

RESOLUTION NUMBER 2022-47

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE CERTAIN AMENDMENTS TO TITLE 9 (PLANNING AND ZONING) WHICH INCLUDE AMENDING CHAPTERS 9.02 (PERMITS AND APPROVALS), 9.03 (RESIDENTIAL DISTRICTS), 9.07 (SPECIAL DISTRICTS), 9.08 (GENERAL DEVELOPMENT STANDARDS), 9.09 (SPECIFIC USE DEVELOPMENT STANDARDS), 9.11 (PARKING, PEDESTRIAN AND LOADING REQUIREMENTS), AND 9.14 (LAND DIVISIONS) OF THE MORENO VALLEY MUNICIPAL CODE (PEN22-0232)

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

WHEREAS, pursuant to the authority granted the City by Article XI, Section 7 of the California Constitution, the City has the police power to adopt regulations designed to promote the public convenience or the general prosperity, as well as regulations designed to promote the public health and safety; and

WHEREAS, Section 9.02.050 (Amendments to zoning districts or other provisions of Title 9) of Chapter 9.02 (Permits and Approvals) of Title 9 (Planning and Zoning) of the Municipal Code provides that either the staff or the Planning Commission may initiate amendments to the provisions of Title 9; and

WHEREAS, staff has recommended to the Planning Commission that it consider recommending that the City Council adopt several amendments to Title 9, which include revising certain provisions of Chapter 9.02 (Permits and Approvals), Chapter 9.03 (Residential Districts), Chapter 9.07 (Special Districts), Chapter 9.08 (General Development Standards), Chapter 9.09 (Specific Use Development Standards), Chapter 9.11 (Parking, Pedestrian and Loading Requirements), and Chapter 9.14 (Land Divisions) (collectively referred to herein as “PEN22-0232”); and

WHEREAS, PEN22-0232 will clarify various development standards to provide some flexibility regarding existing requirements, make it less costly for the public with respect to processing certain entitlements and streamline certain entitlement procedures for efficiency purposes, all of which will promote economic development within the City; and

WHEREAS, staff has determined that PEN22-0232 is consistent with the MOVAL 2040 General Plan and its goals, objectives, policies, and programs, and with any applicable specific plan; and

WHEREAS, staff has further determined that PEN22-0232 will not adversely affect the public health, safety or general welfare; and

WHEREAS, staff has also determined that PEN22-0232 is consistent with the

purposes and intent of Title 9; and

WHEREAS, pursuant to the provisions of Section 9.02.200 (Public hearing and notification procedures) of the Municipal Code and Government Code Sections 65090 et seq., a public hearing was scheduled for November 17, 2022, and notice thereof was duly published and posted; and

WHEREAS, on November 17, 2022, the public hearing to consider PEN22-0232 was duly noticed and conducted by the Planning Commission at which time all interested persons were given full opportunity to be heard and to present evidence; and

WHEREAS, staff has determined that PEN22-0232 is exempt from the California Environmental Quality Act in accordance with Section 15061(b)(3) of the CEQA Guidelines in that the amendments involve general policy and procedure making, and it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment.

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

Section 1. Recitals and Exhibits

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

Section 2. Evidence

That the Planning Commission has considered all of the evidence submitted into the administrative record for PEN22-0232 including, but not limited to, the following:

- (a) PEN22-0232 and all relevant provisions referenced therein;
- (b) City's Municipal Code;
- (c) MOVAL 2040 General Plan;
- (d) Staff Report prepared for the Planning Commission's consideration and all documents, records and references related thereto; and Staff's presentation at the public hearing; and
- (e) Testimony comments and/or correspondence from all persons that were provided in written format or correspondence, at, or prior to, the public hearing.

Section 3. Findings

That based on the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission hereby finds as follows:

- (a) That PEN22-0232 is consistent with the existing goals, objectives, policies and programs of the MOVAL 2040 General Plan;

- (b) That PEN22-0232 will not adversely affect the public health, safety or general welfare;
- (c) That PEN22-0232 is consistent with the purposes and intent of Title 9; and
- (d) That PEN22-0232 is exempt from the California Environmental Quality Act in accordance with Section 15061(b)(3) of the CEQA Guidelines in that the amendments involve general policy and procedure making, and it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment.

Section 4. Recommendation

That based on the foregoing Recitals, Evidence in the Administrative Record and Findings, as set forth herein, the Planning Commission hereby recommends that the City Council approve the draft ordinance including all amendments to Title 9 (PEN22-0232) attached hereto as Exhibit A, which are on file with the Community Development Department.

Section 5. Repeal of Conflicting Provisions

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

Section 6. Severability

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

Section 7. Effective Date

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

Section 8. Certification

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

PASSED AND ADOPTED THIS 17th day of NOVEMBER 2022.

CITY OF MORENO VALLEY
PLANNING COMMISSION

Alvin Dejohnette, Chairperson

ATTEST:

Sean P. Kelleher, Planning Official

APPROVED AS TO FORM:

Steven B. Quintanilla, Interim City Attorney

Exhibits:

Exhibit A: Draft Ordinance

Exhibit A
Draft Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING VARIOUS SECTIONS WITHIN TITLE 9 (PLANNING AND ZONING), INCLUDING CHAPTER 9.02 (PERMITS AND APPROVALS), CHAPTER 9.03 (RESIDENTIAL DISTRICTS), CHAPTER 9.07 (SPECIAL DISTRICTS), CHAPTER 9.08 (GENERAL DEVELOPMENT STANDARDS), CHAPTER 9.09 (SPECIFIC USE DEVELOPMENT STANDARDS), CHAPTER 9.11 (PARKING, PEDESTRIAN AND LOADING REQUIREMENTS), AND CHAPTER 9.14 (LAND DIVISIONS) OF THE MORENO VALLEY MUNICIPAL CODE

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

WHEREAS, pursuant to the authority granted the City by Article XI, Section 7 of the California Constitution, the City has the police power to adopt regulations designed to promote the public convenience or the general prosperity, as well as regulations designed to promote the public health, morals and/or safety; and

WHEREAS, Section 9.02.050 (Amendments to zoning districts or other provisions of Title 9) of Chapter 9.02 (Permits and Approvals) of Title 9 (Planning and Zoning) of the Municipal Code provides that either the staff or the Planning Commission may initiate amendments to the provisions of Title 9; and

WHEREAS, upon Staff’s recommendation, the Planning Commission recommended that the City Council adopt several amendments to Title 9, which include revising certain provisions of Chapter 9.02 (Permits and Approvals), Chapter 9.03 (Residential Districts), Chapter 9.07 (Special Districts), Chapter 9.08 (General Development Standards), Chapter 9.09 (Specific Use Development Standards), Chapter 9.11 (Parking, Pedestrian and Loading Requirements), and Chapter 9.14 (Land Divisions) (collectively referred to herein as “PEN22-0232”); and

WHEREAS, PEN22-0232 will clarify various development standards to provide some flexibility regarding existing requirements, make it less costly for the public with respect to processing certain entitlements and streamline certain entitlement procedures for efficiency purposes, all of which will promote economic development within the City; and

WHEREAS, staff and Planning Commission have determined that PEN22-0232 is consistent with the MOVAL 2040 General Plan and its goals, objectives, policies, and programs, and with any applicable specific plan; and

WHEREAS, staff and Planning Commission have further determined that PEN22-0232 will not adversely affect the public health, safety or general welfare; and

WHEREAS, staff and Planning Commission have also determined that PEN22-0232 is consistent with the purposes and intent of Title 9; and

WHEREAS, staff and Planning Commission have determined that PEN22-0232 is exempt from the California Environmental Quality Act in accordance with Section 15061(b)(3) of the CEQA Guidelines in that the amendments involve general policy and procedure making, and it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment; and

WHEREAS, on _____, 2022, the public hearing to consider PEN22-0232 was duly noticed and conducted by the City Council at which time all interested persons were given full opportunity to be heard and to present evidence; and

WHEREAS, City Council has determined that PEN22-0232 is exempt from the California Environmental Quality Act in accordance with Section 15061(b)(3) of the CEQA Guidelines in that the amendments involve general policy and procedure making, and it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY DOES ORDAIN AS FOLLOWS:

Section 1. RECITALS

That the above recitals are true and correct and are incorporated herein as though set forth at length herein.

Section 2. AUTHORITY

That this Ordinance is adopted pursuant to the authority granted by Article XI, Section 7 of the Constitution of the State of California and California Government Code Section 37100, and it is not intended to be duplicative of state law, or be preempted by state legislation.

Section 3. AMENDMENT TO TABLE 9.02.020-1 (PERMITTED USES)

Table 9.02.020-1 (Permitted Uses) as set forth in Section 9.02.020 (Permitted Uses) of Chapter 9.02 (Permits and Approvals) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit A.

Section 4. AMENDMENT TO SECTION 9.02.040 (GENERAL PLAN AMENDMENTS)

Section 9.02.040 (General Plan Amendments) of Chapter 9.02 (Permits and Approvals) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit B.

