbacks for Lot 1 of TTM 34544 on the north and east sides of lot shall be 15 feet.

These and other standards are summarized in Table II-1, *Development Standards*.

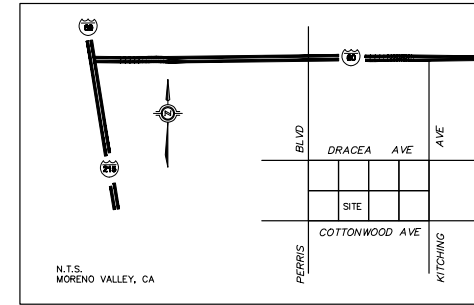
**Table II-1 Development Standards**

|   |   |
|---|---|
| <b>Building Separation</b>              |   |
| Building to Building Separation         | 10 feet   |
| Building Separation from Sidewalk/Curb: | 18 feet to garage<br>10 ½ feet to living area<br>6 feet to covered or uncovered porches |
| <b>Other</b>                            |   |
| Maximum Building Height:                | 35 feet   |

**B. PLOTTING STANDARDS**

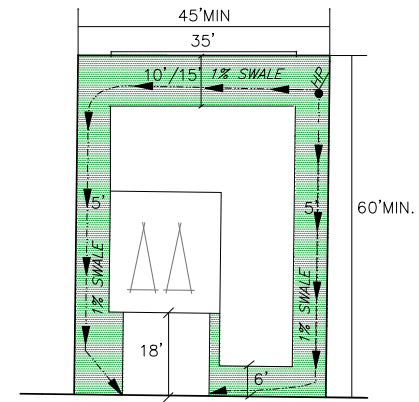
COTTONWOOD shall feature a range of home sizes, home styles and floor plans, as described in Section III, *Architectural Design Guidelines*. Figure II-1, *Parking and Private Yards*, illustrates the proposed plotting of residential units for TTM 34544. Each individual ownership right shall include a minimum 2,700 square foot plot of exclusive use area made up of a minimum 10-foot flat rear yard and minimum 5-foot side yards between the residence and the Vinyl Fence that separates each unit.

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**PARKING SPACES**

|   |            |
|---|------------|
| 2 GARAGE /UNIT                                | 152        |
| SPACES IN DRIVEWAY                            | 152        |
| <b>SUBTOTAL</b>                               | <b>304</b> |
| STREET PARKING PER CITY OF MORENO VALLEY STDS |            |
|   | 50         |
| <b>TOTAL</b>                                  | <b>354</b> |



PRIVATE STREET  
**TYPICAL PAD GRADING AND TYPICAL YARD SETBACKS**  
NTS

FLAT USABLE AREA

**YARD EXHIBIT  
PA14-0032 TTM 34544  
FOR CONDOMINIUM PURPOSES**

**B & E ENGINEERS** 20 E. FOOTBALL BLVD., STE. 230  
ARCADIA, CA 91706-2378  
CIVIL ENGINEERING, SURVEYING, & LAND PLANNING  
TEL: (925) 446-4449  
FAX: (925) 446-6565



**TENTATIVE TRACT MAP No. 34544**  
LOCATED IN THE CITY OF MORENO VALLEY  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

12-15-2014  
SCALE: 1"=40'  
JUN 2014 109-00  
SHT. 1 OF 1 SHTS

Source: B & E Engineers (12-15-14)

Figure II-1

**PARKING AND PRIVATE YARDS**

## III. ARCHITECTURAL DESIGN GUIDELINES

### A. ARCHITECTURAL DESIGN

These guidelines convey the architectural design theme required in the COTTONWOOD community. These Architectural Design Guidelines provide three floor plans and three architectural styles for each floor plan for a total of nine floor plan/style combinations. Each unit within Cottonwood shall use one of these nine combinations as shown.

#### 1. Form and Massing

Building mass and scale are two primary design components that affect how a building is perceived. The creative use of design articulation of the building's visible façades, variation of rooflines, balance of roof forms, and changes in vertical and horizontal planes reduces the perceived mass of a building. Even if the front elevation setback for adjacent homes is the same, variations in massing can provide an abundance of visual interest.

- i. Homes shall be arranged in a manner that creates a harmonious, varied appearance of building heights and setbacks.
- ii. Exposed elevations of a two-story house must have at least one plane break at the first and/or second story in order to avoid monolithic elevations. A plane break must be offset by at least twelve inches (12") at enhanced (exposed) elevations.

#### 2. Roofs

The roofline is a dominant visual element of a home. A roof's composition allows for a clean interface with the building and the building façade. The roof's form and composition should reflect the appropriate roof pitch, characteristics, and materials that are consistent and true to the selected architectural style, and shall also not be overbearing nor give the appearance of being disjointed.

- i. Roof materials and colors selected for an architectural style reflect the elements that are typically used in that style.
- ii. Aftermarket solar panels, if used, should be integrated into the roof design as an unobtrusive element. Roofs shall be designed with a 4:12 or 5:12 pitch to accommodate the installation of solar panels.

#### 3. Garage Location and Design

To achieve attractive streetscenes throughout the COTTONWOOD community, particular attention must be given to the design and placement of garages.

- i. Garage door style, color and design reflects the architectural character of the home and will vary between adjacent homes, when appropriate. Acceptable garage door styles include, but are not limited to raised panel, recessed panel, and flush panel automatic roll-up door designs.
- ii. Driveways may include accent paving and a decorative, maintenance-free decorative strip, such as pavers, or other pervious materials, as additional options to provide an enhanced streetscene.

Adherence to the following shall be required:

- iii. Front-facing garage door widths limited to 65% of the house width.
- iv. A minimum 3-foot wide landscape area shall be located on both sides of a driveway.
- v. All garage doors will include automatic garage door openers.

#### **4. Windows and Doors**

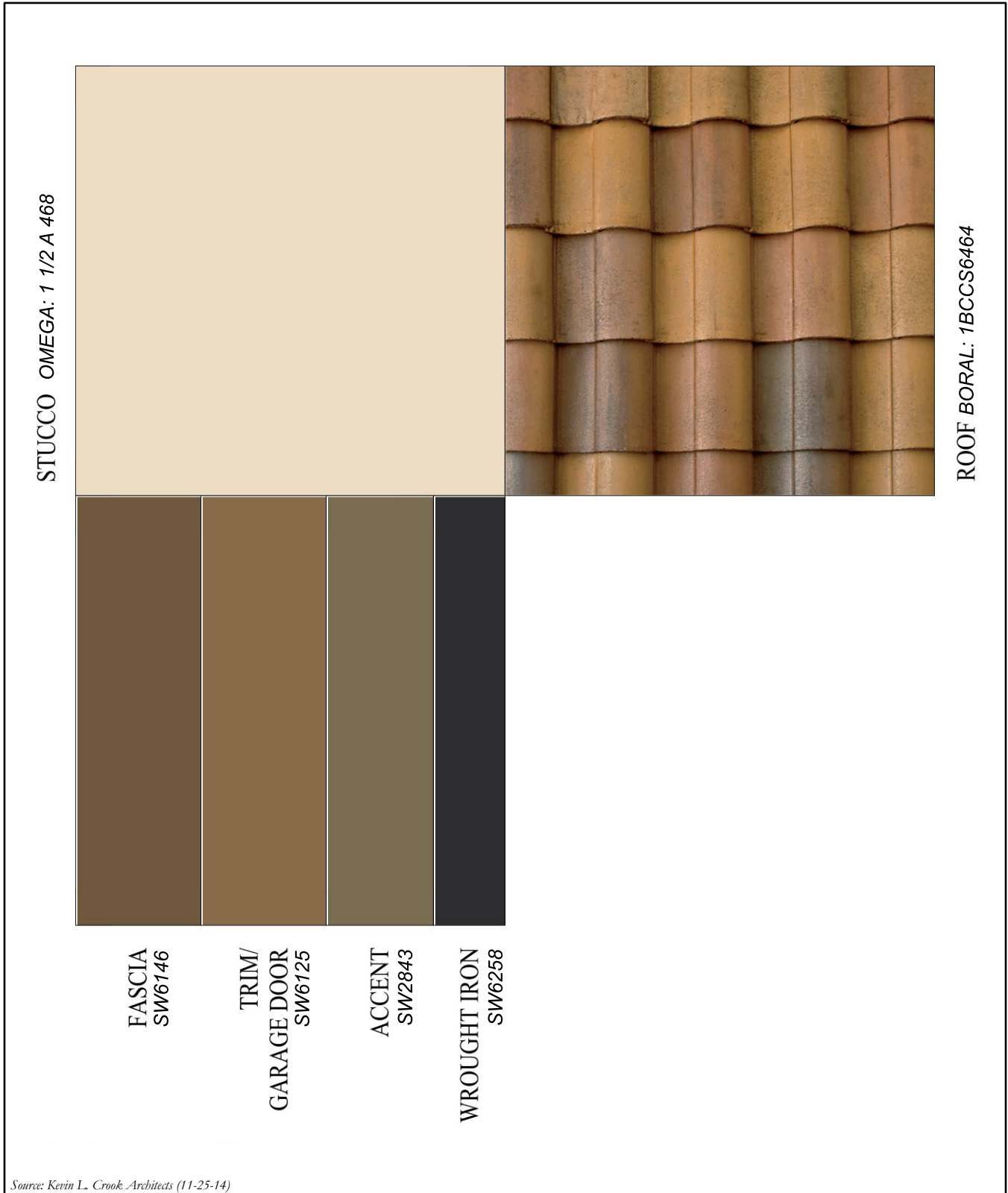
Window and door details are architectural components that carry a strong visual impact through their placement and design.

- i. Front door details shall be consistent with the architectural style.
- ii. Feature window shapes shall be consistent with the architectural style.
- iii. Accent shutters, when used, shall be proportional to the window and shall reflect the architectural style.

#### **5. Building Materials and Colors**

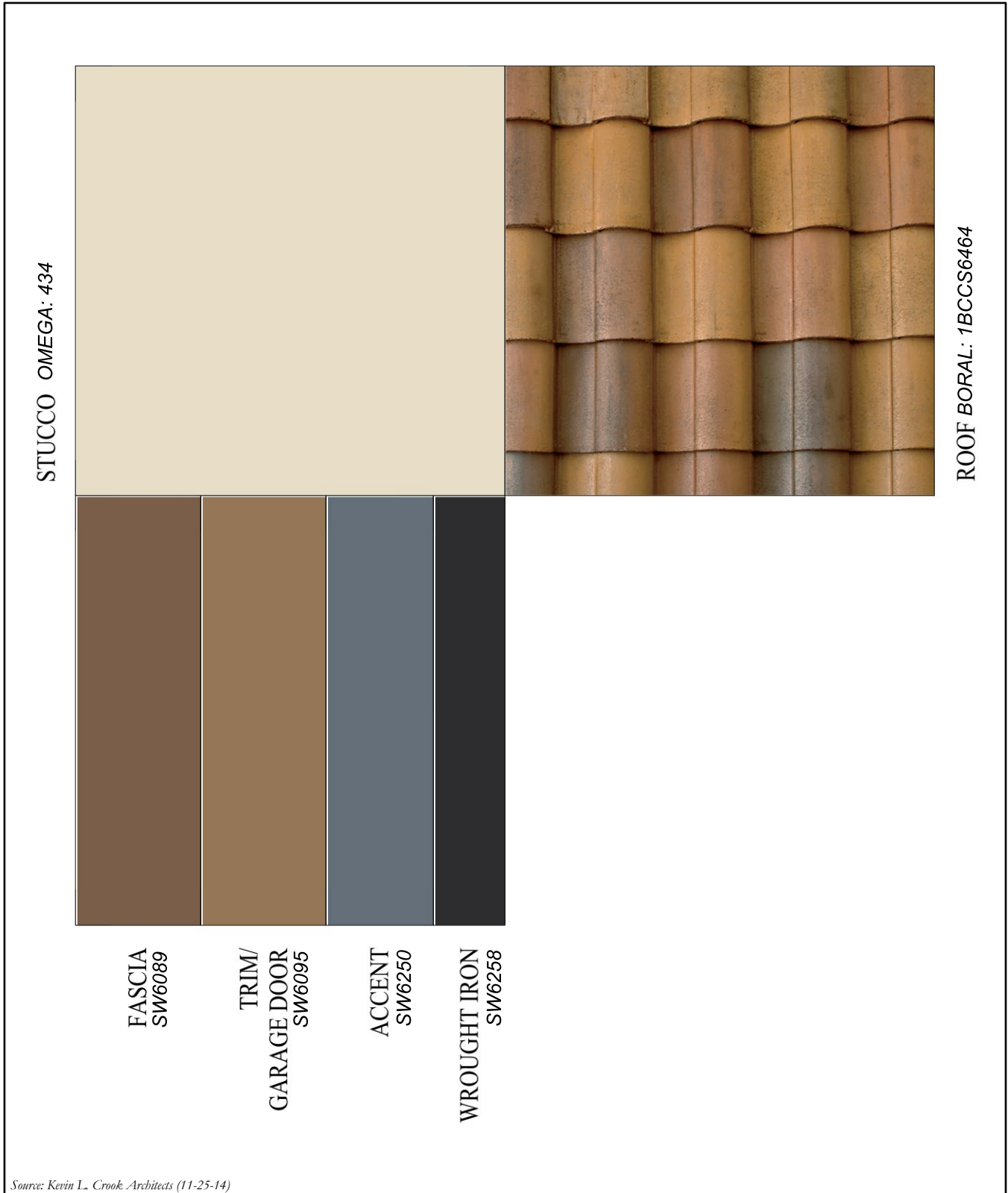
A complementary mixture of colors, textures, and building materials is required throughout the COTTONWOOD community. Building material and color selection are integral components in the definition of a specific architectural style and also provide a varied streetscape design. Material breaks, transitions and terminations should produce complementary and clear definitions of separation while maintaining a prescribed color and materials palette. A variety of exterior accent materials (e.g., brick, stone, siding, pre-cast concrete, ceramic tile, timber) is used as an integral feature in home construction to convey the selected architectural styles.

- i. Three color schemes shall be provided for each architectural style. Color schemes are illustrated in Figures III-1 through III-9.
- ii. A scheme of color values on all exterior elements shall be distinct from one house to the next, with deeper tones encouraged to promote variations. This avoids a monotonous appearance of multiple buildings of the same colors and tones.
- iii. Material breaks, transitions, and termination shall produce complimentary and clear definitions of separation, while maintaining a prescribed color and materials theme. This is especially important in changing from stucco and/or siding to masonry veneers.



Source: Kevin L. Crook Architects (11-25-14)

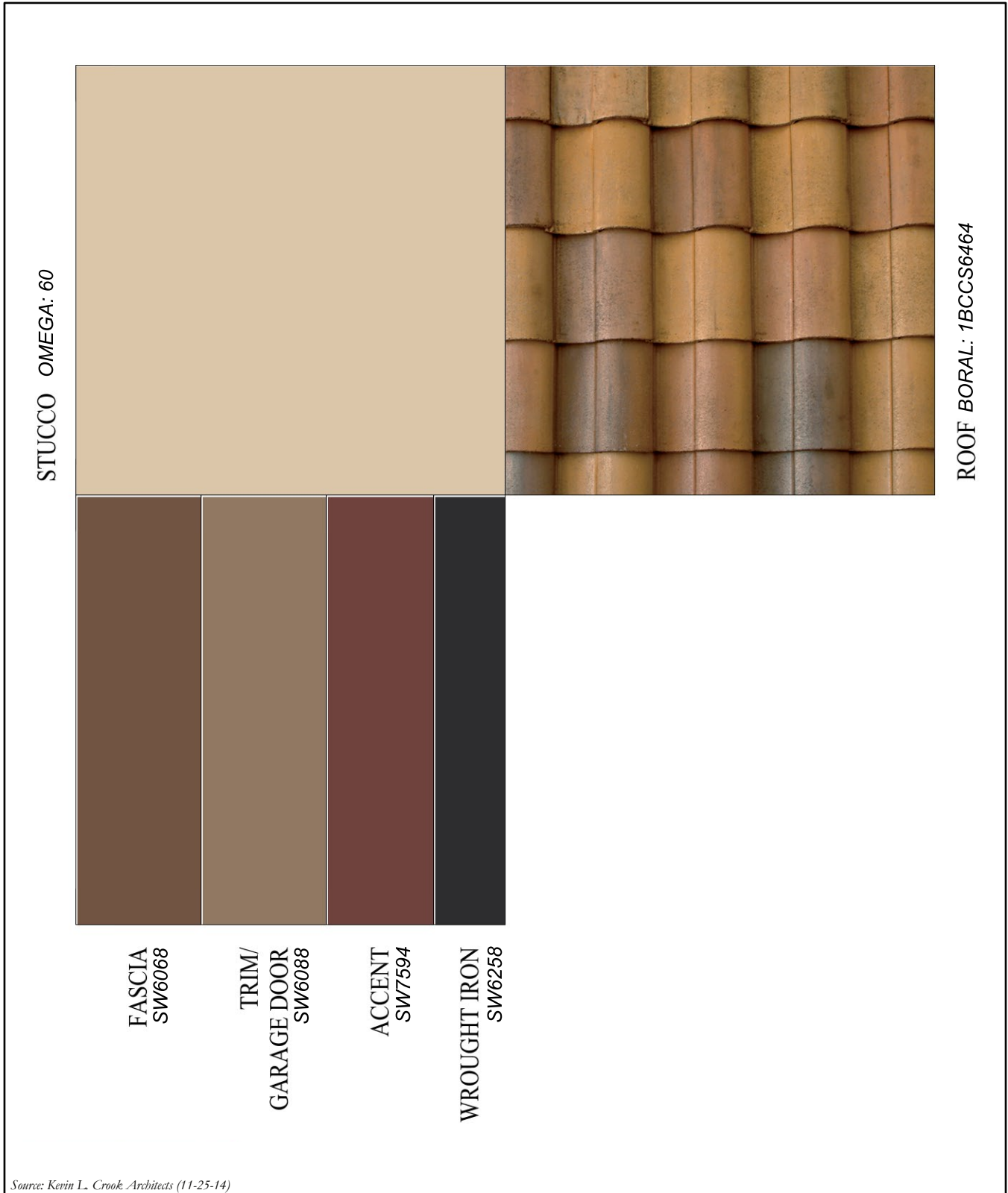
Figure III-1



Source: Kevin L. Crook Architects (11-25-14)

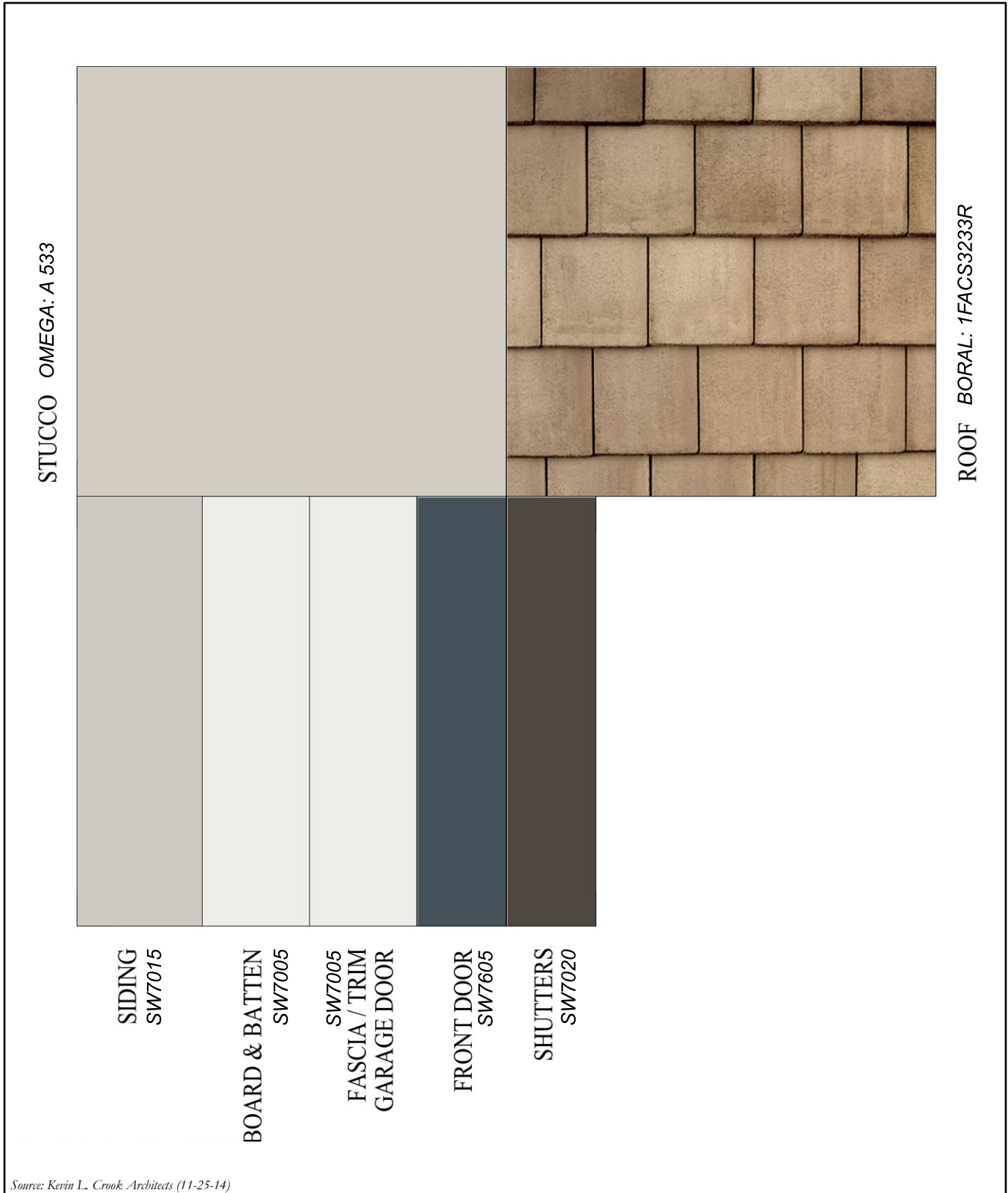
Figure III-2





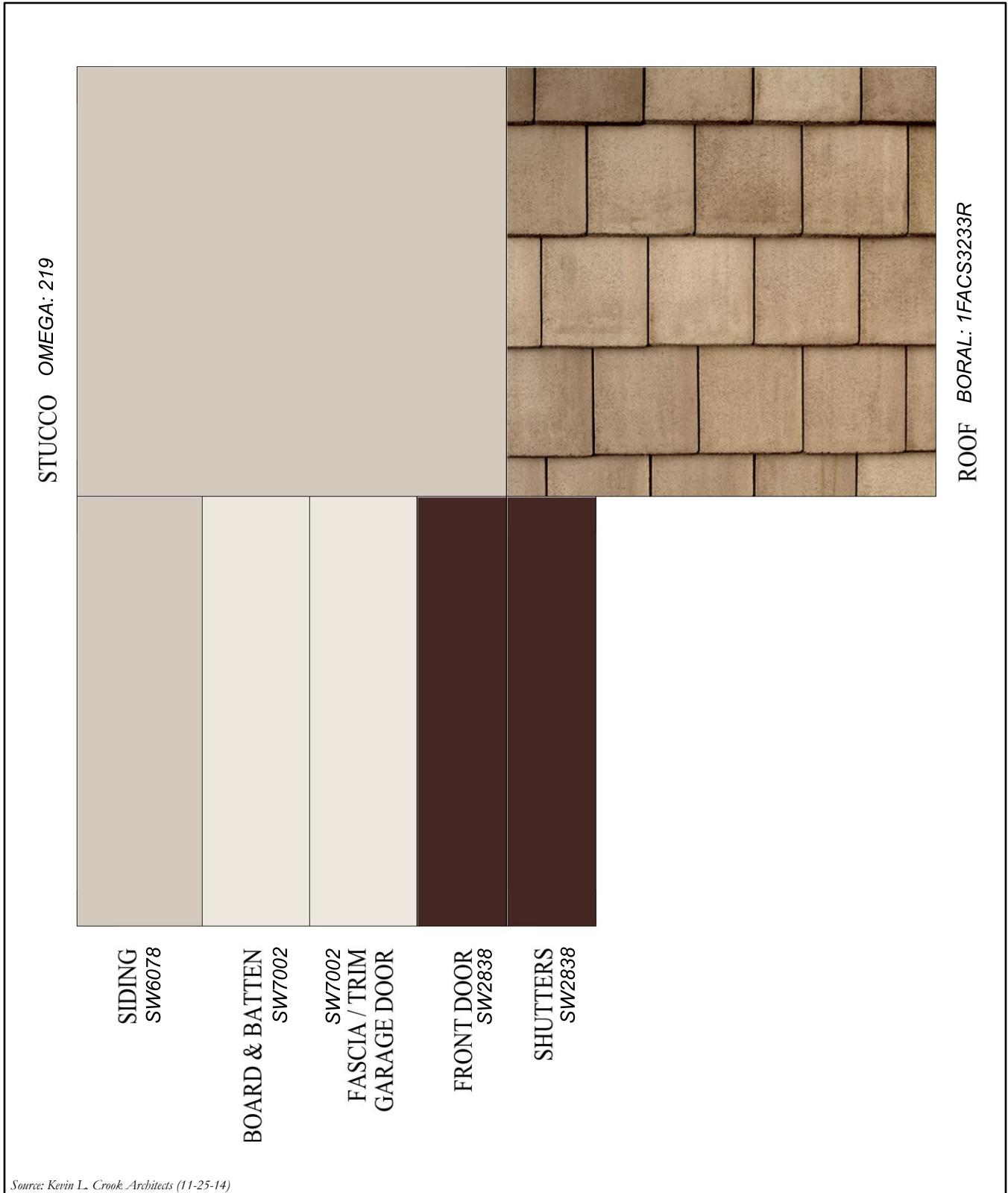
Source: Kevin L. Crook Architects (11-25-14)

Figure III-3



Source: Kevin L. Crook Architects (11-25-14)

Figure III-4



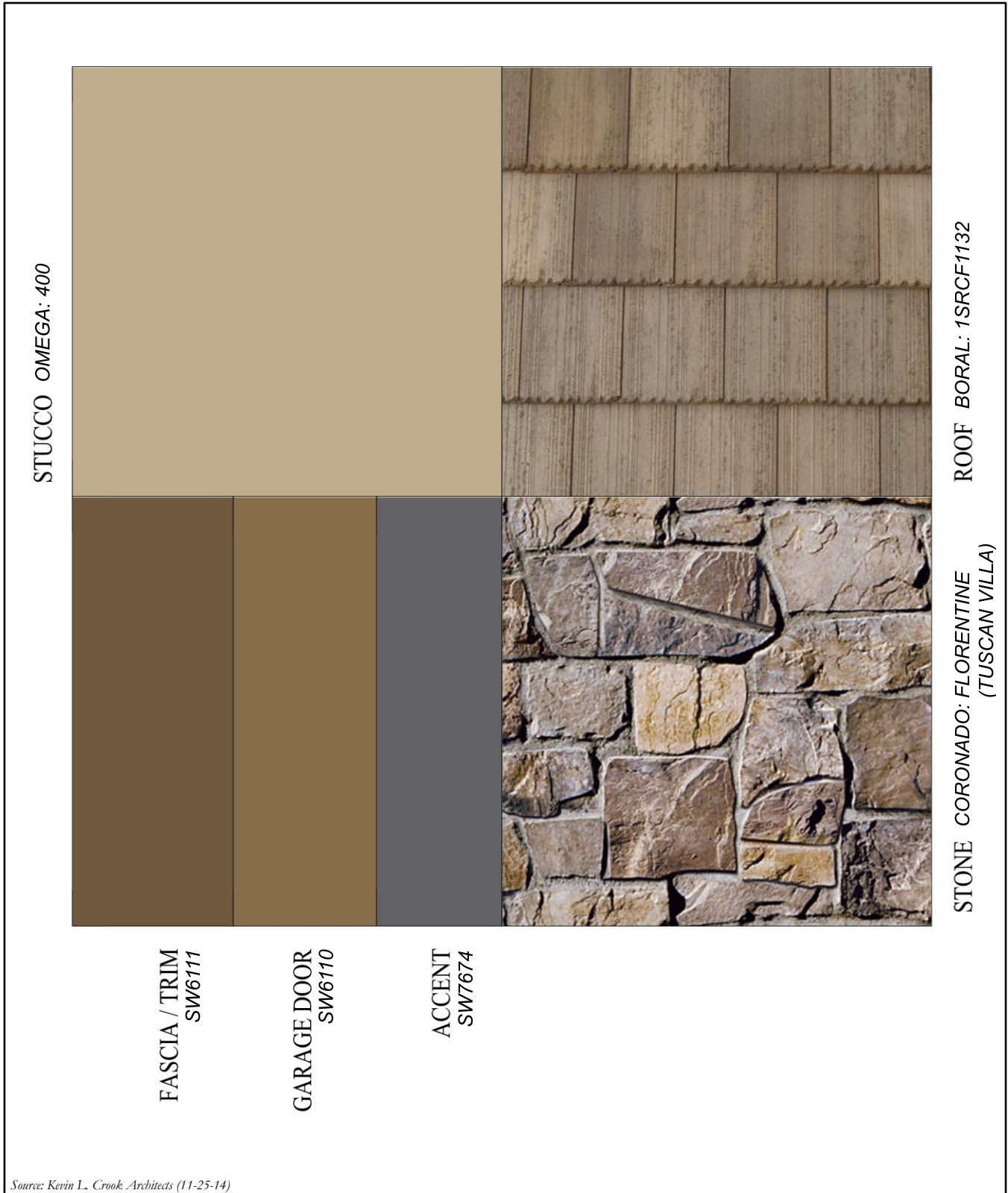
Source: Kevin L. Crook Architects (11-25-14)

Figure III-5



Source: Kevin L. Crook Architects (11-25-14)

Figure III-6



Source: Kevin L. Crook Architects (11-25-14)

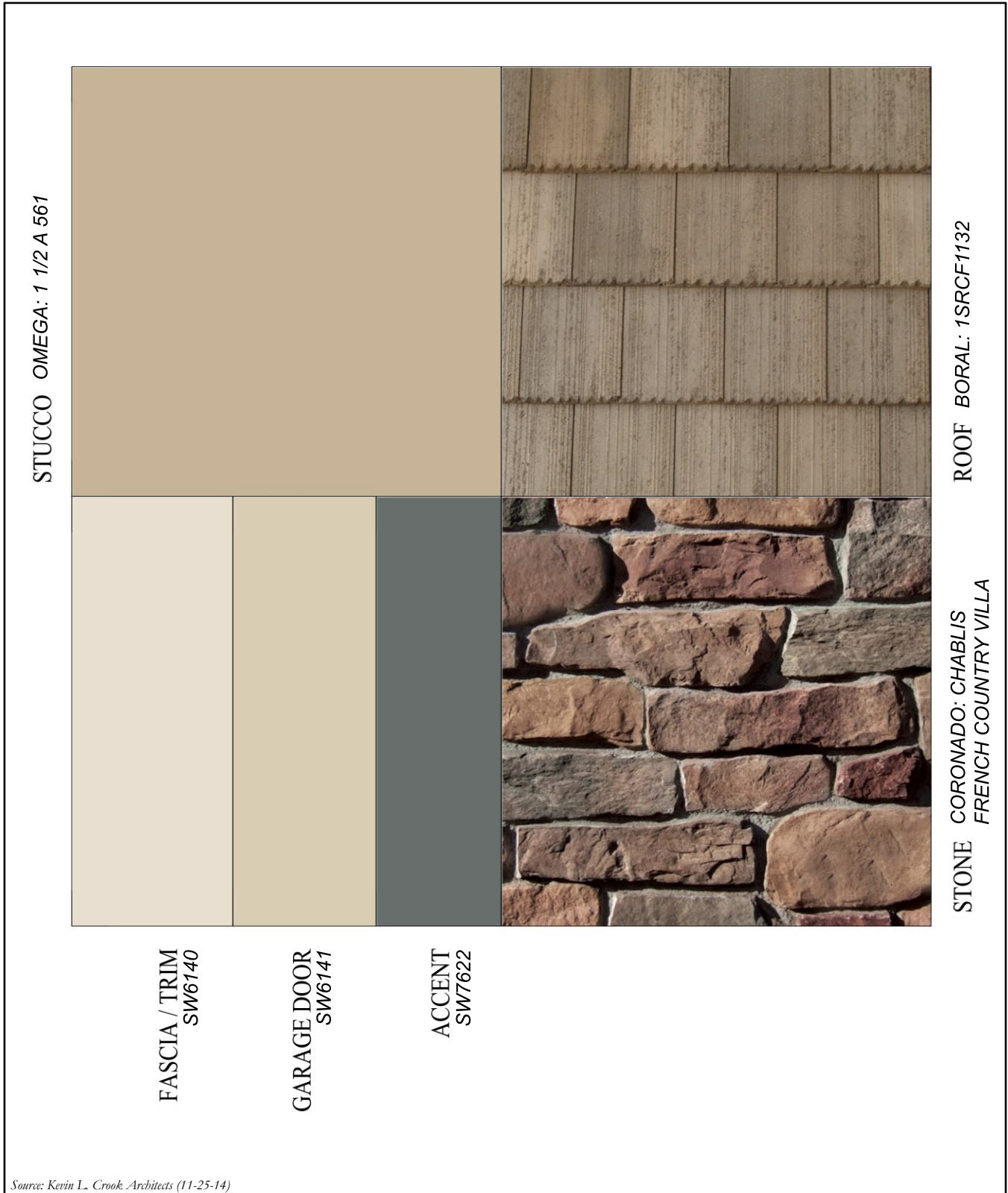
Figure III-7



Source: Kevin L. Crook Architects (11-25-14)

Figure III-8

COTTAGE COLOR SCHEME #2



Source: Kevin L. Crook Architects (11-25-14)

Figure III-9

## 6. Outdoor Lighting

Lighting standards throughout Cottonwood shall be similar in style, color and materials, embracing a natural and minimal lighting approach.

- i. All outdoor lighting shall incorporate, to the extent feasible and permissible under City standards, measures to aid in reducing light pollution. Such measures include: wattage reduction, directing lighting downward, shielding lights (or using "cut-off lights" that only illuminate the side or underside of a fixture, rather than shining skyward) and lowering the height of light poles to reduce the illumination radius.
- ii. All outdoor lighting fixtures shall be focused, directed, and arranged to minimize glare and illumination on public streets and adjoining property.

## 7. Mechanical Equipment

Mechanical equipment such as air conditioners, heaters, evaporative coolers, and other such devices shall not be mounted on any roof and must be located behind privacy walls.

## B. FLOOR PLANS

COTTONWOOD shall include three floor plans, as shown on Figure III-10 through Figure III-12. Elevations for each of the three floor plans are shown in Section C, *Architectural Styles*, below.

Plan 1 is illustrated in Figure III-10, *Floor Plan 1*, and shall be a four bedroom home with a total of 1,893 square feet of living space. Plan 1 will also include a two-car garage and front entry porch.

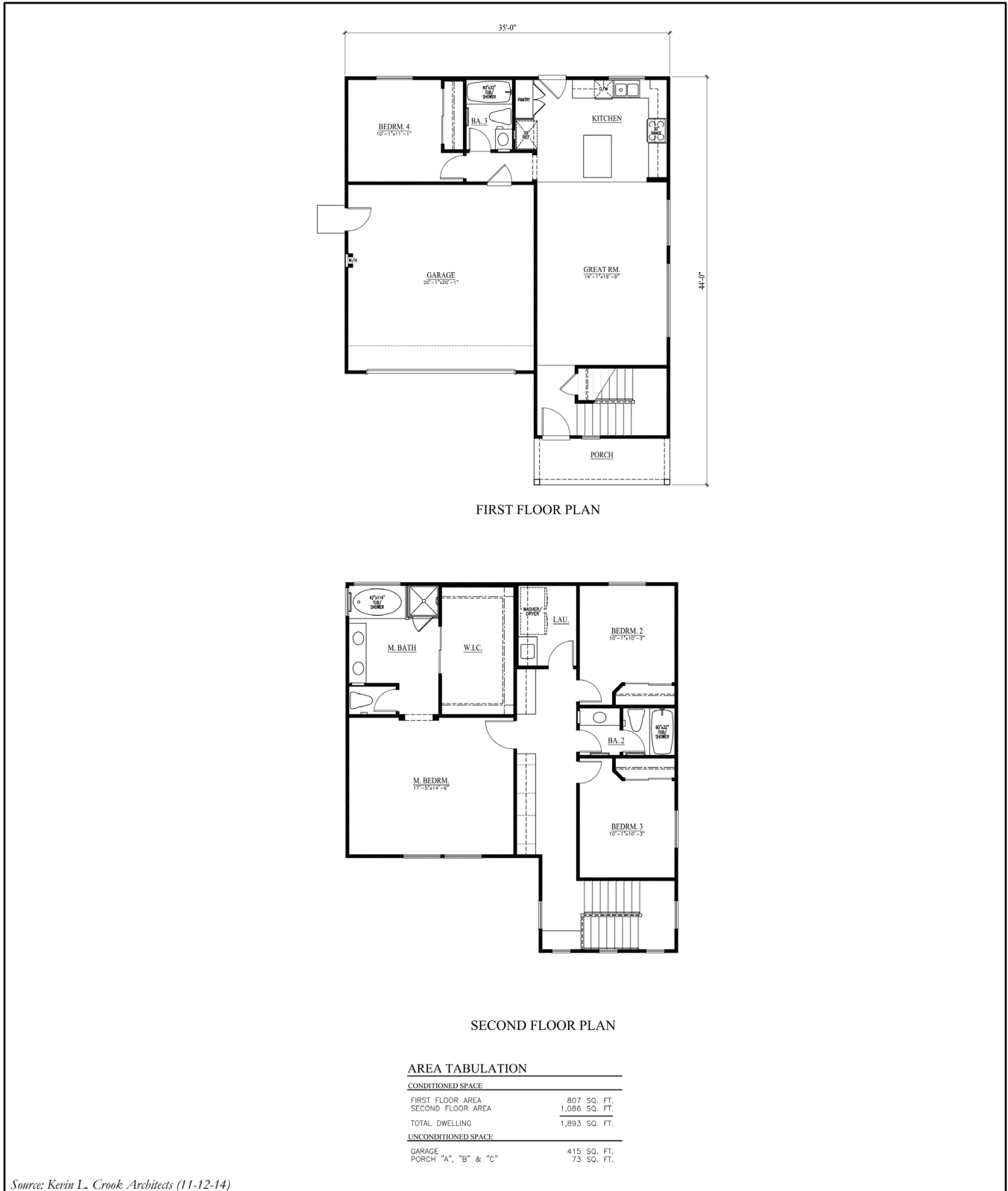
Plan 2 is illustrated in Figure III-11, *Floor Plan 2*, and shall be a five bedroom home with a total of 2,049 square feet of living space. Plan 2 will also include a two car garage and front entry porch.