Section 5. AMENDMENT TO SECTION 9.02.150 (TEMPORARY USE PERMITS)

Section 9.02.150 (Temporary use permits) of Chapter 9.02 (Permits and Approvals) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit C.

Section 6. AMENDMENT TO SECTION 9.03.040 (RESIDENTIAL SITE DEVELOPMENT STANDARDS)

Section 9.03.040 (Residential site development standards) of Chapter 9.03 (Residential Districts) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit D.

Section 7. AMENDMENT TO SECTION 9.07.010(B) (DOWNTOWN CENTER (DC))

Section 9.07.010(B) (Downtown Center (DC)) of Chapter 9.07 (Special Districts) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit E.

Section 8. AMENDMENT TO SECTION 9.08.070 (FENCES AND WALLS)

Section 9.08.070 (Fences and walls) of Chapter 9.08 (General Development Standards) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit F.

Section 9. AMENDMENT TO SECTION 9.09.080 (DRIVE-IN, DRIVE-THROUGH, FAST FOOD AND TAKE-OUT RESTAURANTS)

Section 9.09.080 (Drive-in, drive-through, fast food and take-out restaurants) of Chapter 9.08 (General Development Standards) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit G.

Section 10. AMENDMENT TO SECTION 9.11.040 (OFF-STREET PARKING REQUIREMENTS)

Section 9.11.040 (Off-Street parking requirements) of Chapter 9.11 (Parking, Pedestrian and Loading Requirements) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit H.

Section 11. AMENDMENT TO SECTION 9.14.065 (FINANCE AND CONVEYANCE MAPS)

Section 9.14.065 (Finance and conveyance maps) of Chapter 9.14 (Land Divisions) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit I.

Section 12. AMENDMENT TO SECTION 9.14.090 (FINAL LAND DIVISION MAPS)

Section 9.14.090 (Final land division maps) of Chapter 9.14 (Land Divisions) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit J.

Section 13. CEQA COMPLIANCE

That PEN22-0232 is exempt from the California Environmental Quality Act in accordance with Section 15061(b)(3) of the CEQA Guidelines in that the amendments

involve general policy and procedure making, and it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment.

Section 14. FINDINGS

That based on the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the City Council hereby finds as follows:

- (a) That PEN22-0232 is consistent with the existing goals, objectives, policies and programs of the MOVAL 2040 General Plan;
- (b) That PEN22-0232 will not adversely affect the public health, safety or general welfare;
- (c) That PEN22-0232 is consistent with the purposes and intent of Title 9; and
- (d) That PEN22-0232 is exempt from the California Environmental Quality Act in accordance with Section 15061(b)(3) of the CEQA Guidelines in that the amendments involve general policy and procedure making, and it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment.

Section 15. SEVERABILITY

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

Section 16. REPEAL OF CONFLICTING PROVISIONS

That all the provisions of the Municipal Code as heretofore adopted by the City of Moreno Valley that are in conflict with the provisions of this Ordinance are hereby repealed.

Section 17. EFFECTIVE DATE

That this Ordinance shall take effect thirty (30) days after its second reading.

Section 18. CERTIFICATION

That the City Clerk shall certify to the passage and adoption of this Ordinance, enter the same in the book for original ordinances of the City, and make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which this Ordinance is passed and adopted.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

INTRODUCED at a regular meeting of the City Council on ____ , 2022, and PASSED, APPROVED, and ADOPTED by the City Council on _____ , 2022, by the following vote:

Dr. Yxstian A. Gutierrez, Mayor
City of Moreno Valley

ATTEST:

Jan Halstead, City Clerk

APPROVED AS TO FORM:

Steven B. Quintanilla, Interim City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. YYYY-____ was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____ day of ____, YYYY, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK _____

(SEAL)

Exhibit A

DRAFT

Permitted Uses Table 9.02.020-1

- X - Indicates stated use is permitted subject to district requirements.
- C - Indicates stated use is allowed with a conditional use permit.
- ◆ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
- A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.
- S - Indicates a use is permitted, providing the requirements of 9.09.280 (Smoke Shops) of this title are met. A conditional use permit is required if dictated by the distance criteria.
- M - Indicates a use is allowed with a conditional use permit, providing the requirements of 9.09.290 (Commercial Cannabis Activities) of this title are met.

	Residential Zones												Mixed Use Overlay			Commercial & Office Zones						Industrial Zones				
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN ^(9,11)	MUC ^(9,11)	MUJ ^(8,10,11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Adult Businesses																	A		A	A	P	A	A	A	A	
Agricultural Uses—Crops Only ¹⁸	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																						X				
Aircraft Landing Facilities																	C		C	C	C	C				
Ambulance Service																	◆				◆	X	X	X	X	
Amusement Parks, Fairgrounds ¹⁸																	◆					X				
Animal Raising (see Section 9.09.090 of this title) ¹⁸	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Appliance and Electronic Repair Shops													X	X	X	X	X					X	X		X	
Arcades, Video Machines																◆	X	◆								
Athletic Clubs, Gymnasiums and Spas ¹⁸													X	X	X	X	X		X			X	X	X	X	
Auction Houses ¹⁸																	X									X
Auditoriums ¹⁸													◆	◆	◆		◆	◆	◆	◆	◆	◆	◆	◆	◆	
Auto Electronic Accessories and Installation																	X					X	X		X	
Automobile Fleet Storage																						X	X			
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations																	◆					X	X			
Auto Service Stations																										
Accessory uses include convenience store and car wash																◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	

Exhibit A

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Permitted Uses Table 9.02.020-1

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- S - Indicates a use is permitted, providing the requirements of 9.09.280 (Smoke Shops) of this title are met. A conditional use permit is required if dictated by the distance criteria.
- M - Indicates a use is allowed with a conditional use permit, providing the requirements of 9.09.290 (Commercial Cannabis Activities) of this title are met.

	Residential Zones													Mixed Use Overlay			Commercial & Office Zones						Industrial Zones				
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN ^(9,11)	MUC ^(9,11)	MUJ ^(8,10,11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS	
Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)																											
Automotive, Boat, Motorcycle and RV Repair—Minor (includes brake, muffler and tire installation and repair)																◆	X						X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul																	◆						X				
Auto Rentals																	X							X	X	X	
Auto Supply Stores													X	X	X	X	X						X	X		X	
Bakery Shops													X	X	X	X	X	X								X	
Bakery—Commercial ¹⁸																						X					
Banks—Financial Institutions ¹⁸													X	X	X	X	X	X	X	X					X	X	
Barber and Beauty Colleges ¹⁸													X	X	X	X	X		X	X				X	X		
Bars (Drinking Establishments) ¹⁸																											
Bars													C	C	C	C	C	C									
Bars, with Limited Live Entertainment													C	C	C	C	C	C									
Boat Sales New and Used Including Repairs and Accessory Installation																	◆						X				
Boarding and Rooming Houses ¹⁸									X	X	X	X	X	X													
Bowling Alley													◆	◆	◆	X	X										
Building Material Sales ¹⁸																	◆										
With outdoor storage ¹⁸																	◆						X	X			
Building Material Storage Yards ¹⁸																							X				

Exhibit A

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- A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.
- S - Indicates a use is permitted, providing the requirements of 9.09.280 (Smoke Shops) of this title are met. A conditional use permit is required if dictated by the distance criteria.
- M - Indicates a use is allowed with a conditional use permit, providing the requirements of 9.09.290 (Commercial Cannabis Activities) of this title are met.

	Residential Zones												Mixed Use Overlay			Commercial & Office Zones					Industrial Zones						
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN ^(9.11)	MUC ^(9.11)	MUJ ^(8,10,11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS	
Bus, Rail and Taxi Stations ¹⁸															◆		◆										
Business Equipment Sales (includes repairs)													X	X	X	X	X	X	X								X
Business Schools ¹⁸													X	X	X	X	X	X	X	X				X	X	X	X
Business Supply Stores													X	X	X	X	X		X				X	X			X
Cabinet Shop																							X	X	X	X	
Caretakers Residence ¹																◆	◆	C	◆	◆	◆		◆	◆	◆	◆	
Car Wash																X	X						X				
Accessory to auto related use																◆	◆						X				
Catering Service													X	X	X	X	X	X							X	X	
Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C	C															
Churches ^{2, 18}	C	C	C	C	C	C	C	C	C	C	C	C	◆	◆	◆	◆	◆	C	◆	◆	◆		◆	◆	◆	◆	
Clubs ¹⁸								◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆					C	
Commercial Cannabis Activities ^{17, 18}																											
Cultivation																								M	M	M	
Dispensary																M	M									M	
Manufacturing																								M	M	M	
Testing																								M	M	M	
Microbusiness																	M									M	
Distribution Center																M	M							M	M	M	
Commercial Radio or Television Stations																											

Exhibit A

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- S - Indicates a use is permitted, providing the requirements of 9.09.280 (Smoke Shops) of this title are met. A conditional use permit is required if dictated by the distance criteria.
- M - Indicates a use is allowed with a conditional use permit, providing the requirements of 9.09.290 (Commercial Cannabis Activities) of this title are met.