Plan 3 is illustrated in Figure III-12, *Floor Plan 3*, and shall be a five bedroom home with a total of 2,173 square feet of living space. Plan 3 will also include a two car garage and a front entry porch.

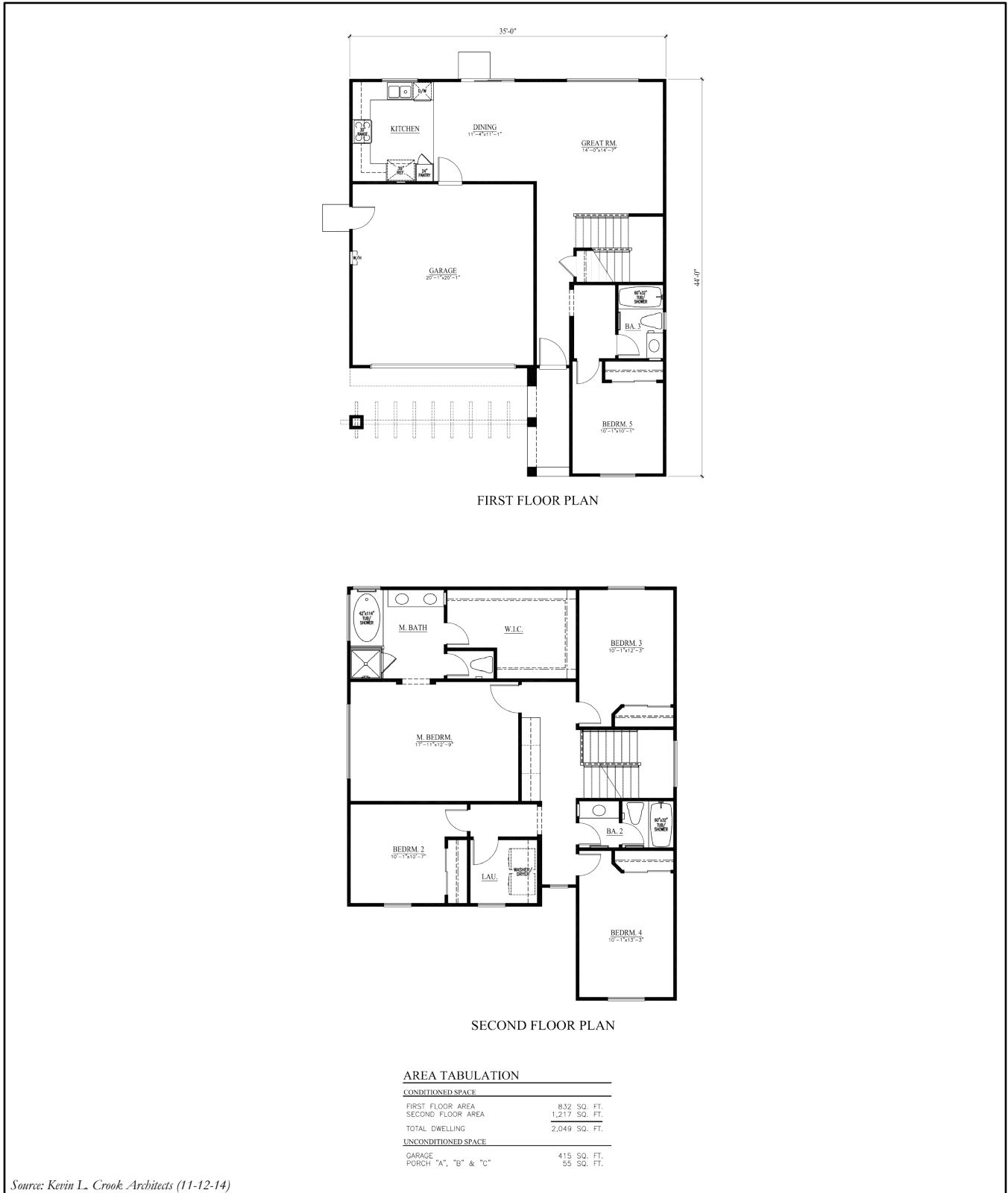
## C. ARCHITECTURAL STYLES

The residential architecture of COTTONWOOD includes a complementary palette of architectural styles that are authentic to the southern California landscape. The three architectural styles within Cottonwood are Spanish, Country and Cottage. The character-defining elements of each architectural style are described below. The list of characteristics serves to highlight the defining features of the elevations within COTTONWOOD.





Source: Kevin L. Crook Architects (11-12-14)



Source: Kevin L. Crook Architects (11-12-14)

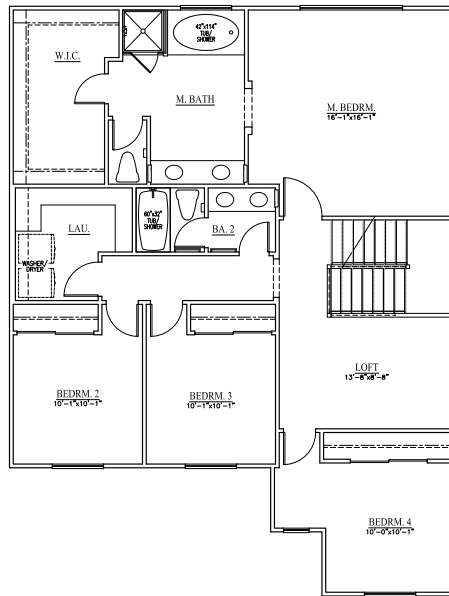
**T&B PLANNING, INC.**  
 17542 East 17th Street, Suite 100 Turin, CA 9278  
 P: 714.505.9360 F: 714.505.9361  
 www.tbplanning.com

NOT TO SCALE

Figure III-11  
**FLOOR PLAN 2**



FIRST FLOOR PLAN



SECOND FLOOR PLAN

**AREA TABULATION**

| CONDITIONED SPACE |               |
|-------------------|---------------|
| FIRST FLOOR AREA  | 860 SQ. FT.   |
| SECOND FLOOR AREA | 1,313 SQ. FT. |
| TOTAL DWELLING    | 2,173 SQ. FT. |

Source: Kevin L. Crook Architects (12-16-14)

### Spanish

The Spanish style spread north with the establishment of the early California Missions with construction based on native materials.

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li><input type="checkbox"/> "S" type roof</li> <li><input type="checkbox"/> Combination of hip and gable roof styles</li> <li><input type="checkbox"/> Stucco wall massing</li> <li><input type="checkbox"/> Arched soffits</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Wood fascia</li> <li><input type="checkbox"/> Plank type shutters</li> <li><input type="checkbox"/> Angled stucco corbels</li> <li><input type="checkbox"/> "Clay" pipe gable detailing</li> </ul> |
|--|--|



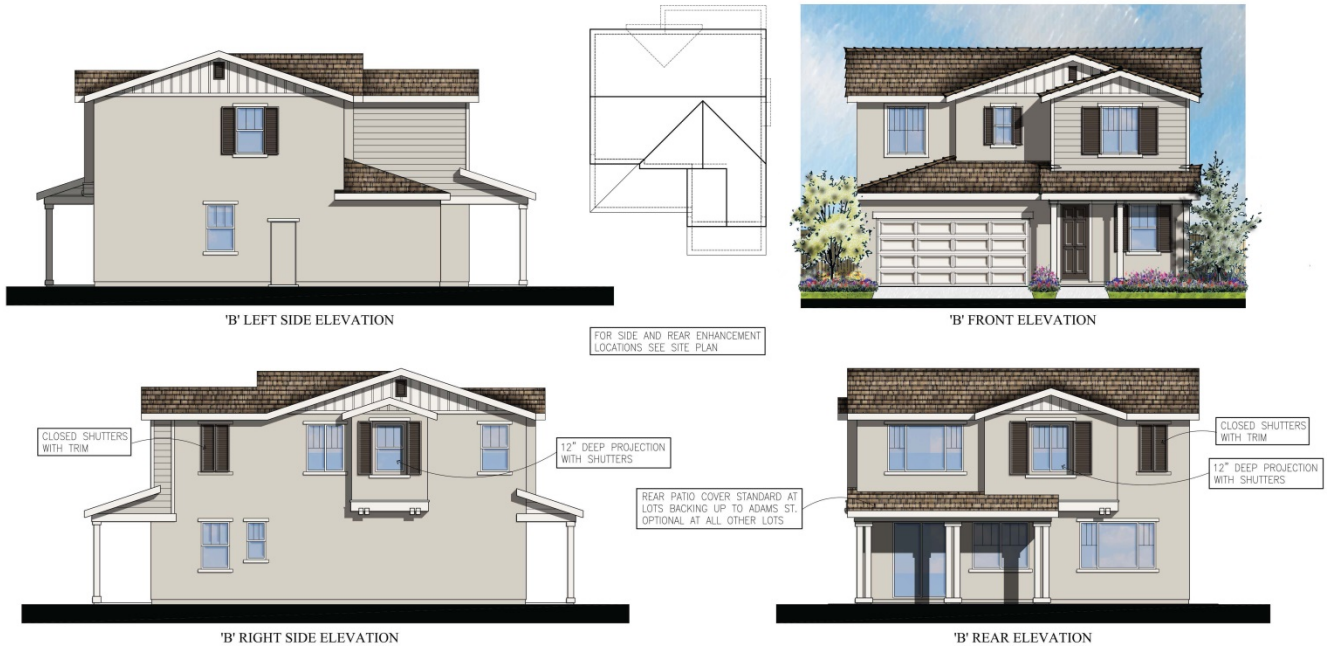
Spanish Style – Plan 1



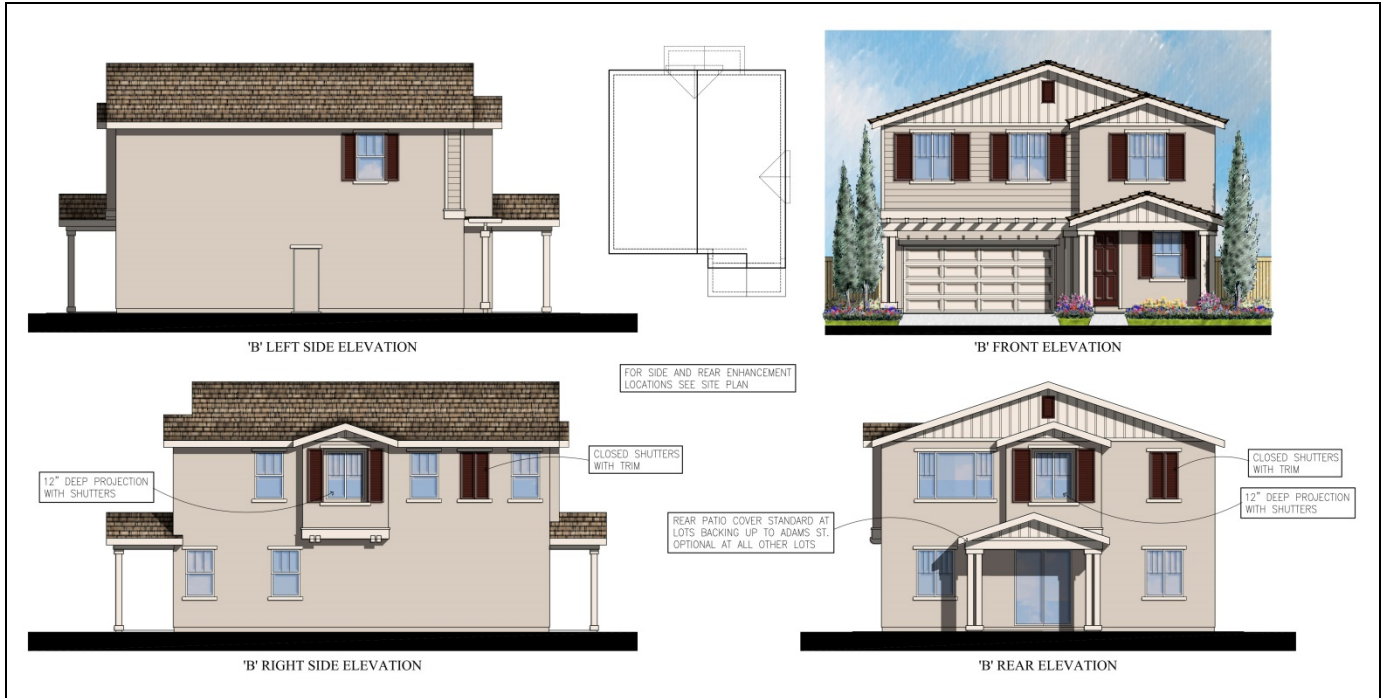
### Country

The Country Styles is a California casual version of the Traditional style originating on the East Coast.

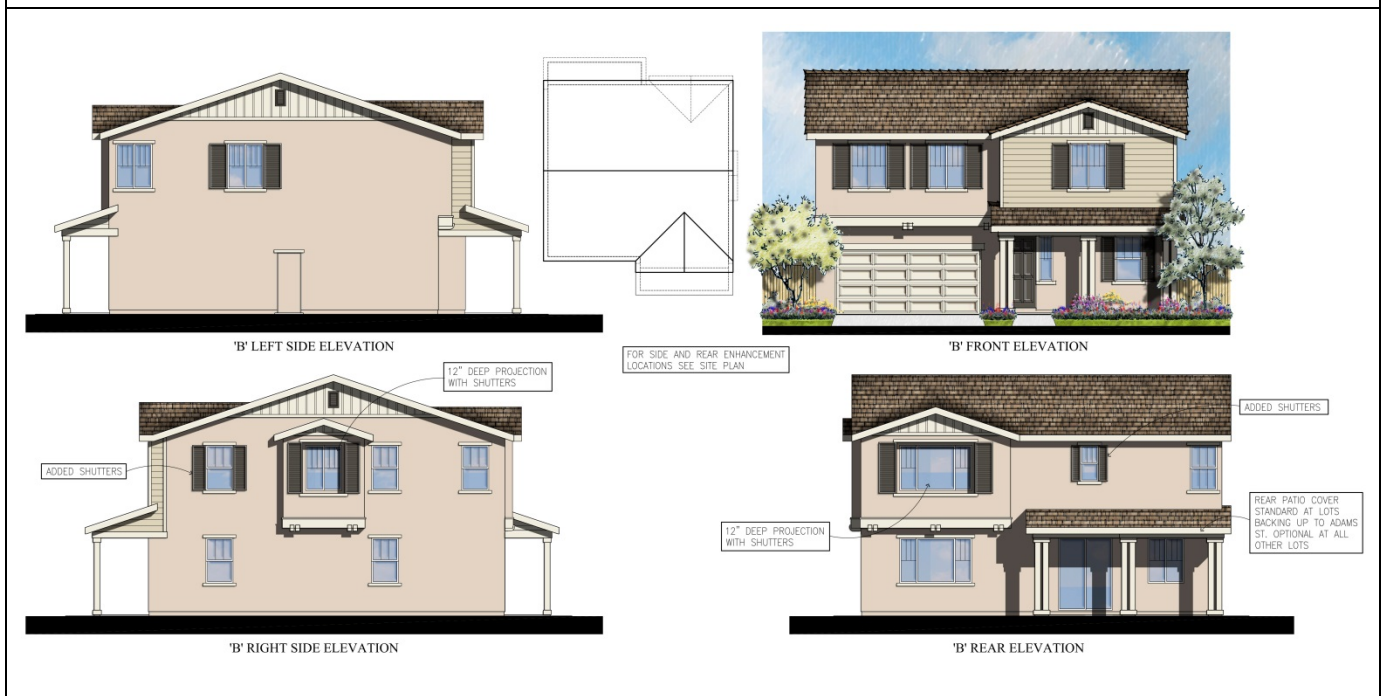
- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li><input type="checkbox"/> Flat "Slate" type roof</li> <li><input type="checkbox"/> Primarily gable roof style</li> <li><input type="checkbox"/> Walls - Lap siding</li> <li><input type="checkbox"/> Walls - Stucco</li> <li><input type="checkbox"/> Gables - Board and batten siding</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Gable end vents</li> <li><input type="checkbox"/> Wood fascia</li> <li><input type="checkbox"/> Louver type shutters</li> <li><input type="checkbox"/> Porches with wood columns</li> </ul> |
|---|---|