	Residential Zones												Mixed Use Overlay			Commercial & Office Zones					Industrial Zones						
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9.11)	MUC (9.11)	MUI (8,10,11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS	
With on-site antenna																	◆						◆	◆	◆	◆	
Without on-site antenna																	X						X	X	X	X	
Communications Facilities (See Section 9.09.040 of this title)																											
Computer Sales and Repairs													X	X	X	X	X		X				X	X	X	X	
Contractors Storage Yard																							X				
Convalescent Homes/Assisted Living ¹⁸							C	C	C	C	C	C	◆	◆	◆	◆	◆	◆	◆	◆	◆						
Convenience Stores																											
With drive-through																X	X										
Without drive-through													X	X	X	X	X										
With alcohol sales													◆	◆	◆	◆	◆										
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services ¹⁸															C		◆		◆		◆			◆	◆		
Copy Shops													X	X	X	X	X	X	X	X			X	X	X	X	
Country Club ¹⁸	C	C	C	C	C	C	C	C	C	C	C	C															
Dancing, Art, Music and Similar Schools ¹⁸													X	X	X	X	X	X	X	X			X	X	X		
Day Care Centers ^{18, 19}	C	C	C	C	C	C	C	C	C	C	C	C	◆	◆	◆	◆	◆	◆	◆	◆	◆		◆	◆	◆	◆	C
Delicatessens ¹⁸													X	X	X	X	X	X					X	X	X		
Diaper Supply Service																							X				
Laundry with fleet storage ¹⁸																							X				
Disposal company																							X				
Drapery Shops													X	X	X	X	X	X									

Exhibit A

DRAFT

Permitted Uses Table 9.02.020-1																										
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Residential Zones													Mixed Use Overlay			Commercial & Office Zones					Industrial Zones					
													MUN ^(9,11)	MUC ^(9,11)	MUJ ^(8,10,11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Dressmaking Shops													X	X	X	X	X	X	X	X	X					
Driving School ¹⁸													X	X	X	X	X		X	X			X	X	X	
Drug Stores													X	X	X	X	X	X								
Dry Cleaning or Laundry ¹⁸																										
a. Dry Cleaning													X	X	X	X	X	X	X	X						X
b. Laundromat													X	X	X	X	X	X	X	X						
c. Laundry Commercial																						X	X			
Emergency Shelters ¹⁴																	C		C	C	X	C				C
Equestrian Centers, Riding Academies, Commercial Stables (including incidental sales of feed and tack) ¹⁸	C	C	C	C													♦									C
Exterminators																	C					X	X	X	X	
Farm Worker Housing ¹⁸									X	X	X	X														
Feed and Grain Stores																X	X	X								
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X	X	X					X				
Fraternity/Sorority ¹⁸									C	C	C	C														
Frozen Food Locker																						X	X			
Gasoline Dispensing - Non-retail accessory to an auto-related use ¹⁸																	X					X	X	X	X	
Glass Shops and Glass Studios—Stained, etc.																X	X					X	X		X	

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Permitted Uses Table 9.02.020-1																													
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	Residential Zones												Mixed Use Overlay			Commercial & Office Zones					Industrial Zones								
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN ^(9,11)	MUC ^(9,11)	MUJ ^(8,10,11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS			
Golf Courses or Golf Driving Ranges with Incidental Commercial Uses ¹⁸	C	C	C	C	C	C	C	C	C	C	C	C															♦		
Handicapped Housing ¹⁸								X	X	X	X	X	X	X															
Heavy Equipment Sales and Rentals																X										X	X		
Hospitals ¹⁸																	♦		♦	♦							C	C	C
Hotels ¹⁸																													
a. With 20% or less of the units containing kitchens													X	X	X		X		C						X	X	X		
b. With over 20% of the units containing kitchens													C	C	C		C		C						C	C	C		
Ice Cream Stores—Including Yogurt Sales													X	X	X	X	X	X	X									X	
Impound Yards																								X					
Jewelry Stores													X	X	X	X	X	X											
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦	♦	C					
Laboratories (medical and dental) ¹⁸													X	X	X	X	X		X	X				X	X	X	X		
Libraries ¹⁸	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X			X	X	X	X		
Liquor Stores													♦	♦		♦	♦												
Live/Work Unit ^{12, 18}												X	X	X															
Locksmith Shops												X	X	X	X	X	X							X	X	X	X		
Lodge Halls and Similar Facilities ¹⁸													♦	♦	♦	♦	♦		♦							♦	♦		
Lumberyards																	X							X					
Mail Order House																	X							X	X	X	X		
Manufacturing and Assembly ¹⁸																													

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Permitted Uses Table 9.02.020-1

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- S - Indicates a use is permitted, providing the requirements of 9.09.280 (Smoke Shops) of this title are met. A conditional use permit is required if dictated by the distance criteria.
- M - Indicates a use is allowed with a conditional use permit, providing the requirements of 9.09.290 (Commercial Cannabis Activities) of this title are met.

	Residential Zones												Mixed Use Overlay			Commercial & Office Zones						Industrial Zones					
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN ^(9,11)	MUC ^(9,11)	MUJ ^(8,10,11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS	
With cremation services																							X	X			
No cremation services			C	C	C	C	C	C	C	C	C	C			◆	◆	◆							X	X		
Museums ¹⁸	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Newspaper and Printing Shops													X	X	X	X	X					X	X	X	X		
Nightclubs ¹⁸														C	C		C										
Nursery, (Plant), Wholesale and Distribution	X	X	X	X																		X	X			X	
Offices (administrative and professional) ¹⁸													X	X	X	X	X	X	X	X			X	X	X		
Open Air Theaters ¹⁸															C						C					C	
Orphanages ¹⁸	C	C	C	C	C	C	C	C	C	C	C	C															
Painting Contractor																						X	X				
Parcel Delivery Terminals ¹⁸																						X	X	X	X		
Parking Lot															C	C	X	X	C					X			
Parks and Recreation Facilities (public) ¹⁸	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Personal Services (e.g., nail salons, spa facilities ¹⁵ , barber and beauty shops, and tattoo parlors) ¹⁸													X	X	X	X	X	X	X						X		
Pharmacy ⁴													X	X	X	X	X	X	X						X		
Photo Studios													X	X	X	X	X	X	X						X		
Plumbing Shops																X									X		
Plumbing Supply Stores for Contractors																							X	X	X		
Pool Hall ¹⁸														◆		◆	◆										
Postal Services													X	X	X	X	X	X	X				X	X	X		
Pottery Sales with Outdoor Sales													X	X	X	X	X	X				X			X		

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	Residential Zones												Mixed Use Overlay			Commercial & Office Zones					Industrial Zones					
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN ^(9,11)	MUC ^(9,11)	MUJ ^(8,10,11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Public Administration, Buildings and Civic Centers ¹⁸													X	X	X	X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices ¹⁸	C	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C
Racetracks ¹⁸																	C				C					
Record Store													X	X	X	X	X	X								
Recording Studio													X	X	X	X	X	X	X	X		X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, with Limited Associated Incidental Uses ¹⁸	C	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦								
Recycling, Large Collection Facility ⁵																	♦					X	X			
Recycling, Small Collection Facility													X	X	X	X	X	X								
Recycling Processing Centers																						X	X	X	X	
Refreshment Stands													X	X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service																										
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X	X	X				X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)																	♦	♦				X	X			
Research and Development ¹⁸													X	X	X				X	X		X	X	X	X	
Residential ¹⁸																										
Single-Family	X	X	X	X	X	X	X	X	X	X	X	X														
Multiple-Family										X	X	X	X	X	X	X										
Manufactured home park (see mobile home parks)																										

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	Residential Zones												Mixed Use Overlay			Commercial & Office Zones					Industrial Zones						
	CHR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN ^(9,11)	MUC ^(9,11)	MUJ ^(8,10,11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS	
Residential Care Facility (for seven or more persons) ¹⁸	C	C	C	C	C	C	C	C	C	C	C	C	C	C	X												
Restaurants (Eating and Drinking Establishments) ¹⁸																											
Without entertainment													X	X	X	X	X	X	X								X
With Limited Live entertainment													X	X	X	X	X	X	X								
With alcoholic beverage sales													X	X	X	X	X	X	X								X
With outdoor seating ¹³													X	X	X	X	X	X	X								X
Restaurants (fast-food) ¹⁸																											
With drive-through																◆	◆										◆
Without drive-through													X	X	X	X	X										X
Retails Sales													X	X	X	X	X	X									
Support Retail Sales													X	X	X				X								X
Sandwich Shops ⁶													X	X	X	X	X	X	X	X ⁶							
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	C	◆	◆	◆	◆	◆		◆	◆						◆	◆
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X							
Shoe Shine Stands													X	X	X	X	X		X	X				X	X		
Shoe Repair Shop													X	X	X	X	X	X									
Sign Shop													X	X	X	X	X	X				X	X	X	X		
Single room occupancy (SRO) facility ¹⁸											C	C	C	C	C		X										
Skating Rinks ¹⁸														X			X										
Smoke Shops ¹⁶																S	S	S	S								
Stationery Stores													X	X	X	X	X	X	X					X	X		
Statue Shop -Outdoor display																	◆					X	X				

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	Residential Zones												Mixed Use Overlay			Commercial & Office Zones					Industrial Zones						
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN ^(9.11)	MUC ^(9.11)	MUJ ^(8,10,11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS	
Storage Lots and Mini-Warehouses																											
Indoor																	C								X		
Outdoor																	C								X		
Supportive and Transitional Housing	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X							
Swim Schools/Center with Incidental Commercial Uses ¹⁸	C	C	C	C	C	C	C	C	C	C	C					X											
Taxidermist																	X							X	X		
Theaters (excludes open air) ¹⁸													X	X	X	X	X	X									
Tire Recapping																								X			
Trade and Vocational Schools ¹⁸													X	X	X		X		X	X				X	X	X	
Transfer, Moving and Storage Facilities																								X	X		
Truck Wash																								X	X		
Upholstery Shops																	X							X	X	X	
Vehicle Storage Yards																											
Indoor																	X							X	X		
Outdoor																	C							X	X		
Vending Machine Service and Repair																							X	X	X	X	
Veterinarian (including animal hospital) ¹⁸																											
All activities within an enclosed structure													X	X	X	X	X								X	X	
With outdoor activities																	♦								♦	♦	
Weight Reduction Center													X	X	X	X	X	X	X								
Wholesale, Storage, and Distribution ¹⁸																											

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Permitted Uses Table 9.02.020-1	Residential Zones												Mixed Use Overlay			Commercial & Office Zones						Industrial Zones					
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN ^(9,11)	MUC ^(9,11)	MUI ^(8,10,11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS	
All activities indoors (50,000 square feet or less)																						X	X	X	X		
All activities indoors (more than 50,000 square feet)																							X	X			
All activities outdoors																							X				
Retail sale of goods warehoused on-site ⁷																						X	X	X			
Wrecking Yard																							◆				

- Notes:
- (1) Do not consider residential use per distance requirement.
 - (2) The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.
 - (3) Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).
 - (4) Permitted in the OC and VOR districts only as a support medical office facility.
 - (5) Large collection facilities may be established within an existing building through the “tenant improvement” process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.
 - (6) Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.
 - (7) Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).
 - (8) In the MUI district, mixed use (commercial uses on first floor with office uses or residential uses on upper floors) are (a) required to on lots at street intersections and within 300 feet in any direction from a street intersection, as measured from the corner formed by the lot’s property lines, and (b) are allowed, but not required on the other lots.
 - (9) In the MUC and MUN districts, mixed use (commercial uses on first floor with office uses or residential uses on upper floors) are (a) required to on lots at street intersections and within 150 feet in any direction from a street intersection, as measured from the corner formed by the lot’s property lines, and (b) are allowed, but not required on the other lots.
 - (10) See Section 9.07.40 (Medical Use Overlay District)

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- (11) See Section 9.09.260 (Mixed Use Development)
- (12) See Section 9.09.250 (Live-Work Development)
- (13) See Section 9.09.270 (Outdoor Dining)
- (14) Use is also permitted in the Moreno Valley Industrial Area Plan (SP 208)
- (15) For Spa Facilities refer to Title 11, Chapter 11.96 of the Municipal Code.
- (16) See Section 9.09.280.C (Smoke Shops) for distance requirements that require a Conditional Use Permit.
- (17) See Section 9.09.290 (Commercial Cannabis Activities) for all Commercial Cannabis Activities regulations.
- (18) See Section 9.07.060 Airport Land Use Compatibility Plan for Airport Land Use Compatibility Plan (ALUCP) requirements for actions proposed on property located within an Airport Compatibility Zone. When located within an Airport Land Use Compatibility Zone, greater land use, restrictions for airport compatibility may apply per the applicable ALUCP.
- (19) For Day Care uses in the Moreno Valley Industrial Area Plan (SP 208), See Section 9.07.060 Airport Land Use Compatibility Plan for Airport Land Use Compatibility Plan (ALUCP) requirements for actions proposed on property located within an Airport Compatibility Zone. When located within an Airport Land Use Compatibility Zone, greater land use, restrictions for airport compatibility may apply per the applicable ALUCP.

Zoning District Key			
HR	Hillside Residential District	MU	Mixed Use Overlay District
RR	Rural Residential District	MUN	Mixed-Use Neighborhood Overlay District
R1	Residential 1 District (40,000 square feet minimum lot size)	MUC	Mixed-Use Community Overlay District
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)	MUI	Mixed-Use Institutional Anchor Overlay District
R2	Residential 2 District (20,000 square feet minimum lot size)	NC	Neighborhood Commercial District
R3	Residential 3 District (10,000 square feet minimum lot size)	CC	Community Commercial District
R5	Residential 5 District (7,200 square feet minimum lot size)	VC	Village Commercial District
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)	OC	Office Commercial District
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)	O	Office District
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)	P	Public District
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)	I	Industrial District
R30	Residential 30 District (Up to 30 Dwelling Units per net acre)	LI	Light Industrial
		BP	Business Park District
		BPX	Business Park-Mixed Use District
		OS	Open Space District

9.02.040 General plan amendments.

- A. Purpose and Intent. As conditions within the city change, it may, from time to time, become necessary to amend the general plan to enhance its effectiveness. In addition, state law requires that the general plan be periodically updated. The purpose of this section is to provide a method for amending the general plan to ensure its continued effectiveness.
- B. Authority. Authority for approval of general plan amendments shall be vested in the city council. The community development director and planning commission shall provide recommendations to the city council regarding general plan amendments. The city council may amend all or part of the general plan, or any element thereof. All zoning districts, any specific plan and other plans of the city that are applicable to the same areas or matters affected by the general plan amendment, and which by law must be consistent with the general plan, shall be reviewed and amended concurrently as necessary to ensure consistency between the general plan and implementing zoning, specific plans, and other plans.
- C. Restriction on Number of Amendments. Except as otherwise specified by state law (e.g., Government Code Section 65358), no mandatory element of the general plan shall be amended more frequently than four times during any calendar year.
- D. Initiation of Amendments to the General Plan. An amendment to the general plan or any element thereof may be initiated by any of the following actions:
1. Recommendation of the planning commission and city council concurrence;
 2. Recommendation of the city council; and
 3. A privately filed application involving a change in land use designation for a specific property shall be submitted by the property owner or the owner's authorized agent and shall be accompanied by all required applications. Applications for amendment limited to changes in goals, objectives, policies and implementing actions may be submitted by any affected party and shall be accompanied by an explanation of reasoning and, if applicable, any concurrent applications required for approval of the particular development project the amendment is intended to accommodate. General plan amendment actions for any element, as necessary, will occur on approximately a quarterly basis.
- E. Authority and Hearings. Authority for approval of general plan amendments shall be vested in the city council. The community development director and planning commission shall provide recommendations to the city council regarding general plan amendments.
1. Planning Commission Review.
 - a. A public hearing before the planning commission shall be noticed in accordance with Section 9.02.200 of this chapter and held within a reasonable time (unless otherwise specified by state law), after the close of the quarterly filing period in which a privately initiated application is deemed complete and after required environmental documentation has been completed. A longer period of time may be prescribed by the city council in the case of a city-initiated amendment.
 - b. The planning commission shall make a written recommendation on the proposed amendment to approve, approve in modified form or disapprove.
 - c. Planning commission action recommending disapproval of proposed general plan amendment, regardless of how such amendment was initiated, shall be final unless appealed pursuant to the provisions of Section 9.02.240 of this chapter, within ten (10) consecutive calendar days after the planning commission's recommended disapproval or unless the city council assumes jurisdiction by the request of any member thereof, prior to the end of the ten (10) day appeal period.

2. City Council Review and Action. A public hearing before the city council shall be noticed in accordance with Section 9.02.200 of this chapter and held on the earliest appropriate date after the recommendation of the planning commission to approve a proposed general plan amendment or appeal of a decision by the planning commission to disapprove a proposed general plan amendment or a decision by the city council or any of its members to hear the matter. The city council may approve, approve with modifications, or disapprove any proposed amendment. Prior to council action, any substantial modification proposed by the council which was not previously considered by the planning commission shall first be referred to the planning commission for its recommendation. Failure of the commission to report within forty-five (45) calendar days, or within the time period set by the city council, shall be deemed a recommendation for approval.
- F. Required Findings. Amendment to the text or maps of the general plan may be made if:
1. The proposed amendment is consistent with existing goals, objectives, policies and programs of the general plan;
 2. The proposed amendment will not adversely affect the public health, safety or general welfare.