Country Style – Plan 1



Country Style – Plan 2

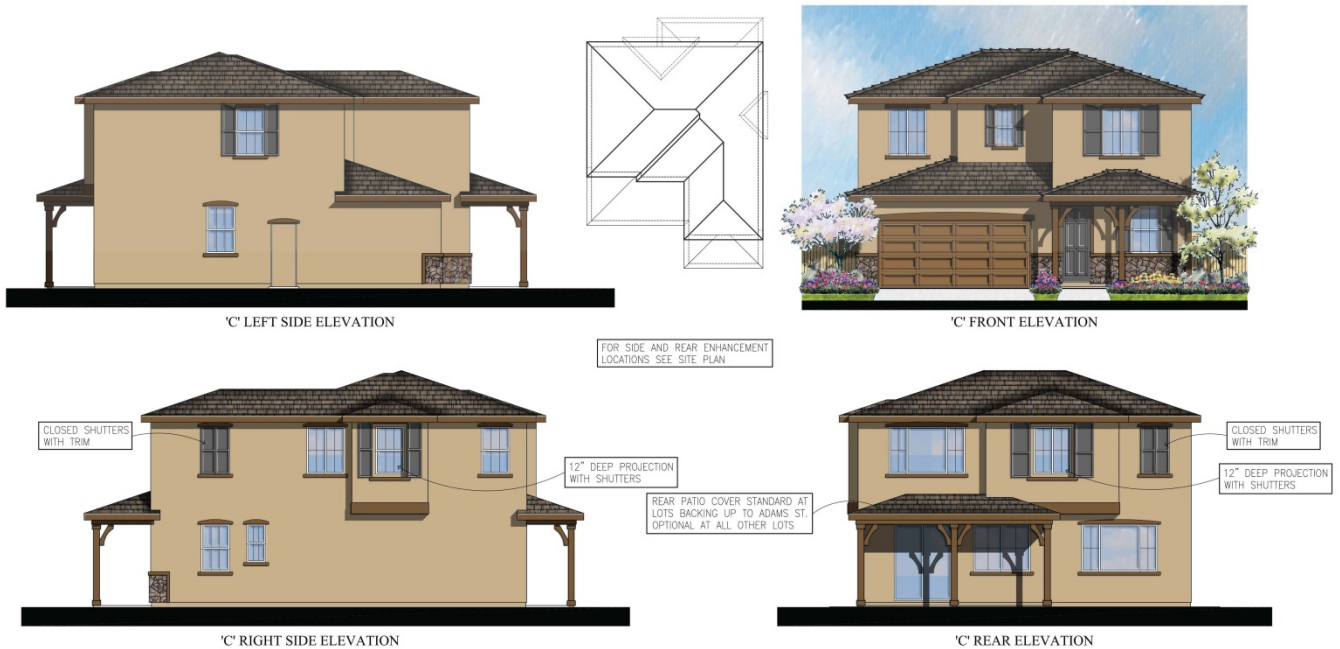


Country Style – Plan 3

### Cottage

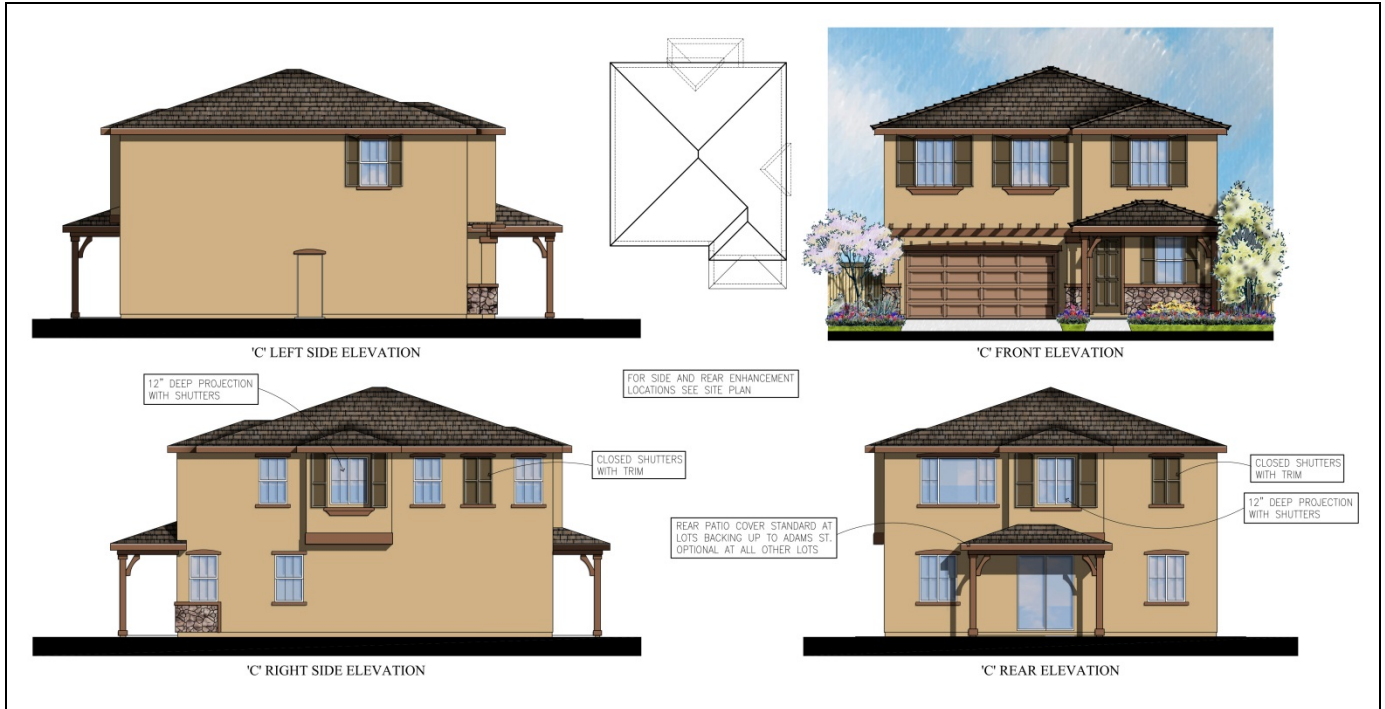
Originating as a rural rustic European style, the Cottage has evolved over the years to become native to California.

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li><input type="checkbox"/> Flat "Shake" type roof</li> <li><input type="checkbox"/> Primarily hip roof style</li> <li><input type="checkbox"/> Walls- Stucco</li> <li><input type="checkbox"/> Walls - Stone wainscot</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Arched top panel type shutters</li> <li><input type="checkbox"/> Wood fascia</li> <li><input type="checkbox"/> Porches with double wood columns and angled knee braces</li> </ul> |
|---|---|

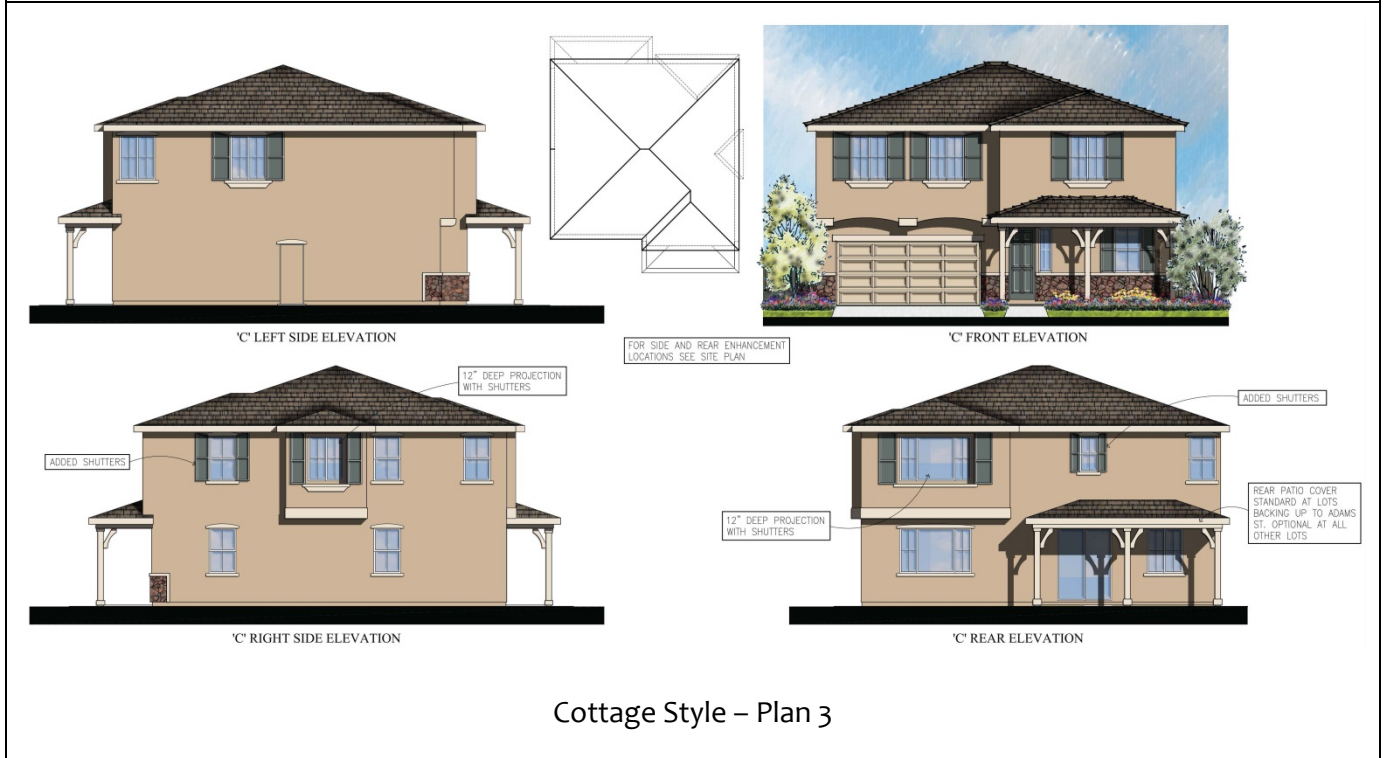


Cottage Style – Plan 1





Cottage Style – Plan 2



Cottage Style – Plan 3

## IV. LANDSCAPE DESIGN GUIDELINES

These Landscape Design Guidelines articulate the various landscape design components of the COTTONWOOD community's thematic identity.

As demonstrated by Figure IV-1, *Landscape Plan*, the landscape concept is intended to create a sense of community identity that links together COTTONWOOD's residential and recreational land uses. Furthermore, the recommended plant palette and hardscape materials applied to common areas are designed to work in concert to reinforce and emphasize the community's landscape theme at major focal points and common areas.

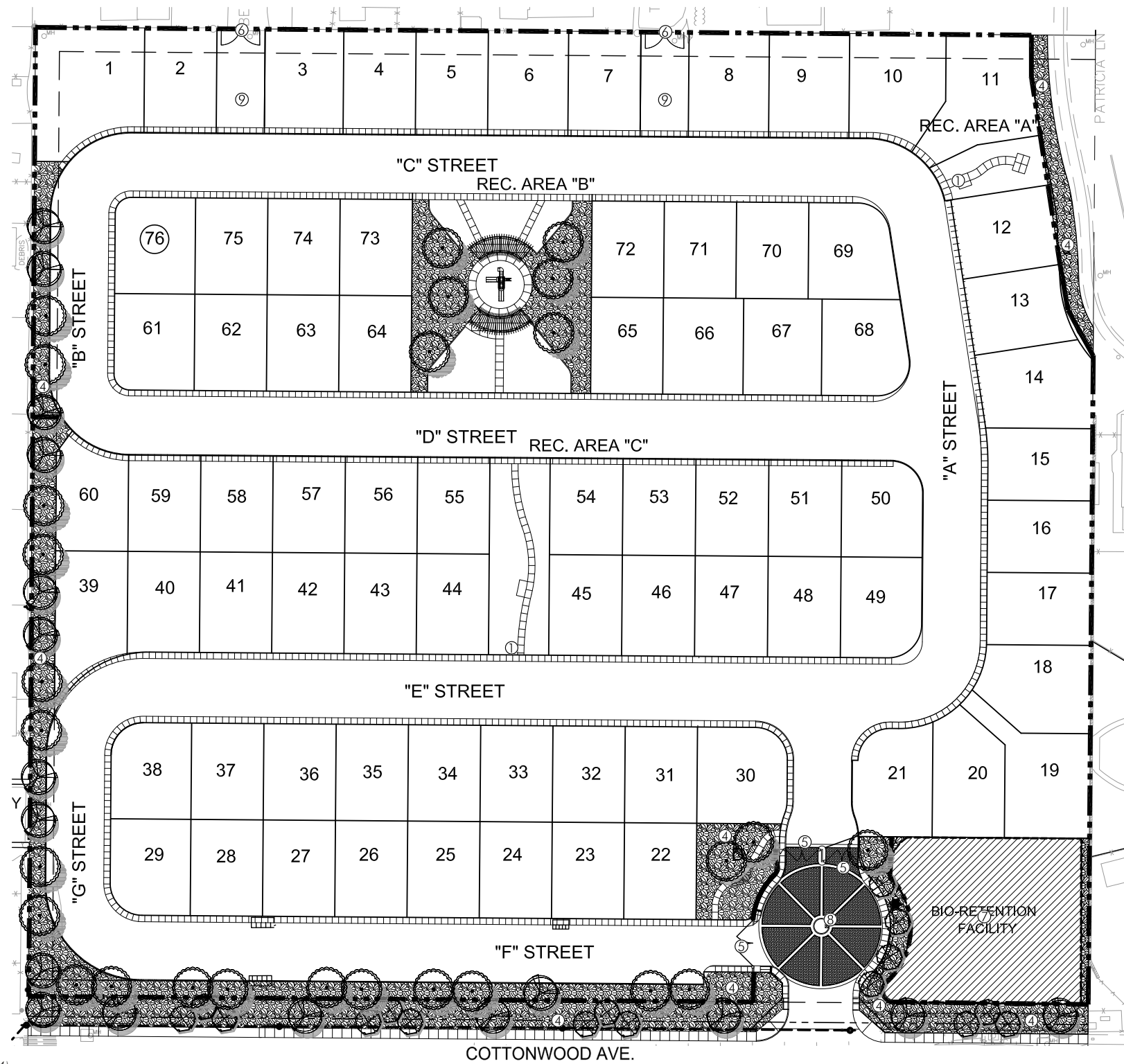
The landscape and planting design provides the identity for the COTTONWOOD community that is sustainable over time and meets the City of Moreno Valley's Landscape Standards. The plant palette chosen for the COTTONWOOD community is appropriate to the site's climate while providing color and seasonal change. Front yard landscaping is required for all front yards and will be designed to meet the City of Moreno Valley Landscape Requirements to include xeriscape landscaping on 25% of the lots.

### A. PLANT PALETTE

The plant palette for COTTONWOOD complements and enhances the community's natural setting, while also reducing irrigation needs and conserving water resources. The plant palette includes colorful plant materials along with evergreen and deciduous trees appropriate for the local climate. The plant palette also accentuates other design elements in the community, such as the recommended architectural styles, walls and fences, etc. Many of the plant materials are water-efficient species native to southern California or naturalized to the arid southern California climate.

Table IV-1, *Plant Palette*, provides a list of the plant materials approved for use in the COTTONWOOD community. The utilization of some materials, depending upon their site location, exposure, and relationship to other influential factors may not be appropriate in all locations of the community, however. Plant selection for specific areas of the community shall have similar watering requirements so that irrigation systems can be designed to minimize water use and plant materials can thrive under optimal conditions.

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- CONCEPTUAL SITE PLAN LEGEND**
- ① Recreation Area
  - ② Tot Lot
  - ③ Picnic Area
  - ④ HOA Planter Area
  - ⑤ Vehicular Gate
  - ⑥ Emergency Gate Per Fire Dept. Stds.
  - ⑦ Water Quality Basin
  - ⑧ Enhanced Pavement Entry, Call Box
  - ⑨ Asphalt Paved Emergency Access Alley

Source: BML-A (11-13-2014)

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Figure IV-1  
**LANDSCAPE PLAN**

**Table IV-1 Plant Palette**

| Botanical Name                               | Common Name                 | Cottonwood Ave | Water Quality Basin |              | Open Space/Rec. |
|--|-----------------------------|----------------|---------------------|--------------|-----------------|
|  |                             |                | Side Slopes         | Basin Bottom |                 |
| <b>Trees</b>                                 |                             |                |                     |              |                 |
| <i>Lagerstroemia 'Natchez'</i>               | White Crape Myrtle          |                |                     |              | ✓               |
| <i>Liquidambar Stryaciflua</i>               | Sweetgum                    | ✓              |                     |              | ✓               |
| <i>Platanus Acerfolia 'Bloodgood'</i>        | Bloodgood London Plane Tree | ✓              |                     |              | ✓               |
| <i>Quercus Ilex</i>                          | Holly Oak                   |                |                     |              | ✓               |
| <i>Rhus Lancea</i>                           | African Sumac               | ✓              |                     | ✓            | ✓               |
| <b>Flowering Accent Plants</b>               |                             |                |                     |              |                 |
| <i>Anigozanthus Flavidus</i>                 | Kangaroo Paw                |                |                     |              | ✓               |
| <i>Convolvulus Cneorum</i>                   | Bush Morning Glory          | ✓              |                     |              | ✓               |
| <i>Gaura Lindheimeri</i>                     | Gaura                       |                |                     |              | ✓               |
| <i>Hemerocallis Hybrids</i>                  | Daylily                     | ✓              |                     |              |                 |
| <i>Kniphofia Uvaria 'Pineapple Popsicle'</i> | Red Hot Poker               |                |                     |              | ✓               |
| <b>Shrubs</b>                                |                             |                |                     |              |                 |
| <i>Artemisia Californica</i>                 | California Sagebrush        |                | ✓                   |              |                 |
| <i>Baccharis Pilularis</i>                   | Coyote Brush                |                | ✓                   |              |                 |
| <i>Baccharis Salicifolia</i>                 | Mule Fat                    |                |                     | ✓            |                 |
| <i>Callistemon 'Little John'</i>             | Bottlebrush                 |                |                     |              | ✓               |
| <i>Carex Praegracilis</i>                    | Clustered Field Sedge       |                |                     | ✓            |                 |
| <i>Cistus Sp.</i>                            | Rockrose                    | ✓              |                     |              | ✓               |
| <i>Dianella Revoluta</i>                     | Flax Lily                   |                |                     |              | ✓               |
| <i>Eleocharis Parishii</i>                   | Spikerush                   |                |                     | ✓            |                 |
| <i>Hesperaloe Parviflora</i>                 | Red Yucca                   |                |                     |              | ✓               |
| <i>Juncus Acutus</i>                         | Rush                        |                |                     | ✓            |                 |
| <i>Juncus Bufonius</i>                       | Toad Rush                   |                |                     | ✓            |                 |
| <i>Juncus Mexicanas</i>                      | Mexican Rush                |                |                     | ✓            |                 |
| <i>Lavandula Stoechas 'Otto Quast'</i>       | Spanish Lavender            |                |                     |              | ✓               |
| <i>Leucophyllum Frutescens 'Compacta'</i>    | Compact Texas Ranger        | ✓              |                     |              | ✓               |
| <i>Leymus Condensatus</i>                    | Giant Wild Rye              |                | ✓                   |              |                 |
| <i>Mimulus Aurantiacus</i>                   | Sticky Monkey Flower        |                | ✓                   |              |                 |
| <i>Myoporum Parvifolium 'Putah Creek'</i>    | NCN                         | ✓              |                     |              | ✓               |
| <i>Muhlenbergia Rigens</i>                   | Deer Grass                  | ✓              |                     |              | ✓               |
| <i>Nandina Domestica 'Nano'</i>              | Dwarf Nandina               | ✓              |                     |              |                 |
| <i>Parthenocissus Tricuspidata</i>           | Boston Ivy                  | ✓              |                     |              | ✓               |
| <i>Pennisetum Setaceum 'Rubrum'</i>          | Purple Fountain Grass       |                |                     |              | ✓               |
| <i>Populus Fremontii</i>                     | Fremont's Cottonwood        |                |                     | ✓            |                 |
| <i>Rosa Californica</i>                      | California Rose             |                | ✓                   |              |                 |
| <i>Rosmarinus Officinalis 'Prostratus'</i>   | Prostrate Rosemary          | ✓              |                     |              | ✓               |
| <i>Rhaphiolepis Indica Spp.</i>              | Indian Hawthorne            | ✓              |                     |              | ✓               |
| <i>Salix Spp.</i>                            | Willow                      |                |                     | ✓            |                 |
| <i>Salvia Amistad</i>                        | Amistad Salvia              |                |                     |              | ✓               |
| <i>Salvia Greggii</i>                        | Autumn Sage                 | ✓              |                     |              | ✓               |
| <i>Sambucus Mexicanus</i>                    | Mexican Elderberry          |                | ✓                   |              |                 |
| <i>Scirpus Americanus</i>                    | Three-square                |                |                     | ✓            |                 |
| <i>Senna Artemisiodes</i>                    | Feathery Cassia             | ✓              |                     |              |                 |
| <i>Tall Fescue</i>                           | Tall Fescue                 |                |                     |              | ✓               |
| <i>Westringia Rosmariniformis</i>            | Australian Rosemary         | ✓              |                     |              | ✓               |

## **B. STREETSCAPES**

### **1. Community Entry**

As shown on Figure IV-2, *Community Entry*, a vehicular access gate provides controlled access to the COTTONWOOD community. The entry will feature a roundabout with enhanced paving. A callbox will be located at the center of the roundabout to allow for guests to be let through the gate by residents. Double vehicular access gates will be located opposite the entrance from Cottonwood Ave. with a second vehicular gate to provide egress located to one side of the roundabout.

### **2. Cottonwood Avenue Landscape Treatment**

As shown in Figure IV-3, *Cottonwood Avenue Streetscape*, Cottonwood Avenue will include a curb-adjacent, 6-foot sidewalk and 6-foot landscape parkway, which will be maintained by the Cottonwood HOA. The plant material selected for the Cottonwood Avenue streetscape matches the existing streetscape east of COTTONWOOD, which will help promote a visual continuity between the COTTONWOOD and the existing community. Additionally, plant material has been added to the streetscape in front of the project in order to increase visual identity of the Project.

### **3. Private Street Landscape Treatment**

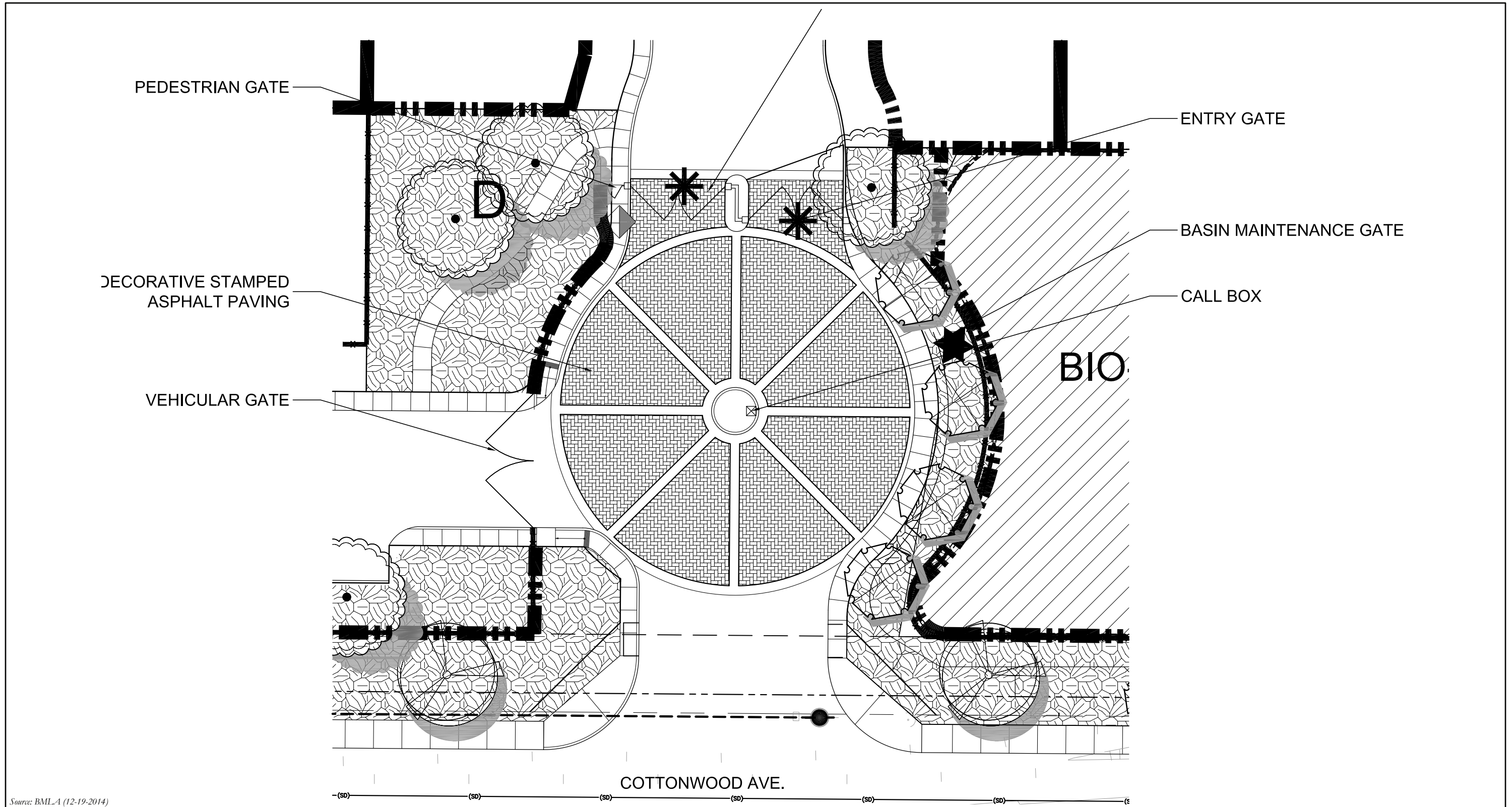
The local streets within COTTONWOOD have three different conditions. As shown on Figure IV-4, *Street "A", "F", and "H" Streetscape*, Streets "A", "F", and "H" feature a 36-foot street width with a 4-foot wide curb-adjacent sidewalk. As shown on Figure IV-5, *Street "B" and "G" Streetscape*, Streets "B" and "G" feature a 36-foot street width with a 4-foot curb adjacent sidewalk in front of the homes within COTTONWOOD, and a 10-foot landscape setback from the existing homes to the west. As shown on Figure IV-6, *Street "C", "D", and "E" Streetscape*, Streets "C", "D", and "E" feature a 36-foot street width with 4-foot, curb adjacent sidewalks on both sides of the street.

## **C. WALLS AND FENCES**

The *Wall and Fence Plan* for the COTTONWOOD community is illustrated on Figure IV-7. As shown, a variety of walls and fences are provided throughout the community to minimize roadway noise, maximize views of scenic resources, increase privacy within each residential lot, and increase safety for pedestrians along primary community roads. Community walls and fences are designed as an integral component and extension of the building design and surrounding landscape. Periphery walls can be integrated into the adjacent structure and extended into the landscape to help integrate the building into its environment. Gates should be complementary in style and color to its fence or wall. Similarly, walls and fences shall be constructed of materials, colors, and textures that are similar to, and harmonious with, the architecture.

The three types of walls and fencing used within the COTTONWOOD community are described below and illustrated on Figure IV-8, *Wall and Fence Details*.

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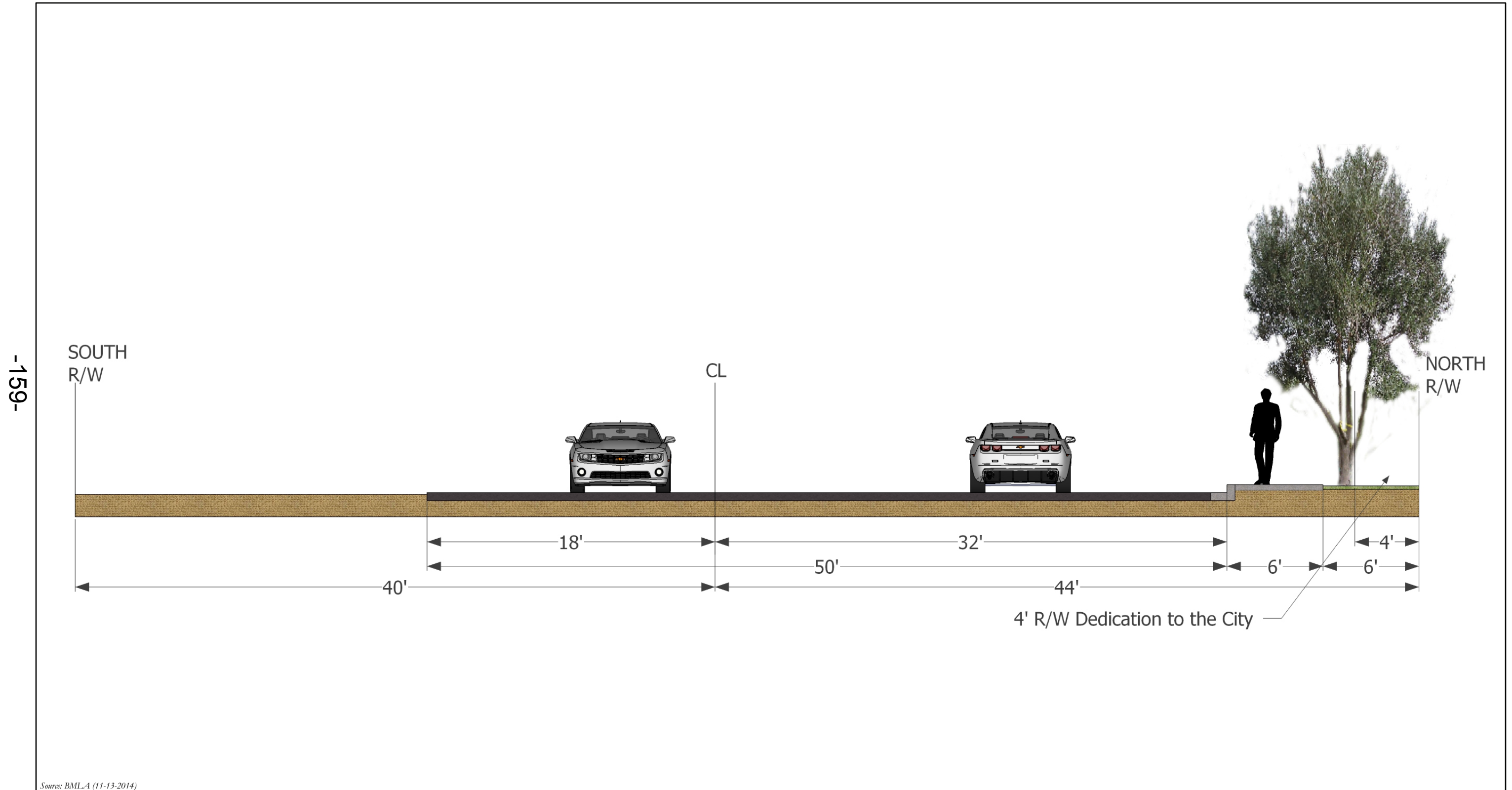
Source: BML-A (12-19-2014)

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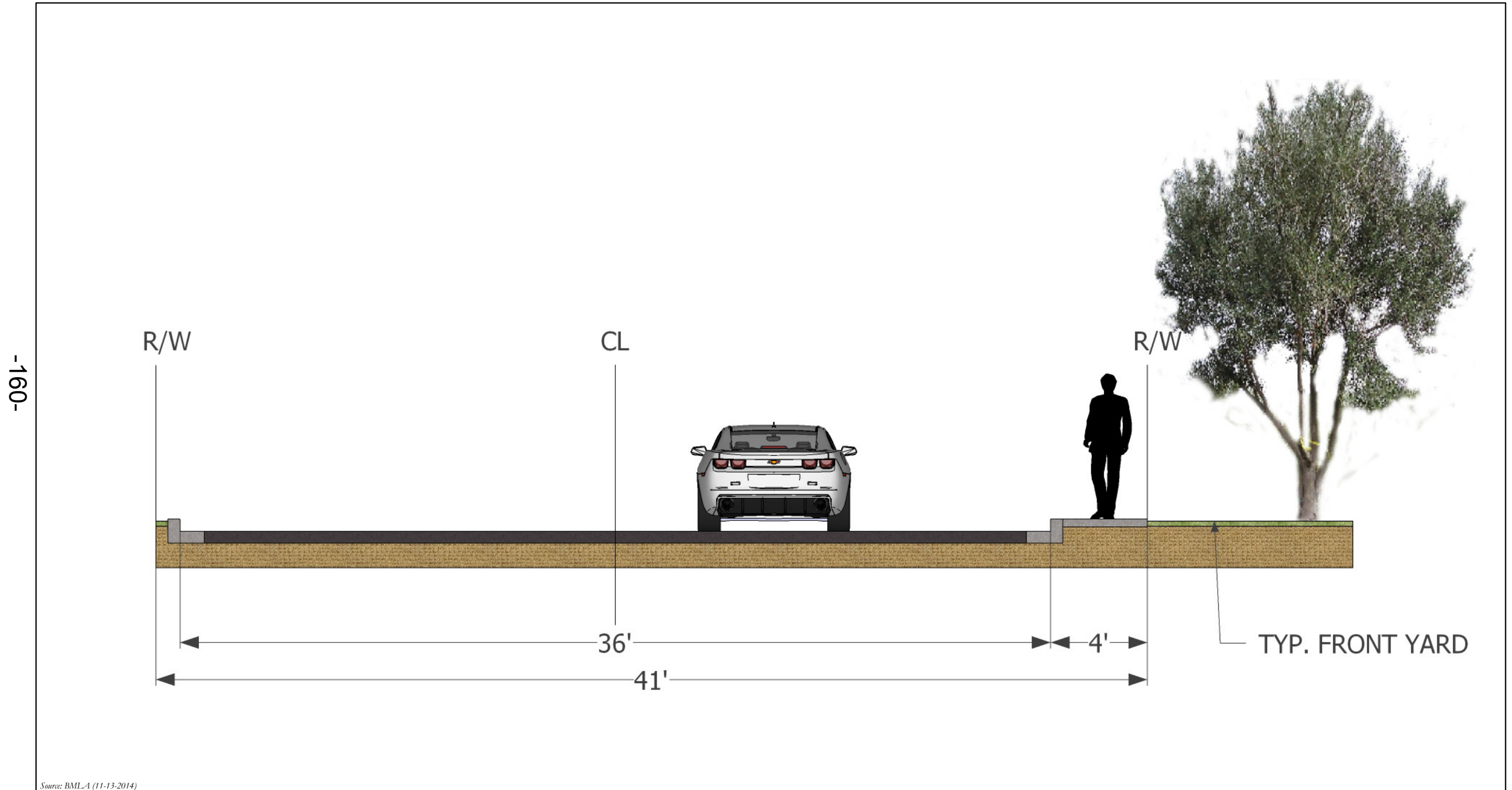


Figure IV-2  
**COMMUNITY ENTRY**



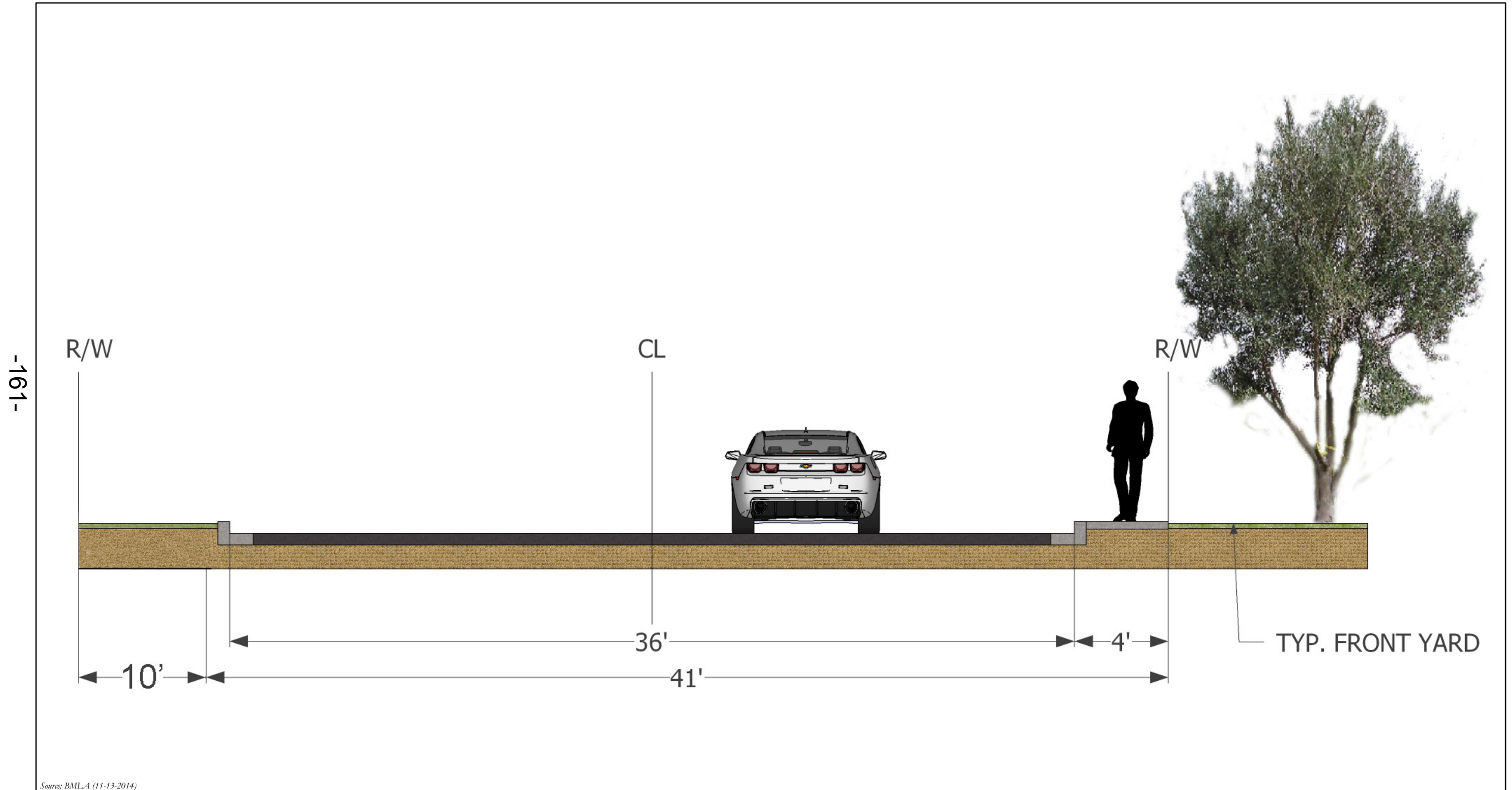
Source: BML-A (11-13-2014)