9.02.150 Temporary use permits.

- A. Purpose and Intent. The temporary use permit is intended to allow for short-term activities on privately owned property with appropriate regulations so that such activities will be compatible with the surrounding areas.
- B. Authority.
 - 1. Authority for approval of temporary use permits shall be vested with the community development director through the minor development review process.
 - 2. A permit shall not be required for events that occur in theaters, meeting halls, or other permanent public assembly facilities. Temporary uses may be subject to additional permits, other city department approvals, licenses, and inspections, as required by any applicable laws or regulations.
- C. Permitted Temporary Uses. The following table identifies those uses which may be permitted subject to the issuance of a temporary use permit:

Temporary Uses Table 9.02.150-3

Permitted Temporary Uses (With a Temporary Use Permit)	Locations	Max. No. Days per Calendar Year
Commercial and noncommercial Christmas tree sales, and incidental sales of Christmas lights, tree stands and decorations, but excluding gift items	All zones	30
Mobile health clinic	All commercial and industrial districts	14
Merchandise sale or provision of services - outdoors or in mobile or temporary enclosures - in conjunction with established businesses (see subsection D of this section)	All commercial districts	36 days per shopping or commercial center
Merchandise sale - outdoors or in mobile or temporary enclosures, sponsored by and on the premises of a bank, savings and loan association or credit union of merchandise typically financed by that institution in the normal course of its lending business (see subsection D of this section)	Banks, savings and loan associations and credit unions	12 days per shopping or commercial center
Real estate offices on the site of a proposed subdivision	All districts	n/a
Construction and security personnel offices on active construction sites	All districts	n/a
Temporary construction yards not located on active construction sites	All districts	n/a
Tent meetings	All districts	30
Commercial carnival, concert, exhibit, festival or similar event outdoors or in temporary enclosures	All commercial and industrial districts	14
Noncommercial carnival, fair, concert, exhibit, festival or similar; outdoors or in temporary enclosures	All districts	14
Pumpkin sales lots	All zones	30
Seasonal produce stands	All zones	120
Any other use deemed appropriate by the community development director.	All districts.	n/a
1. The community development director may extend the maximum number of days per calendar year based on special circumstances.		

- D. Special Requirement for Merchandise Sales. The following shall apply to merchandise sales or provision of services, as delineated in the Temporary Uses Table 9.02.150-3:
 - 1. “Merchandise sale in conjunction with established businesses” means an event managed and operated by the owner or operator of a permanently established business, on the premises of that business (or upon immediately adjacent common area of a shopping or commercial center in which the business is located),

conducting the sale, lease, rental or other transfer of control of merchandise which is inventory of the established business or the provision of services and which is of the same or similar kind and quality normally offered as immediately available to the public by that business at that business site. Sales operated by outside vendors shall not be permitted under this provision. An outdoor sale of merchandise or provision of services on the premises of a business that ordinarily only displays merchandise and/or conducts sales or lease transactions for customer delivery or provides services at another site or at another time shall not be permitted under this provision. This subsection shall not apply to “merchandise sales on the premises of a bank, [etc.],” as listed in the Temporary Uses Table.

2. Merchandise sales or provision of services sponsored and sanctioned by the Master Property Association or Property Manager for Shopping Centers, shall be a maximum of thirty-six (36) days per calendar year. An outdoor sale of merchandise or provision of services on the premises of a business that ordinarily only displays merchandise and/or conducts sales or lease transactions for customer delivery or provides services at another site or at another time shall be permitted under this provision.
3. Food and Entertainment. Upon approval of the community development director and in compliance with all other laws and regulations, food or entertainment may be sold or provided by secondary vendors incidental to the merchandise sale or provision of services, such as a hot dog cart, snow cone or popcorn wagon, pony ride, inflatable jumper, etc., provided that such uses occupy not more than twenty-five (25) percent of the total space occupied by the sale or four hundred (400) square feet, whichever is less.
4. No secondary vendors, incidental to the merchandise sale or provisions of services provided, shall conduct business without a buffer of at least two hundred (200) feet from any established business on-site that sells similar products unless written consent from either the Master Property Association, Property Manager, or established business(es), for a lesser buffer, has been presented to the city of Moreno Valley.
5. Merchandise sales (including display areas) or provision of services shall not occupy landscaped areas or unimproved surfaces.
6. Merchandise sales or provision of services taking place upon parking surfaces shall be confined to improved parking surfaces. Merchandise sales or provision of services shall not occupy more than twenty (20) percent of the legally required improved parking spaces for the business conducting the sale or services, unless approved by the community development director. No merchandise sale or provision of services shall occupy parking spaces legally required for another business, including other businesses located in the same shopping or commercial center, or parking spaces otherwise required for the shopping or commercial center in which the business is located. Merchandise sales or provision of services may occupy on-site improved parking spaces that are not so legally required, subject to all other provisions of this chapter. No merchandise sale or provision of services shall occupy or encumber more than one hundred twenty-five (125) parking spaces.
7. Merchandise sales or provision of services shall not negatively affect the vehicular and pedestrian circulation patterns of the subject site or nearby streets, or the usability of the remaining parking spaces for the site, and shall allow unabated access for public safety personnel and vehicles.
8. Setup and Takedown. One day of setup before a merchandise sale and one day of takedown/cleanup after the sale shall not be counted against the total number

- of permitted sale days. No sales activity shall occur on such setup or takedown/cleanup days.
9. No Use of Public Right-of-Way. Any and all personal properties or merchandise or services shall be solely contained on private property and shall not extend into the public right-of-way.
 10. Cleanup. The permittee shall be responsible for cleanup of the site within twenty-four (24) hours of termination of the event.
- E. Application Requirements. Applications for temporary use permits shall be filed a minimum of thirty (30) days prior to the date of the proposed event with the community development department. Applications must be accompanied by all appropriate fees and deposits, as determined by resolution of the city council. The application shall include, at a minimum, the following information:
1. A site plan identifying the area to be occupied, including the location of merchandise or provision of services, proposed signage, temporary structure(s) (e.g., tents, shade structures, vending stands, etc.) and all pedestrian areas, parking lot areas and/or drive aisles proposed to be closed, blocked, obstructed and/or barricaded and their proximity to major circulation aisles, public rights-of-way and buildings. The site plan shall provide proof of compliance with all requirements of applicable laws, ordinances and regulations;
 2. Written authorization from the property owner or the property owner's duly authorized agent;
 3. Written operational/environmental statement identifying the proposed dates, defining the nature of the event or use and containing such other information as the community development director or designee shall consider necessary to determine the expected effects and impacts of the event or use;
 4. Proof of all applicable city business licenses.
- F. Criteria for Permit Issuance. The community development director shall consider the following criteria in rendering a decision relative to a temporary use permit application:
1. The operation of the requested use at the location proposed and within the time period specified will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare;
 2. The proposed site is adequate in size and shape to accommodate the temporary use without material detriment to the use and enjoyment of other properties located adjacent to and in the vicinity of the site;
 3. The proposed site is adequately served by streets or highways having sufficient width and improvements to accommodate the kind and quantity of traffic that the temporary use will or could reasonably be expected to generate;
 4. Adequate temporary parking to accommodate vehicular traffic to be generated by the use will be available either on-site or at alternate locations acceptable to the community development director and the city traffic engineer;
 5. The property shall be posted at least ten (10) days prior to issuance of a permit for a temporary outdoor event anticipated to accommodate two thousand five hundred (2,500) or more persons on a single site;
 6. Neither the applicant nor any person actually managing or operating the temporary use shall have been in violation of any prior temporary use permit within twelve (12) months of the date of application.
- G. Conditions of Approval. In approving an application for a temporary use permit, the community development director may impose conditions that are deemed necessary to ensure that the permit will be applied in accordance with the criteria outlined above. These conditions may involve any factors affecting the operation of the temporary use or event, and may include, but are not limited to:

1. Provision of temporary parking facilities, including vehicular ingress and egress;
2. Regulation of nuisance factors such as, but not limited to, prevention of glare or direct illumination of adjacent properties, noise, vibration, smoke, dust, dirt, odors, gases and heat;
3. Regulation of temporary buildings, structures and facilities, including placement, height and size, location of equipment and open spaces, including buffer areas and other yards;
4. Provision of sanitary and medical facilities;
5. Provision of solid waste collection and disposal;
6. Provision of security and safety measures, including deputized officers if necessary, as determined by the chief of police, with all costs borne by the applicant for security and police services;
7. Regulation of signs, including without limitation, placement of any signage outside of the city limits;
8. Regulation of operating hours and days, including limitation of the duration of the temporary use to a shorter time period than that requested;
9. Submission of a performance bond or other surety device to assure that any temporary facilities or structures used for the proposed temporary use will be removed from the site within a reasonable time following the event and that the property will be restored to its former condition;
10. Submission of a site plan indicating any information required by this section; all events, structures, equipment, merchandise and activities shall be confined to the area designated on the approved site plan for that event;
11. A requirement that the approval of the requested temporary use permit is contingent upon compliance with applicable provisions of other ordinances;
12. All noncity sponsored groups and individuals who wish to utilize city of Moreno Valley, Moreno Valley community service district (MVCSD) or redevelopment agency (RDA) facilities shall be subject to the following requirements:
 - a. Noncity sponsored groups or individuals must complete an application which includes an indemnification and hold harmless clause protecting the city and MVCSD or RDA from the lessee's activities;
 - b. Noncity sponsored groups or individuals must provide the city with evidence of adequate general liability insurance by either:
 - i. Providing the city with an original certificate of liability insurance and endorsement binder naming the city of Moreno Valley, MVCSD or RDA, where appropriate, as an additional insured,
 - ii. Participating in the city's special events insurance program if available and approved by the city manager;
13. Other conditions which will ensure the operation of the proposed temporary use in an orderly and efficient manner and in accordance with the intent and purpose of this section;
14. Timely payment of all business license fees, gross receipts taxes and sales and use taxes attributable to the temporary use.