Figure IV-3



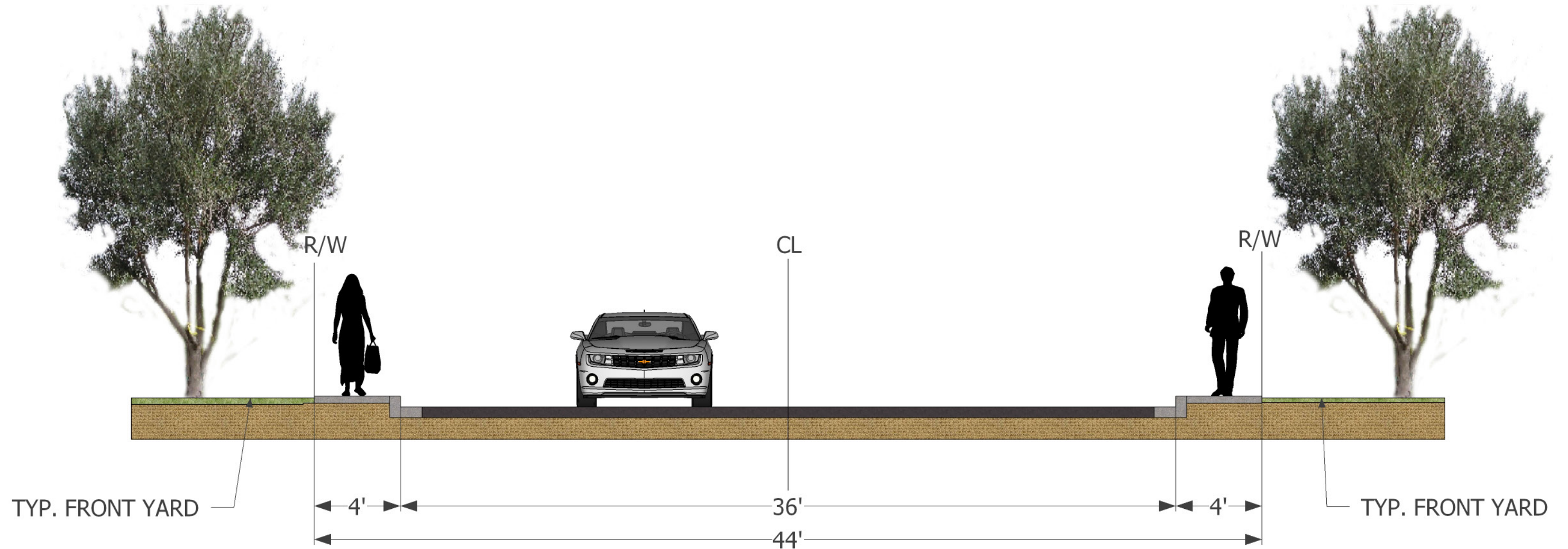
Source: BML-A (11-13-2014)





Source: BML-A (11-13-2014)

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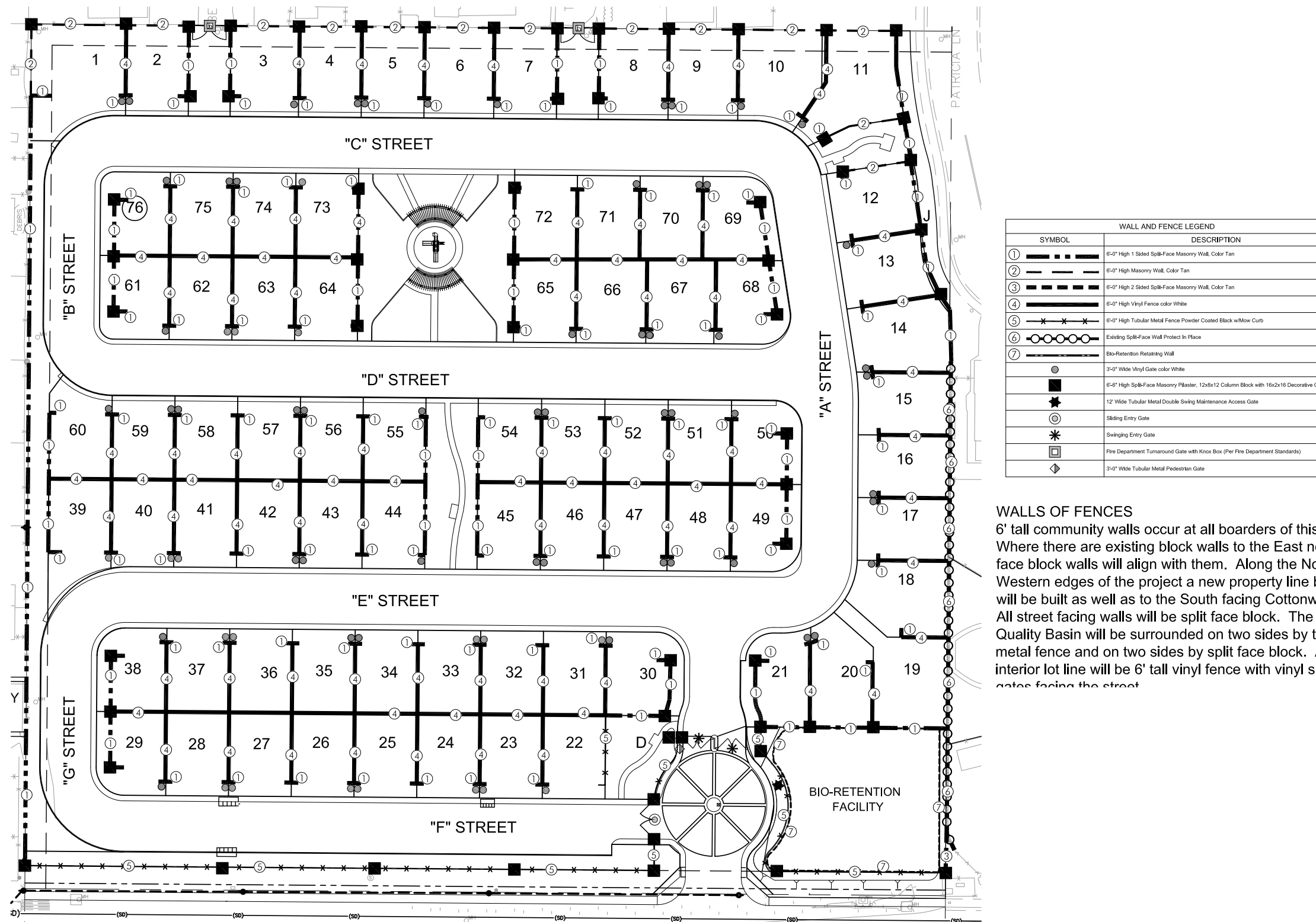


Source: BML-A (11-13-2014)

Figure IV-6

STREET "C", "D", AND "E" STREETScape

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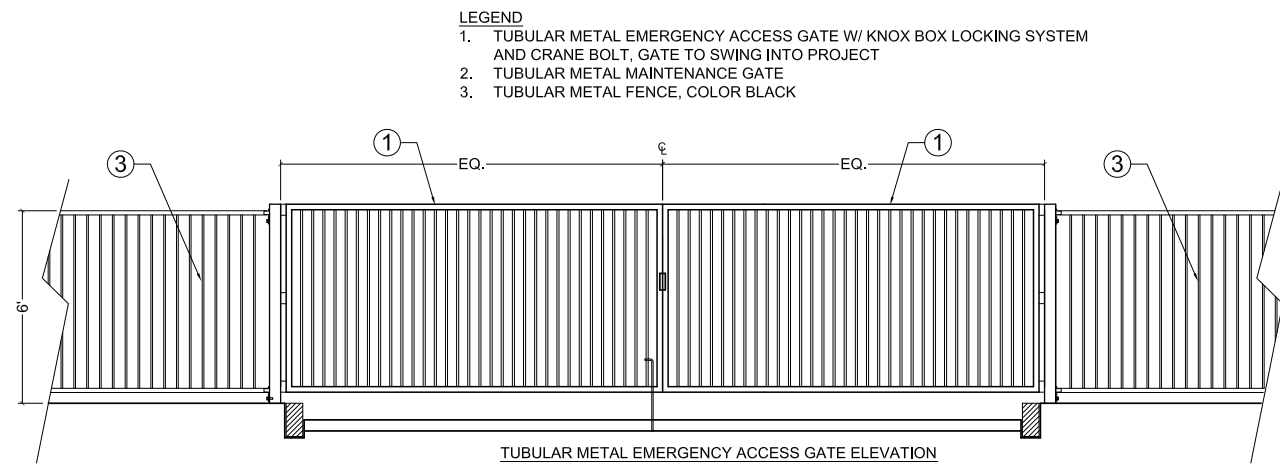


**WALLS OF FENCES**  
 6' tall community walls occur at all borders of this project. Where there are existing block walls to the East new split face block walls will align with them. Along the North and Western edges of the project a new property line block will be built as well as to the South facing Cottonwood Ave. All street facing walls will be split face block. The Water Quality Basin will be surrounded on two sides by tubular metal fence and on two sides by split face block. All interior lot line will be 6' tall vinyl fence with vinyl side yard gates facing the street.

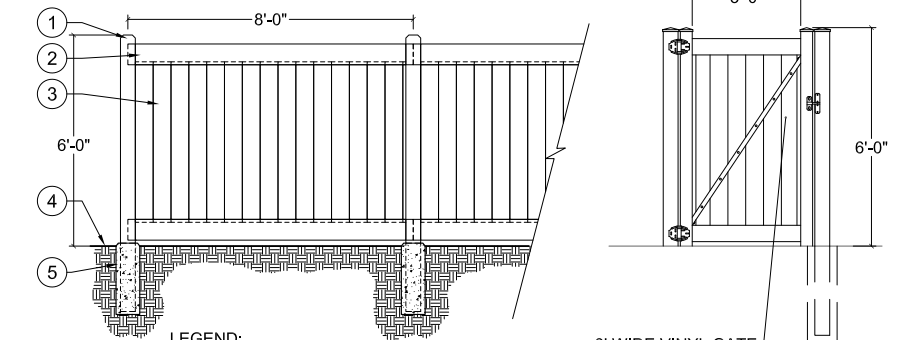
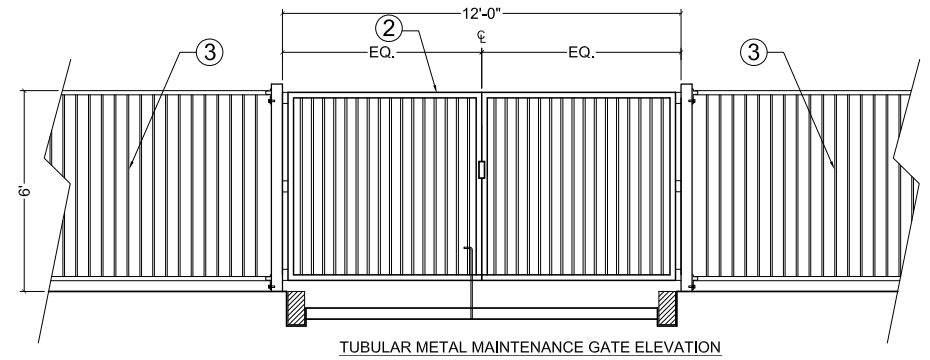
Source: BML-A (12-19-2014)



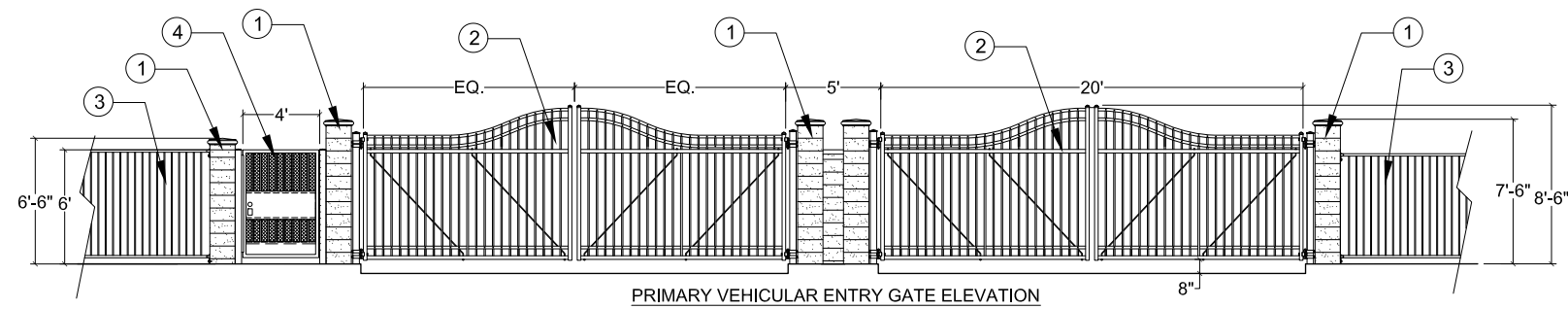
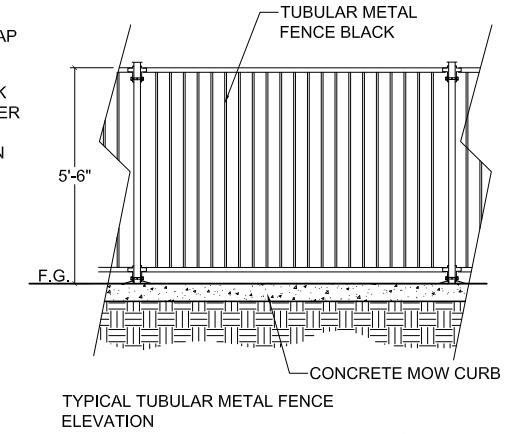
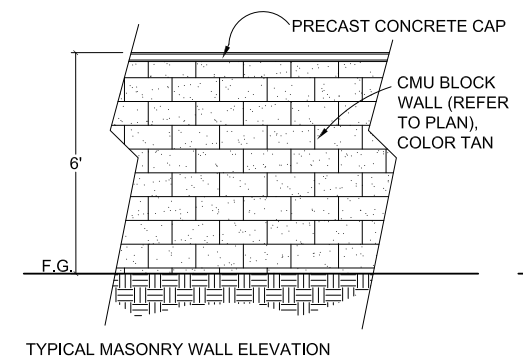
-164-



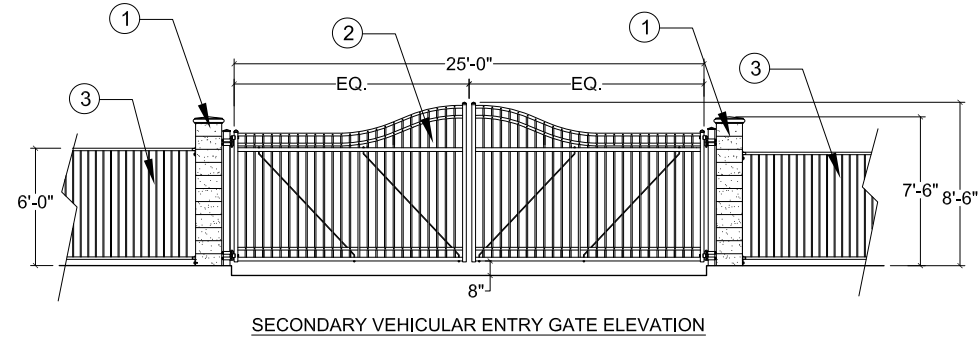
- LEGEND**
1. TUBULAR METAL EMERGENCY ACCESS GATE W/ KNOX BOX LOCKING SYSTEM AND CRANE BOLT, GATE TO SWING INTO PROJECT
  2. TUBULAR METAL MAINTENANCE GATE
  3. TUBULAR METAL FENCE, COLOR BLACK



- LEGEND:**
1. 5"x5" SQ. VINYL POSTS CONCRETE FILLED @ 8'-0" O.C. MAX.
  2. 2"x7" VINYL RAIL (TOP & BOTTOM)
  3. 6" TONGUE & GROOVE
  4. FINISHED GRADE
  5. 8" X 24" DOMED CONCRETE FOOTING
- NOTE:**  
COLORS WHITE



- LEGEND:**
1. SPLIT FACE CMU COLUMN BLOCK, COLOR TAN W/ PRECAST CONCRETE CAP
  2. TUBULAR METAL VEHICULAR ENTRY GATE, COLOR BLACK
  3. TUBULAR METAL FENCE, COLOR BLACK
  4. 4' WIDE PEDESTRIAN ENTRY GATE, COLOR BLACK



Source: BML-A (11-25-2014)

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Figure IV-8  
**WALL AND FENCE DETAILS**

- **Masonry Wall.** Three types of Masonry Walls are provided for within COTTONWOOD: smooth, precision block; 1-sided split-face; and 2-sided split-face. The use of slump stone is prohibited. Each type of Masonry Wall is 6 feet tall and painted tan. Masonry Walls are generally provided around the exterior of the community and to provide privacy for private residences where the side yard abuts a local street.
- **Vinyl Fence.** White Vinyl Fences are provided between private yards. Vinyl Fences will be 6 feet tall.
- **Tubular Metal Fence.** Tubular Metal Fences will enclose the Water Quality Basin. Tubular Metal Fences will be constructed of 6-foot tall tubular metal, powder coated black, atop a retaining wall.

In addition to the fences, a number of types of gates will be provided within COTTONWOOD, also shown on Figure IV-8. The vehicular entry gates located at the Community Entry will include a tubular metal gate located between split face concrete masonry columns with precast concrete caps. A 4-foot tall pedestrian entry gate will also be provided at the Community Entry, adjacent to the vehicular entry gate. Pedestrian gates will provide access to the rear yard of each residence along the side of home, which will match the adjacent Vinyl Fences.

## **D. COMMON AREAS AND RECREATIONAL AMENITIES**

### **1. Pocket Parks**

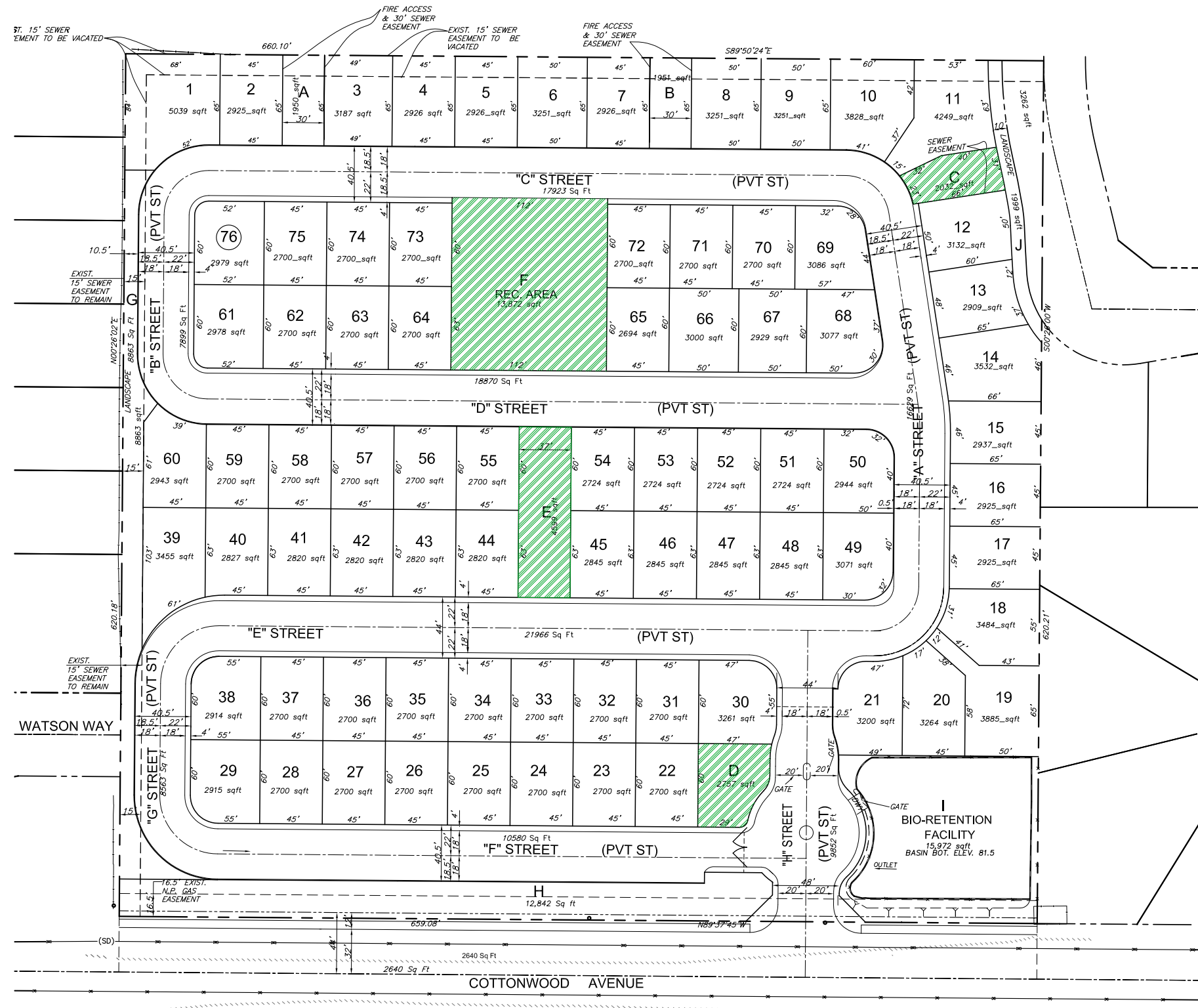
Three (3) Pocket Parks are provided within COTTONWOOD, as conceptually illustrated on Figure IV-9, *Pocket Parks*. One (1) Primary Pocket Park is provided in the center of the community, one (1) Pocket Park is provided in the northeast corner of the community, and one (1) Linear Park is located near the center of the community,.

The Primary Pocket Park, located in the center of the community and identified as Rec. Area F on Figure IV-10, *Pocket Park Details*, is 13,872 square feet and includes a tot lot over rubberized surface, barbecue, covered picnic benches, turf play area, shrubs and trees.

The Pocket Park, located in the northeast corner of the property and identified as Rec. Area C on Figure IV-10, *Pocket Park Details*, is 2,032 square feet and includes exercise equipment, turf, benches, a walking path, and landscaping.

The Linear Park, located in the central portion of the community and identified as Rec. Area E on Figure IV-10, *Pocket Park Details*, is 4,599 square feet and, provides a pedestrian link between the homes on the southern portion of the development with the Primary Pocket Park. This Linear Park includes turf and exercise equipment.

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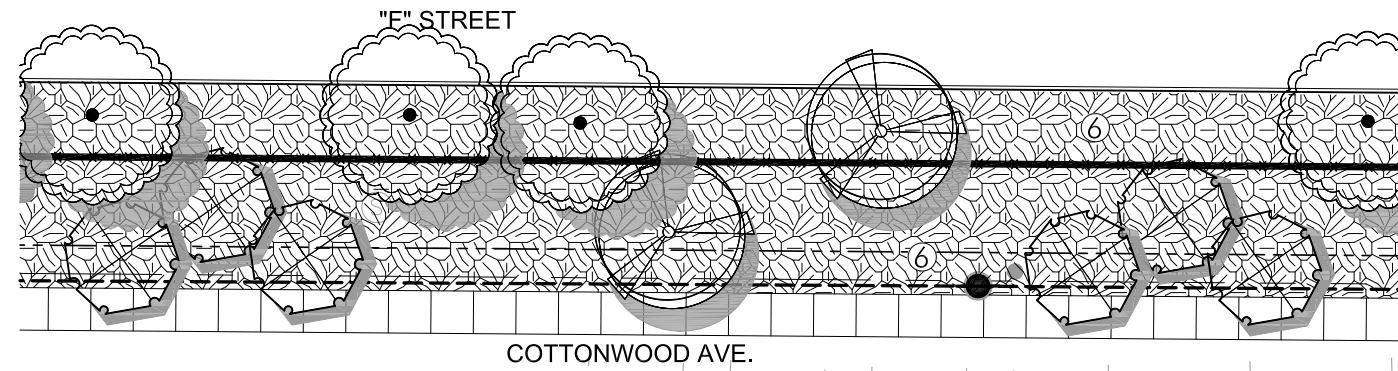
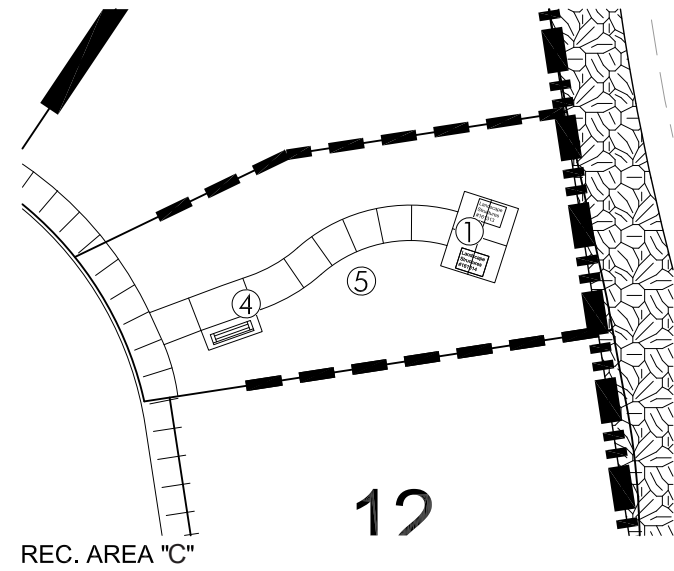
| LOT   | AREA(sf) |
|-------|----------|
| C     | 2,003    |
| D     | 2,757    |
| E     | 4,599    |
| F     | 13,872   |
| TOTAL | 23,231   |

Source: BML-A (11-13-2014)

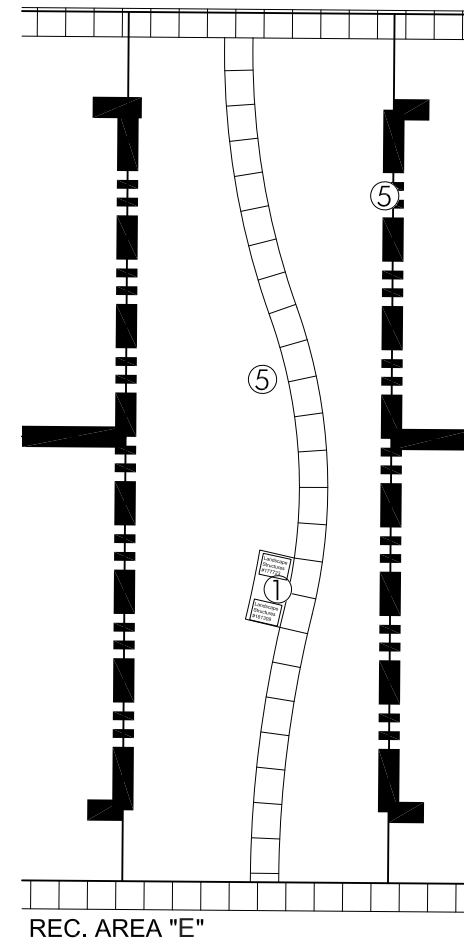
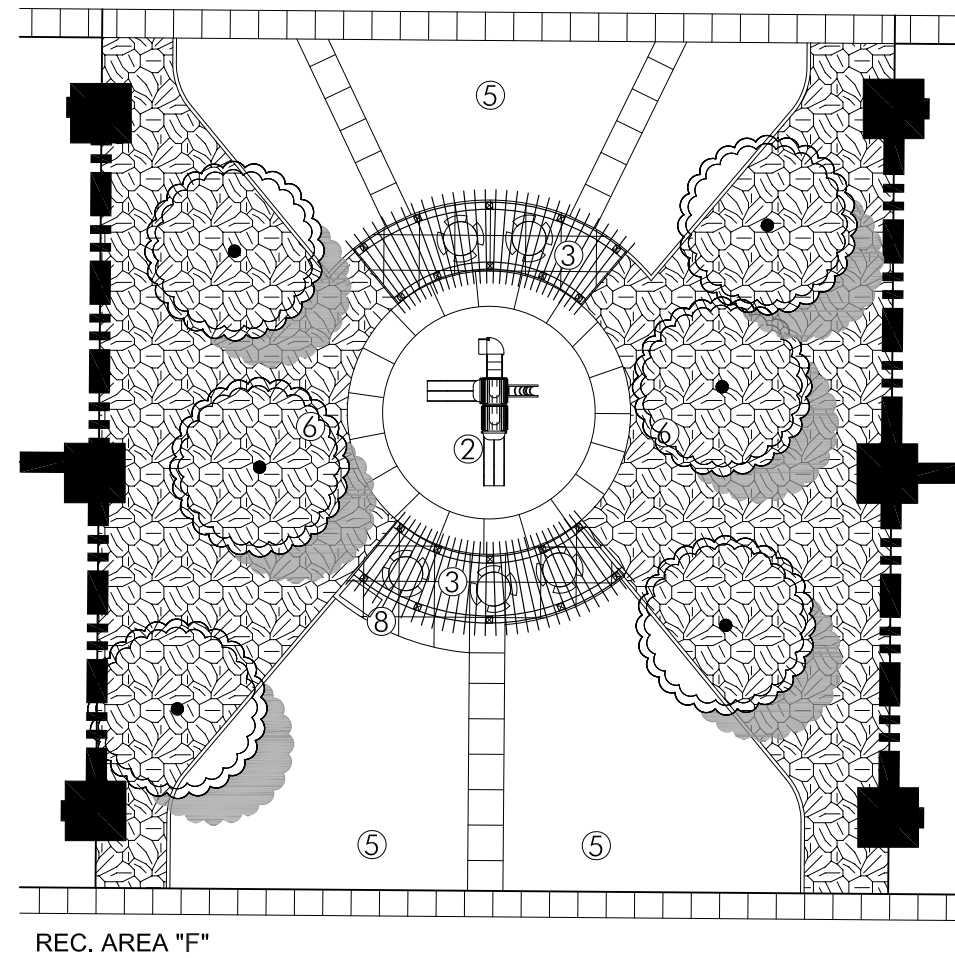
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Figure IV-9  
**POCKET PARKS**



TYPICAL STREET SCAPE



ENLARGEMENT LEGEND

- ① Exercise Equipment
- ② Tot Lot over Rubberized Surfacing
- ③ Picnic Area
- ④ Seating/Bench
- ⑤ Turf
- ⑥ Shrub area
- ⑦ Emergency Gate per Fire Dept. Std
- ⑧ Barbecue

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Source: B.L.M.A (12-19-2014)

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## CITY OF MORENO VALLEY

### PLANNING COMMISSION RULES OF PROCEDURE

#### I. RULES OF ORDER, ORGANIZATION AND OFFICERS

##### A. RULES OF ORDER

Except as otherwise provided in these Rules of Procedure, "The Standard Code of Parliamentary Procedure 4<sup>th</sup> Edition," shall be used as a guide to the conduct of the meetings of the Planning Commission; except as may otherwise be provided by applicable law, no omission to conform to said rules of order shall in any instance be deemed to invalidate any action taken by the Commission.

##### B. ORGANIZATION

The Planning Commission shall consist of seven regular members and shall be organized and exercise such powers as prescribed by Ordinance of the City of Moreno Valley.

##### C. OFFICERS

###### 1. SELECTION

- a. A Chairperson and Vice-Chairperson shall be elected annually from among the Commission's membership at the first meeting in April, to serve at the pleasure of the Commission. The term of office for Chairperson and Vice-Chairperson shall be one (1) year. No person shall serve more than two consecutive terms as either Chairperson or Vice-Chairperson, however a commissioner may serve for two consecutive terms as Vice-Chairperson followed by two consecutive terms as Chairperson, or vice versa.
- b. If the Chairperson vacates his or her office before the term of office is completed, a new Chairperson shall be elected at the next regular meeting. A new Vice-Chairperson shall also be elected if the former Vice-Chairperson is elected Chairperson.
- c. In the absence of the Chairperson and Vice-Chairperson, any other member may call the Commission to order, whereupon a Chairperson pro tem shall be elected from the members present to preside.

###### 2. RESPONSIBILITIES

The responsibilities and powers of the officers and staff of the Planning Commission shall be as follows:

a. Chairperson

- 1) Preside at all meetings of the Commission.
- 2) Call special meetings of the Commission in accordance with legal requirements and these Rules of Procedure.
- 3) Sign documents of the Commission.
- 4) See that all actions of the Commission are properly taken.
- 5) Assist staff in determining agenda items.
- 6) The Chairperson shall be an ex-officio member of all committees of the Planning Commission with voice but not vote.

b. Vice-Chairperson

During the absence, disability or disqualification of the Chairperson, the Vice-Chairperson shall exercise or perform all the duties and be subject to all the responsibilities of the Chairperson.

- c. The Planning Official with the assistance of his staff, shall be responsible for providing the Commission with proposed minutes of its meetings, with proposed forms of resolutions when appropriate, with staff reports and recommendations on matters of business which come before the Commission, and with proposed forms of recommendations and reports for the Commission.

D. POWERS AND DUTIES

The functions, powers and duties of the Planning Commission shall be all those functions, powers and duties of a Planning Commission and Board of Zoning Adjustment as provided in Chapters 3 and 4 of Title 7 commencing with Section 65100 of the Government Code of the State (the Planning and Zoning Law), as the same may be hereafter amended. The Planning Commission shall perform such other duties and functions as may be designated by the City Council.

E. ETHICAL PROCESS AND PROCEDURE

1. Whenever after appointment, a Commissioner possesses or is likely to possess a financial interest in a project which is pending or likely to be pending in the foreseeable future before the Commission, it is the duty of the Commissioner to disclose for the record the interest and abstain not only from discussion and voting, but a higher duty to abstain from discussion with any other Commissioner or staff concerning any matters relevant to the

project, wherein the Commissioner has a financial interest in the decision.

2. It is equally unethical and improper for such Commissioner to recommend to other individuals that they contact other Commissioners or staff with respect to any matter relevant to the project.
3. Whenever a Commissioner discovers the existence of a possible conflict of interest and is unsure as to that situation, the Commissioner should consult with the City Attorney or the staff of the FPPC for clarification of his or her position; in the event a financial interest or likely financial interest exists in a project, the record should so disclose and be available for review.
4. No Commissioner should continue to serve as a Commissioner if it appears likely that he or she will receive substantial financial gain (obtain a financial interest as defined in the FPPC) from a large number of Planning Commission decisions on projects in a broad area of interest.
5. Nothing contained herein shall be construed to relieve a Commissioner of any duty imposed by State law or to change the law and regulations applicable to conflict and disclosure matters.
6. With respect to membership by a Commissioner in any other organization which may be incompatible with membership on the Planning Commission, the Commissioner should consider, to the extent recognized by law, any or all of the following, as may be applicable:
  - a. Withdrawal of membership from either the Commission or the said organization.
  - b. Leave of absence from the conflicting organization.
  - c. Inactivity during Commission tenure.
  - d. Being a non-voting participant in the conflicting organization.
  - e. Being a non-office holder in the conflicting organization.
  - f. Being a non-policy making member in the conflicting organization.
  - g. Making no public statements within or about the organization.

F. FITNESS TO SERVE; STATEMENT OF PRIOR CONVERSATIONS

1. Any Planning Commissioner who wishes to serve the City of Moreno Valley shall adhere to the goals, performance objectives, duties, responsibilities, ethical process and procedure, and public relations standards as herein listed.
2. Present Commissioners who wish to serve but cannot justifiably adhere to the contents of these Rules of Procedure must evaluate their fitness to serve.
3. Any Commissioner shall declare, prior to voting in the recorded minutes, whether or not they talked or otherwise communicated independently with the developer, with the proponents, or with the opponents or with a representative of the developer, proponents or opponents concerning a project under consideration. Commissioners shall further publicly disclose the substance of any such communication.