9.03.040 Residential site development standards.

The following standards shall apply to land and permitted or conditionally permitted buildings and structures located within the herein described residential districts. The standards stated herein are not intended to prevent more restrictive private site development standards contained in the covenants, conditions and restrictions or other private consensual restrictions imposed on any property or dwelling unit. However, in no case shall private deed or other property restrictions be applied or recognized so as to permit a lesser standard than the minimum standards established in this title or to otherwise revise the standards established by this title.

A. Rural Residential Requirements.

1. Slope-Density-Natural Area Relationship. The maximum density (du/ac) and the minimum percent of a site to remain in a natural state shall be determined by a slope analysis applied to the Slope-Density-Natural Area Table, as defined below.
 - a. Slope-Density-Natural Area Table 9.03.040-4.

Slope Class	Allowable Density (DU/Acre)	Amount of Open Space Required
Greater than 25%	0.05 (1 du/20 ac)	60%
15.1% to 25%	0.10 (1 du/10 ac)	50%
10% to 15%	0.20 (1 du/5 ac)	35%
Less than 10%	0.40 (1 du/2.5 ac)	n/a

- b. Slope analysis calculations and mapping shall be provided by the applicant as described under subsection C of this section. The slope analysis shall be certified by a qualified civil engineer or licensed surveyor.
 - c. The total number of dwelling units permitted within a project area shall be the sum of the allowable dwelling units within each slope class. For example, if ten (10) acres of the project falls within the ten (10) to fifteen (15) percent slope class and five acres falls within the 15.1 percent to twenty-five (25) percent slope class, then the total permitted yield shall be two dwelling units (10 ac x 0.10 du/ac plus 5 ac x 0.20 du/ac).
2. Minimum Lot Size. Minimum lot size shall be one dwelling unit per 2.5 acres within a slope category of ten (10) percent or less unless determined to be reduced by an approved slope analysis. Based on the outcome of a slope analysis, minimum lot size within the rural residential district may be reduced to twenty thousand (20,000) square feet, or the minimum lot size of the adjacent zone, whichever is greater, if clustered on slopes of less than ten (10) percent and the lots are part of a project that preserves the steeper slope classes as natural open space by dedication to an appropriate governmental entity, open space easement, transfer of development rights or other means approved by the city. The ongoing maintenance of such open space areas shall be ensured through a mechanism approved by the city.
3. Subdivision Design and Future Land Divisions.
 - a. Subdivisions shall be compatible with the surrounding development pattern. A subdivision shall be considered compatible if the lots created along the outside boundary of the project are no smaller than the average lot size within three hundred (300) feet of the project boundary. Parcels greater than five acres in area shall be excluded from the calculations when determining the average lot size within three hundred (300) feet of the project boundary.
 - b. Subdivisions shall be designed in such a way as to transfer development density to the lower slope classes and preserve the steeper slopes for very low density and/or

open space. Subdivisions created in this way are prohibited from further division so as not to circumvent the density transfer and the purpose of the district. This restriction shall be binding on the subdivider and subsequent land owners. Therefore, this restriction shall be secured by development agreement or other type of recorded deed restriction approved by the city.

4. **Building Height.** Dwellings and other accessory structures shall not exceed thirty (30) feet in overall height, provided that on slopes of less than ten (10) percent, the overall height shall not exceed thirty-five (35) feet.
5. **Setbacks and Other Site Development Criteria.** Front, side and rear setbacks and other site development standards not specifically referenced in this section shall be subject to the following standards:

Lot Size	Standards
Under 40,000 s.f.	R2 district standards
40,000 s.f. or greater	R1 district standards

6. Grading within the rural residential district shall be performed as described under the hillside residential requirements, subsection (B)(6) of this section.

B. Hillside Residential Requirements.

1. **Slope-Density-Natural Area Relationship.** The maximum density (du/ac) and the percent of a site to remain in a natural state shall be determined by a slope analysis applied to the Slope-Density-Natural Area Table, as defined below.
 - a. Slope-Density-Natural Area Table 9.03.040-5.

Slope Class	Allowable Density (DU/Acre)	Minimum Amount of Open Space Required
Greater than 25%	0.10 (1 du/10 ac)	60%
15.1% to 25%	0.25 (1 du/4 ac)	50%
10% to 15%	0.50 (1 du/2 ac)	35%
Less than 10%	1.00 (1 du/ac)	n/a

- b. Slope analysis calculations and mapping shall be provided by the applicant as described under subsection C of this section. The community development director may require the slope analysis to be certified by a qualified civil engineer or licensed surveyor.
 - c. The total number of dwelling units permitted within a project area shall be the sum of the allowable dwelling units within each slope class. For example, if ten (10) acres of the project falls within the 15.1 percent to twenty-five (25) percent slope class and five acres falls within the greater than twenty-five (25) percent slope class, then the total permitted yield shall be three dwelling units (10 ac x 0.25 du/ac plus 5 ac x 0.10 du/ac).
2. **Minimum Lot Size.** Minimum lot size shall be one acre within a slope category of ten (10) percent or less unless determined to be reduced by an approved slope analysis. Based on the outcome of a slope analysis, the lot size within the hillside residential district may be reduced to ten thousand (10,000) square feet or the minimum lot size of the adjacent zone, whichever is greater, if clustered on slopes of less than ten (10) percent and the lots are part of a project that preserves the steeper slope classes as natural open space by dedication to an appropriate governmental entity, open space easement, transfer of development rights or other means approved by the city. The ongoing maintenance of such open space areas shall be ensured through a mechanism approved by the city.

3. Subdivision Design and Future Land Divisions.
 - a. Subdivisions shall be compatible with the surrounding development pattern. A subdivision shall be considered compatible if the lots created along the outside boundary of the project are no smaller than the average lot size within three hundred (300) feet of the project boundary. Parcels greater than five acres in area shall be excluded from the calculations when determining the average lot size within three hundred (300) feet of the project boundary.
 - b. Subdivisions shall be designed in such a way as to transfer development density to the lower slope classes and preserve the steeper slopes for very low density and/or open space. Subdivisions created in this way are prohibited from further division so as not to circumvent the density transfer and the purpose of the district. This restriction shall be binding on the subdivider and subsequent land owners. Therefore, this restriction shall be secured by development agreement or other type of recorded deed restriction approved by the city.
4. Building Height. Dwellings and other accessory structures shall not exceed thirty (30) feet in overall height, provided that on slopes of less than ten (10) percent, the overall height shall not exceed thirty-five (35) feet.
5. Setbacks and Other Site Development Criteria. Front, side and rear setbacks and other site development standards not specifically referenced in this section shall be subject to the following standards:

Lot Size	Standards
Less than 20,000 s.f.	R-3 district standards
20,000 s.f. to 40,000 s.f.	R-2 district standards
40,000 s.f. or greater	R-1 district standards

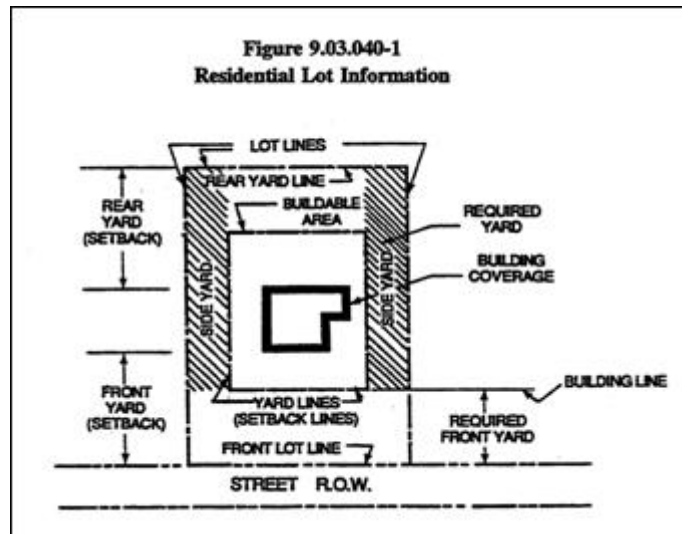
6. Grading of any site shall be minimized and shall conform to the provisions contained in the city of Moreno Valley design guidelines, Ch. 9.16, under Applications for hillside development, Article IV, Sections 9.16.170 through 9.16.230 of this title, and the following standards:

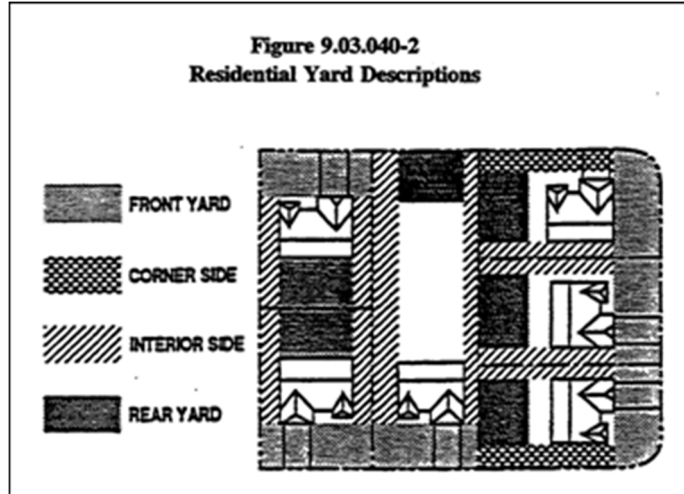
Slope Class	Standards
15.1—25%	Padded building sites may be allowed, but maximum use of custom foundations and split level designs shall be employed to reduce the need for large, padded building areas.
Above 25%	Mass grading is not permitted. Special hillside architectural and design techniques are expected in order to conform to the natural landform. Homes constructed on lots within this terrain shall use custom, multiple-level foundations.
For all areas	All graded areas shall be protected from wind and water erosion through acceptable slope stabilization methods such as planting, walls or jute netting.

- C. Slope Calculations. For the purposes of this section, the following method will be used to determine slope.
 1. "Slope" is defined as the relationship between the change in elevation (rise) of the land and the horizontal distance (run) over which that change in elevation occurs. The percent of any given slope is determined by dividing the rise by the run on the natural slope of land, multiplied by one hundred (100).
 2. a. For the purpose of determining the amount and location of land falling into each slope

category, the applicant shall submit to the community development department, at the time of application, a base topographic map of the subject site prepared and signed by a registered civil engineer or licensed land surveyor. Such a map shall have a scale of not less than one inch to two hundred (200) feet and a contour interval of not more than ten (10) feet.

- b. This base topographic map shall include all adjoining properties within three hundred (300) feet of the site boundaries. Slope bands in the range of less than ten (10) percent, ten (10) to fifteen (15) percent, fifteen (15) to twenty-five (25) percent, and greater than twenty-five (25) percent shall be delineated on the topographic map. The map shall be accompanied by a tabulation of the land area in each slope category specified in acres. The exact method for computing the percent slope and area by percent slope category is to be sufficiently described and presented so that a review can readily be made.
3. Slope Mapping Method.
- a. The percent slope of any particular piece of land shall be plotted on the map as described in this subsection.
 - b. In preparing a slope map, those portions of ravines, ridges and terraces of less area generally sloping at twenty-five (25) percent slope or greater, shall be regarded as part of the bordering twenty-five (25) percent slope or greater band.
- D. General Residential Requirements. The following tables sets forth minimum site development standards for residential development projects in the specified residential districts. In addition, projects must comply with the special development standards enumerated in this section, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and standards.





**Table 9.03.040-6
Residential Site Development Standards
Single-Family Standards**

Requirement	R1	R2	RA2	R3	R5	RS10
1. Maximum density (DUs* per net acre)	1	2	2	3	5	10
2. Minimum lot size (sq. ft. net area)	40K**	20K	20K	10K	7,200	4,500
3. Minimum lot width, in feet	150	100	100	90	70	45
Cul-de-sac/knuckle lot frontage	50	50	50	50	50	45
4. Minimum lot depth, in feet	170	120	120	100	100	85
5. Minimum front yard setback	25	25	25	25	20	20
Front-facing garages						10
Buildings other than front-facing garages						10
6. Minimum side yard setback, in feet***						
a. Interior side yard	See Note 1	See Note 1	See Note 1	See Note 1	See Note 2	See Note 3
b. Street side yard	20	20	20	15	15	10
7. Minimum rear yard setback, in feet***	40	35	35	30	15	15
8. Maximum lot coverage	25%	30%	30%	40%	40%	50%
9. Maximum building and structure height, in feet	Two stories not to exceed 35 feet.					
10. Minimum dwelling size (sq. ft.)	1500	1500	1500	1250	1250	1000
11. Minimum distance between buildings, in feet (including main DUs and accessory structures)	20	15	15	10	10	10
12. Floor area ratio						
a. One-story home	.25	.30	.30	.40	.40	.50
b. Multi-story home	.50	.60	.60	.70	.70	.75

* The term "DUs" means dwelling units.

** The term "K" means thousands.

*** See Section 9.08.030 regarding accessory structures and room additions.

Notes to Residential Site Development Standards Table 9.03.040-6.

1. Combined interior side yard setbacks of twenty (20) feet shall be provided with a minimum of five feet on one side.

2. Combined interior side yard setbacks of fifteen (15) feet shall be provided with a minimum of five feet on one side.
3. In the RS10 district the minimum street side setback shall be ten (10) feet. The interior side setback shall be five feet, except in the case of zero lot line developments with houses placed on an interior side lot line. When a house is placed on an interior side lot line, the other minimum side yard setback shall be ten (10) feet. Where applicable, an easement at least five feet in width shall be provided along the common lot line. The easement shall guarantee the right to use and occupy the easement for a roof overhang(s), stormwater drainage and for building maintenance and repair.
4. The minimum front yard setback from private streets within the R1, R2 and R3 districts shall be fifty-five (55) feet measured from the center line of the street. The minimum front yard setback from private streets within the R5 district shall be fifty (50) feet measured from the center line of said street.

**Table 9.03.040-7
Residential Site Development Standards
Multifamily Standards**

Requirement	R10	R15	R20	R30
1. Maximum density (DUs*/net acre)	10	15	20	30
2. Minimum lot size (net area in sq. ft.)**	1 acre	1 acre	1 acre	1 acre
3. Minimum lot width in ft.	200	200	200	200
4. Minimum lot depth in ft.	175	175	175	175
5. Minimum front yard setback, in ft.	20	25	30	30
6. Minimum side yard setback, in ft.				
Interior side yard	10	10	10	10 ft. plus 2 ft. for every 5 ft. in height over 30 ft.
Street side yard	20	20	20	20
7. Minimum rear yard setback, in ft.	15	20	25	10 ft. plus 2 ft. for every 5 ft. in height over 30 ft.
8. Maximum lot coverage	40%	45%	50%	50%
9. Maximum building and structure height, in ft.	50 feet			
10. Minimum dwelling size (sq. ft.)	See Note 1			
11. Minimum distance between buildings, in ft. (including main DUs and accessory structures)	20	20	20	20
12. Floor area ratio	.75	.75	.75	1.0

* The term "DUs" means dwelling units.

** Minimum lot size only applies to newly subdivided multi-family lots; existing lots can be developed under the multi-family development standards

E. Special Single-Family Residential Development Standards.

1. In any residential district, front yard setbacks in subdivision developments may be reduced by twenty (20) percent provided the mean of all such setbacks in the development is not less than the minimum required for the district.
2. In the R2, RA2, R3 and R5 districts, developments of five or more dwelling units shall include front and street side yard landscaping and shall consist predominantly of plant materials, except for necessary walks, drives and fences.