II. MEETINGS

A. PUBLIC MEETINGS

All meetings shall be held in full compliance with state law, ordinances of the City, and these Rules of Procedure.

B. REGULAR MEETINGS

1. Regular meetings shall be held on the second and fourth Thursdays of each month at 7:00 p.m in the Council Chambers at City Hall, 14177 Frederick Street, Moreno Valley, California, unless otherwise determined by the Commission.
2. Whenever a regular meeting falls on a public holiday, no regular meeting shall be held on that day. Such regular meeting shall occur on the next business day, or cancelled by motion adopted by the Planning Commission.

C. ADJOURNED MEETINGS

In the event it is determined by the Planning Commission to adjourn its meeting to a certain hour on another day, a specific date, time, and place must be set by the Commission prior to the regular motion to adjourn, and the meeting so adjourned.

D. SPECIAL MEETINGS

Special meetings of the Planning Commission may be held at any time upon the call of the Chairperson or by a majority of the voting members

of the Commission or upon request of the City Council following at least 48 hours notice to each member of the Commission and to the press, and to each person who has duly requested notice of such meetings. The time and place of the special meeting shall be determined by the convening authority, except that the meeting place shall be within the corporate limits of the City. Only those matters of business described in the call and notice for a special meeting shall be considered by the Commission.

E. STUDY SESSIONS/WORKSHOPS

1. The Commission may be convened as a whole or as a committee of the whole in the same manner as prescribed for the calling of a special meeting for the purpose of holding a study session provided that no official action shall be taken and no quorum shall be required.
2. All study sessions shall be open to the public.

F. AGENDA

1. An agenda for each meeting of the Commission shall be prepared by the Planning Official or his staff with the cooperation and approval of the Chairperson or in the absence of the Chairperson, by the Vice-Chairperson.
  - a. The Commission cannot guarantee that applicants meeting filing deadlines will be placed on the agenda of the first meeting thereafter.
  - b. A copy of the agenda for each meeting of the Commission shall be posted at the City Hall Offices seventy-two (72) hours prior to each regular meeting and at least twenty-four (24) hours prior to each special meeting of the Commission.

G. ORDER OF MEETINGS

1. Unless the Chairperson in his or her discretion otherwise directs, the order of business shall be as follows:
  - a. The Chairperson shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Commission to order.
  - b. Members present and absent shall be recorded.
  - c. Pledge of Allegiance shall be made.
  - d. The agenda shall be approved as submitted or revised (to the extent permitted by law).
  - e. The minutes of any preceding meeting shall be submitted for approval.

- f. Public comment shall be taken, during which any member of the audience may comment on any matter which is not listed on the agenda. A time limit of three minutes may be imposed on each individual if the Chairperson in his or her discretion so directs.
- g. The public shall be advised of the procedures to be followed in the meeting.
- h. The Commission shall then hear and act upon those proposals scheduled for consideration at public hearing, followed by such other matters of business and reports as the Commission or Planning Official finds to require Commission consideration, and as may be properly considered at that time.
- i. No action shall be taken by the Commission during any regular meeting on any item not appearing on the posted agenda unless any of the following conditions apply:
  - 1) A majority of the Commission determines that an “emergency situation” exists.
  - 2) The Commission determines by a two-thirds vote, or by a unanimous vote if less than two-thirds of the members are present, that the “need to take action” on the item arose subsequent to the posting of the agenda, or
  - 3) The item was included in a properly posted agenda for a prior meeting occurring not more than five days prior to the date of the meeting at which the action is taken and was continued to the meeting at which the action is taken.
- j. Adjournment.

## 2. PRESENTATION OR HEARING OF PROPOSALS

The following shall be the order of procedure for public hearings or other proposals concerning planning and zoning matters, and for testimony, unless the Chairperson in his or her discretion shall otherwise direct.

- a. The Chairperson shall announce the subject of the public hearing or other proposals as advertised.
- b. If a request is made for continuance, a motion may be made and voted upon to continue the public hearing to a definite time, date and place. The Commission may elect to open the hearing and receive evidence prior to acting upon a request or motion to continue the matter.

c. The staff shall be asked to present the substance of the application, staff report and recommendation, and to answer technical questions from the Commission.

d. ORDER OF TESTIMONY

- 1) Applicant's statement.
- 2) Proponents' statements.
- 3) Opponents' statements.
- 4) If desired, a rebuttal from the applicant.
- 5) The Chairperson may allow further comments from opponents, proponents and applicant as deemed appropriate by the Chairperson.
- 6) Public Hearing closed.
- 7) The Commission shall then deliberate and either determine the matter or continue the matter to another date and time certain.

e. RULES OF TESTIMONY

- 1) Persons presenting testimony to the Commission are requested to give their name and address for the record.
- 2) If there are numerous people in the audience who wish to participate on the issue, and it is known that all represent the same opinion, a spokesman should be selected to speak for the entire group, if possible. The spokesman will thus have the opportunity of speaking for a reasonable length of time and of presenting a complete case.
- 3) To avoid unnecessary cumulative evidence, the Chairperson may limit the number of witnesses or the time of testimony on a particular issue.
- 4) Irrelevant and off-the-subject comments will be ruled out of order.
- 5) The Chairperson will not permit personal remarks regarding the staff or individual Commissioners during a Public Hearing. Complaints should be submitted in writing or

presented verbally as a separate item on the agenda.

- 6) No person shall address the Commission without first securing the permission of the Chairperson to do so.
- 7) All comments shall be addressed to the Commission. All questions shall be placed through the Chair.

## H. MOTIONS

1. Action upon an order, resolution or other action of the Commission may be proposed by any commissioner by a motion. Before a motion can be considered it must be seconded, at which time it shall be on the floor and must be considered. If not seconded, the motion is lost for lack of a second.
2. A motion to adjourn shall always be in order except during roll call.
3. The Chairperson of the Commission, or other presiding officer, may make and second motions and debate from the Chair subject only to such limitations of debate as are imposed on all members of the Commission. However, since the Chairperson is primarily responsible for the conduct of the meeting, if he or she personally desires to engage in extended debate on questions before the Commission, he or she should consider turning the Chair over to another Commissioner.

## I. VOTING

### 1. VOTING REQUIREMENTS

- a. Four members shall constitute a quorum and an affirmative vote of a majority of those Commissioners present and voting (but not less than three votes) shall be required to carry a motion, unless a larger number of votes is required by applicable ordinance or other law.
- b. When a member of the Commission abstains from voting on any matter before it because of a potential conflict of interest, said vote shall not constitute nor be considered as either a vote in favor of or opposition to the matter being considered. When a member of the Commission abstains from voting for any reason other than a potential conflict of interest, the abstention shall be counted with the majority.



2. VOTING ORDER

The order of voting will be rotated each meeting except that the Chairperson shall vote last.

3. RECORDING OF VOTES

The minutes of the Commissioner's proceedings shall show the vote of each member, including if they were absent or failed to vote on a matter considered.

4. DISQUALIFICATION FROM VOTING

A member shall disqualify himself or herself from voting in accordance with the applicable Conflict of Interest Code. When a person disqualifies himself or herself, he or she shall disclose the disqualification prior to Commission consideration of the matter, and the disqualified member shall then leave the voting area.

5. RECONSIDERATION

A motion for reconsideration of a matter may be made by any commissioner who voted with the prevailing majority on the matter to be reconsidered. Any commissioner may second a motion for reconsideration. If the matter under reconsideration was first considered under a public hearing, the public hearing shall be reopened before any additional evidence is considered. A motion for reconsideration must be made at the same meeting as the meeting where the matter was voted upon.

- J. The Chairperson or such other person who may be presiding at meetings of the Commission is responsible for the maintenance of order and decorum at all times. No person should speak who has not first been recognized by the Chair. All questions and remarks should be addressed to the Chair.
- K. Any Commissioner may move to require the Chairperson or person presiding at the meeting to enforce the rules, and the affirmative vote of a majority of the Commissioners present shall require him or her to so act.
- L. Commissioners shall accord the utmost courtesy to each other, to City employees, and to the public appearing before the Commission, and shall refrain at all times from rude and derogatory remarks, negative reflections as to integrity, abusive comments, and statements as to motive and personality.
- M. All written materials to be delivered to the Planning Commission concerning its official business shall be delivered to Planning Division staff for distribution. Staff is advised to distribute written materials concerning any matter on the agenda to the Planning Commission at least seven days (Thursday of the week before each regular meeting) before the date of the meeting when the matter is to be considered by the Planning Commission. If it is not reasonably possible to distribute

the material at least seven days before the meeting when the matter is to be considered, the material may be distributed at the meeting.

- N. During Planning Commission meetings, all written materials not already included in the materials which have been previously provided to the Planning Commission and which are offered for consideration by the Commission, shall be distributed to the Planning Commission. The Planning Commission shall consider such written materials as reasonably possible at the time of the meeting.
- O. Failure to comply with the strict provisions of these rules shall not necessarily invalidate any action taken by the Commission.

III. REVIEW AND AMENDMENTS PROCEDURE

- A. These Rules of Procedure shall be reviewed in July of each year by a subcommittee appointed by the Chair with the general agreement of the Commission. The review subcommittee shall present their recommendation for amending or not amending these rules.
- B. In addition, these Rules of Procedure may be amended at any meeting of the Planning Commission by a majority of the membership (four affirmative votes) of the Commission provided that notice of the proposed amendment is received by each Commissioner not less than five days prior to said meeting.

## CITY OF MORENO VALLEY

### PLANNING COMMISSION RULES OF PROCEDURE

#### I. RULES OF ORDER, ORGANIZATION AND OFFICERS

##### A. RULES OF ORDER

Except as otherwise provided in these Rules of Procedure, "~~Roberts Rules of Order, Newly Revised~~The Standard Code of Parliamentary Procedure 4<sup>th</sup> Edition," shall be used as a guide to the conduct of the meetings of the Planning Commission; except as may otherwise be provided by applicable law, no omission to conform to said rules of order shall in any instance be deemed to invalidate any action taken by the Commission.

##### B. ORGANIZATION

The Planning Commission shall consist of seven regular members and shall be organized and exercise such powers as prescribed by Ordinance of the City of Moreno Valley.

##### C. OFFICERS

###### 1. SELECTION

- a. A Chairperson and Vice-Chairperson shall be elected annually from among the Commission's membership at the first meeting in April, to serve at the pleasure of the Commission. The term of office for Chairperson and Vice-Chairperson shall be one (1) year. No person shall serve more than two consecutive terms as either Chairperson or Vice-Chairperson, however a commissioner may serve for two consecutive terms as Vice-Chairperson followed by two consecutive terms as Chairperson, or vice-versa.
- b. If the Chairperson vacates his or her office before the term of office is completed, a new Chairperson shall be elected at the next regular meeting. A new Vice-Chairperson shall also be elected if the former Vice-Chairperson is elected Chairperson.
- c. In the absence of the Chairperson and Vice-Chairperson, any other member ~~shall~~may call the Commission to order, whereupon a Chairperson pro tem shall be elected from the members present to preside.

###### 2. RESPONSIBILITIES

The responsibilities and powers of the officers and staff of the Planning Commission shall be as follows:

a. Chairperson

- 1) Preside at all meetings of the Commission.
- 2) Call special meetings of the Commission in accordance with legal requirements and these Rules of Procedure.
- 3) Sign documents of the Commission.
- 4) See that all actions of the Commission are properly taken.
- 5) Assist staff in determining agenda items.
- 6) The Chairperson shall be an ex-officio member of all committees of the Planning Commission with voice but not vote.

b. Vice-Chairperson

During the absence, disability or disqualification of the Chairperson, the Vice-Chairperson shall exercise or perform all the duties and be subject to all the responsibilities of the Chairperson.

- c. The Planning Official with the assistance of his staff, shall be responsible for providing the Commission with proposed minutes of its meetings, with proposed forms of resolutions when appropriate, with staff reports and recommendations on matters of business which come before the Commission, and with proposed forms of recommendations and reports for the Commission.

D. POWERS AND DUTIES

The functions, powers and duties of the Planning Commission shall be all those functions, powers and duties of a Planning Commission and Board of Zoning Adjustment as provided in Chapters 3 and 4 of Title 7 commencing with Section 65100 of the Government Code of the State (the Planning and Zoning Law), as the same may be hereafter amended. The Planning Commission shall perform such other duties and functions as may be designated by the City Council.

E. ETHICAL PROCESS AND PROCEDURE

1. Whenever after appointment, a Commissioner possesses or is likely to possess a financial interest in a project which is pending or likely to be pending in the foreseeable future before the Commission, it is the duty of the Commissioner to disclose for the record the interest and abstain not only from discussion and

voting, but a higher duty to abstain from discussion with any other Commissioner or staff concerning any matters relevant to the project, wherein the Commissioner has a financial interest in the decision.

2. It is equally unethical and improper for such Commissioner to recommend to other individuals that they contact other Commissioners or staff with respect to any matter relevant to the project.
3. Whenever a Commissioner discovers the existence of a possible conflict of interest and is unsure as to that situation, the Commissioner should consult with the City Attorney or the staff of the FPPC for clarification of his or her position; in the event a financial interest or likely financial interest exists in a project, the record should so disclose and be available for review.
4. No Commissioner should continue to serve as a Commissioner if it appears likely that he or she will receive substantial financial gain (obtain a financial interest as defined in the FPPC) from a large number of Planning Commission decisions on projects in a broad area of interest.
5. Nothing contained herein shall be construed to relieve a Commissioner of any duty imposed by State law or to change the law and regulations applicable to conflict and disclosure matters.
6. With respect to membership by a Commissioner in any other organization which may be incompatible with membership on the Planning Commission, the Commissioner should consider, to the extent recognized by law, any or all of the following, as may be applicable:
  - a. Withdrawal of membership from either the Commission or the said organization.
  - b. Leave of absence from the conflicting organization.
  - c. Inactivity during Commission tenure.
  - d. Being a non-voting participant in the conflicting organization.
  - e. Being a non-office holder in the conflicting organization.
  - f. Being a non-policy making member in the conflicting organization.

- g. Making no public statements within or about the organization.

F. FITNESS TO SERVE; STATEMENT OF PRIOR CONVERSATIONS

1. Any Planning Commissioner who wishes to serve the City of Moreno Valley shall adhere to the ~~Goalsgoals, Performance performance Objectivesobjectives, Dutiesduties, Responsibilitiesresponsibilities, Ethicalethical~~ ~~Process process~~ and ~~Procedureprocedure~~, and ~~Public-public Relations relations Standards-standards~~ as herein listed.
2. Present Commissioners who wish to serve ~~who-but~~ cannot justifiably adhere to the contents of these ~~Rules of Procedure guidelines~~ must evaluate their fitness to serve.
3. Any Commissioner shall declare, prior to voting in the recorded minutes, whether or not they talked or otherwise communicated independently with the developer, with the proponents, or with the opponents or with a representative of the developer, proponents or opponents concerning a project under consideration, ~~and Commissioners~~ shall further publicly disclose the substance of ~~the-any such~~ communication.

II. MEETINGS

A. PUBLIC MEETINGS

All meetings shall be held in full compliance with ~~the provision of State state~~ law, ordinances of the City, and these Rules of Procedure.

B. REGULAR MEETINGS

1. Regular meetings shall be held on the second and fourth Thursdays of each month at 7:00 p.m in the Council Chambers at City Hall, 14177 Frederick Street, Moreno Valley, California, unless otherwise determined by the Commission.
2. Whenever a regular meeting falls on a public holiday, no regular meeting shall be held on that day. Such regular meeting shall occur on the next business day, or cancelled by motion adopted by the Planning Commission.

C. ADJOURNED MEETINGS

In the event it is determined by the Planning Commission to adjourn its meeting to a certain hour on another day, a specific date, time, and place must be set by the Commission prior to the regular motion to adjourn, and the meeting so adjourned.

D. SPECIAL MEETINGS

Special meetings of the Planning Commission may be held at any time upon the call of the Chairperson or by a majority of the voting members of the Commission or upon request of the City Council following at least 48 hours notice to each member of the Commission and to the press, and to each person who has duly requested notice of such meetings. The time and place of the special meeting shall be determined by the convening authority, except that the meeting place shall be within the corporate limits of the City. Only those matters of business described in the call and notice for a special meeting shall be considered by the Commission.

E. STUDY SESSIONS/WORKSHOPS

1. The Commission may be convened as a whole or as a committee of the whole in the same manner as prescribed for the calling of a special meeting for the purpose of holding a study session provided that no official action shall be taken and no quorum shall be required.

~~2. All study sessions shall be open to the public; but, unless the Commission invites evidence or comments to be given, participation by interested members of the public shall not take place at such study sessions.~~

F. AGENDA

1. An agenda for each meeting of the Commission shall be prepared by the Planning Official or his staff with the cooperation and approval of the Chairperson or in the absence of the Chairperson, by the Vice-Chairperson.

a. The Commission cannot guarantee that applicants meeting filing deadlines will be placed on the agenda of the first meeting thereafter.

b. A copy of the agenda for each meeting of the Commission shall be posted at the City Hall Offices seventy-two (72) hours prior to each regular meeting and at least twenty-four (24) hours prior to each special meeting of the Commission.

~~G. ORDER OF MEETINGS~~

~~H.~~

~~1. UNLESS THE CHAIRPERSON IN HIS OR HER DISCRETION OTHERWISE DIRECTS, THE ORDER OF BUSINESS SHALL BE AS FOLLOWS~~  
Unless the Chairperson in his or her discretion otherwise directs, the order of business shall be as follows::

a. The Chairperson shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Commission to order.

- b. Members present and absent shall be recorded.
- c. Pledge of Allegiance shall be made.
- d. The agenda shall be approved as submitted or revised (to the extent permitted by law).
- e. The minutes of any preceding meeting shall be submitted for approval.
- f. Public comment shall be taken, during which any member of the audience may comment on any matter which is not listed on the agenda. A time limit of three minutes may be imposed on each individual if the Chairperson in his or her discretion so directs.
- g. The public shall be advised of the procedures to be followed in the meeting.
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~~1-2.~~ A motion to adjourn shall always be in order except during roll call.

~~2-3.~~ The Chairperson of the Commission, or other presiding officer, may make and second motions and debate from the Chair subject only to such limitations of debate as are imposed on all members of the Commission. However, since the Chairperson is primarily responsible for the conduct of the meeting, if he or she personally desires to engage in extended debate on questions before the Commission, he or she should consider turning the Chair over to another Commissioner.

## I. VOTING

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- B. In addition, these Rules of Procedure may be amended at any meeting of the Planning Commission by a majority of the membership (four affirmative votes) of the Commission provided that notice of the proposed amendment is received by each Commissioner not less than five days prior to said meeting.