3. In the RS10 district, driveways and fire hydrants shall be designed and located to maximize on-street parking opportunities in front of each residence.
 4. Within the RS10 district, small lot single-family subdivisions on less than fifteen (15) gross acres shall provide landscaping and decorative walls along the street side of corner lots and at least two of the following amenities throughout the project:
 - a. Front porches;
 - b. Automatic garage door openers;
 - c. Electronic security systems.
 5. Within the RS10 district, small lot single-family subdivisions on fifteen (15) gross acres or more shall include usable common open space encompassing a minimum of ten (10) percent of each development. Usable common open space does not include individually owned lots, parking areas, nor vehicular rights-of-way. Usable common open space is open space and/or recreational amenities under joint (common) ownership, including, but not necessarily limited to, landscaped areas, trails, playgrounds, tennis courts, swimming pools and recreational buildings. A homeowners' association shall be established to provide continual maintenance of the commonly owned facilities.
 6. For all developments within the R5 land use district, a buffer of lots held to the development standards of the R3 land use district shall be included for all portions of a subdivision located adjacent to lower density single-family residential land use districts, including the R1, R2, RA-2, and RR zones.
 7. For all single-family residential developments in the R10, R15, R20, and R30 districts a Planned Unit Development application shall be submitted to establish the applicable development standards.
 8. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.
- F. Special Multiple-Family Residential Development Standards.
1. In the R10, R15, R20 and R30 districts, buildings exceeding one story in height shall maintain a minimum building setback of fifty (50) feet from any single-family district. Any single-story building within the R10, R15, R20 or R30 district shall maintain a minimum setback of twenty (20) feet from any single-family district.
 2. In any residential district, front yard setbacks in subdivision developments may be reduced by twenty (20) percent provided the mean of all such setbacks in the development is not less than the minimum required for the district.
 3. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.
 4. In the RS10, R10, R15, R20 and R30 districts, developments of five or more dwelling units shall include front and street side yard landscaping and shall consist predominantly of plant materials, except for necessary walks, drives and fences.
 5. In the RS10, R10, R15, R20 and R30 districts, a minimum of thirty-five (35) percent of the net site area, exclusive of private patio and yard areas, shall be landscaped. Turf shall not exceed fifty (50) percent of this area. Required setback areas and outdoor recreation areas may be counted toward this minimum. Landscaping shall consist predominately of plant materials to include water efficient native plants, except for necessary walks and

fences. Landscape areas shall be designed to promote water retention and allow runoff from impervious surfaces. Hardscape areas are recommended to be constructed with pervious surfaces where feasible to reduce run off.

- 6. Where a multiple-family project abuts property in a single-family district, a decorative masonry wall at least six feet in height and screening landscaping within a planter of at least five-foot interior width shall be erected and maintained between such uses and the single-family district. Decorative walls composed of block, brick, stone, stucco-treated masonry or concrete panels are acceptable. The community development director may approve alternative materials, provided that the materials are decorative and comparable to masonry walls or concrete panels in durability and ability to attenuate light and sound.
- 7. Parking for each use shall comply with the requirements of Chapter 9.11 of this title.
- 8. In the R30 District, Landscape Trees. One tree per twenty (20) linear feet of building dimension for the portions of building visible from parking lot or ROW and one tree per twenty (20) linear feet of perimeter planter areas.
- 9. In the R30 district, for a development of three acres or greater, up to sixty (60) percent of the units may be in buildings with three or four stories, fifty (50) feet maximum height subject to planning commission approval.

Table 9.03.040-8

Designation	Minimum Density*	Maximum Density
R10	8 units/acre	10 units/acre
R15	12 units/acre	15 units/acre
R20	16 units/acre	20 units/acre
R30	24 units/acre	30 units/acre

* Eighty (80) percent of allowable density must be achieved by all multiple-family residential developments.

G. General Multiple-Family Guidelines.

- 1. Opposing garages or carports should be turned to avoid the monotony of alley-like parking corridors.
- 2. Parking areas should be staggered and landscaped to add visual interest, and opportunities for accent treatments.
- 3. Parking spaces within multifamily areas shall be located within two hundred fifty (250) feet of the dwellings they serve.
- 4. Multifamily parking lots shall be limited to two double aisles of cars to help reduce expanses of paving. Parking lots shall provide openings in curbs to convey surface drainage into landscape areas for water quality, retention and absorption.
- 5. Open parking areas should be clustered and treated as landscaped plazas and courts.
- 6. Landscaping shall be used around the perimeter of the lot, as well as within the lot, reducing paved area and providing for a more pedestrian oriented site.
- 7. No more than four units for a two-story structure should be served by one entry.
- 8. Each multiple-family unit shall have at least one hundred and fifty (150) square feet of private open space per downstairs unit and a minimum of one hundred (100) square feet of private open space per upstairs unit. Private open space may consist of a fenced yard area, patio or balcony. Fenced yards and patios shall have a minimum dimension of at least eight feet. Balconies shall be at least five feet deep.
- 9. Common open space at a minimum of three hundred (300) square feet per each residential dwelling in the project is required.
- 10. Individual units should have a porch or porch-like space at the front door.
- 11. Trash enclosures shall be located to provide a maximum walking distance of two hundred

- fifty (250) feet from the units they serve.
12. Trash enclosures shall include solid roofs and be designed to be compatible with the project's architecture.
 13. Trash enclosures shall not be located on dead end drive aisles, unless adequate turnaround is provided for collection vehicles.
 14. There shall be at least one double-bin trash enclosure for every forty-eight (48) residential units.
 15. Mail boxes should be located at various places on the site and treated to match the building's architecture, avoiding the institutional and monumental "gang box" appearance, while conforming to post office guidelines.
 16. Drive aisles should be curved and should incorporate landscaping and paving treatments to reduce vehicle speed. Landscaping treatments may include pinched planters and a mix of canopy and vertical trees. Paving treatments may include interlocking paver bands or etchings across drives. Speed bumps or Botts' dots are not an acceptable alternative.
 17. Freestanding structures, like gazebos or pergolas, should be located to define activity areas at pathway intersections or in secluded landscape areas.
 18. Drive aisles shall be at least twenty-four (24) feet wide for two-way traffic and shall be at least twenty (20) feet wide for one-way traffic.
 19. Buffer setbacks and landscaping shall be provided along all property lines. Buffers may also be appropriate within the complex, separating recreational areas from units and limiting lines of sight between balconies and into parking areas.
 20. Multiple-family projects warrant special design considerations, including:
 - a. Intimate, shaded outdoor seating areas;
 - b. A network of pathways, providing interesting walking experiences;
 - c. Gentle slopes for outdoor pathways and ramps to entry doors and between floors;
 - d. Convenient and attractive access to transit, including porte cocheres, information kiosks, seating areas and water elements;
 - e. Security;
 - f. Direct ambulance access (senior housing projects);
 - g. Parking close to units;
 - h. Elevators (senior housing projects).
 21. Buildings shall provide for a variety of colors and architectural features to break up the massing of buildings and provide visual interest.
 22. Multifamily units shall be clustered to minimize grading and to help maintain the natural landscape.
 23. Multifamily projects shall be designed for the needs of the intended residents. For example, children's needs would require open space, tot lots, handrails, and enclosed yards on ground floor units. Disabled or elderly needs would require ramps, parking close to units, minimum and gradual elevation changes and elevators.
 24. Architectural features should be used to increase privacy from nearby units and common or public spaces.
 25. Roof forms should be mixed and combined to vary the perception of building height, to differentiate units and to add interest to building mass. The long, straight roofline of a single gable is not permitted.
 26. A diagram of the complex showing the location of the viewer and the building designations shall be positioned at each visitor entrance of a multiple-family development.
 27. Buildings shall provide for a variety of colors and architectural features to break up the massing of buildings and provide visual interest.

9.07.010(B) Downtown Center (DC).

B. Downtown Center (DC).

1. Purpose and Intent. The downtown center is envisioned as the primary hub and focal point of Moreno Valley and an economic and cultural engine in the region. The district establishes standards to foster development of a vibrant downtown center at the heart of the city to serve as a focal point of the community and destination for people from around the region. The district allows for a vibrant mix of business, entertainment, residential, cultural, and civic uses with the focus of the highest intensity of development along Nason Street. It integrates existing uses and layers compatible new land uses and public amenities together at various scales and intensities to foster a mix of uses that encourages people to live, work, play, and shop within the downtown center.
With a range of activities day and night, this thriving area will draw people and businesses to Moreno Valley and will showcase the highest quality architecture and design to rival anything in the region. The downtown center will integrate the existing hospital complexes and provide visual and physical connections to Moreno Valley College, Lake Perris, and other key destinations within the community.
Visibility is a critical design consideration for the downtown center. Design standards for development at the core of the downtown center could take advantage of the relatively flat terrain and promote higher building heights to help build visual connections from other locations within the community and enhance the prominence of the downtown center as an important destination. Additionally, public plazas and other vantage points within the downtown center should be designed to allow for view of the scenic hills surrounding the city, enhancing sense of place.
2. Property Development Standards. The downtown center zone applies primarily to parcels in the area generally bounded by Lasselle Street, Iris Avenue, Nason Street, and extending to Cottonwood Avenue at some locations. The intent is to allow for development of a downtown that will include commercial, office, vertical and horizontal mixed use, higher density multifamily development, and lower density residential on the periphery. The most intense development is expected to be focused towards Nason Street. The zone is intended to:
 - a. Ensure orderly and thorough planning and review procedures that will result in quality design;
 - b. Provide the creation and improvement of common open space and coordination of vehicular, pedestrian, and bicycle circulation;
 - c. Establish a procedure for the development of land under unified control to achieve efficient land use patterns while permitting creative and innovative approaches to the development of residential, commercial, and mixed-use in the designated DC district in order to create a central downtown business atmosphere towards Nason Street;
 - d. Encourage mixed development patterns and avoid monotony in large developments by allowing greater flexibility in selecting the means to provide access, light, open space, and amenities; and
 - e. Decrease the burden created by new development on utilities and other infrastructure systems by permitting mixed use development consistent with policies of the general plan.
3. Special Requirements. In order to implement the downtown center (DC) district general plan policies, an area plan will be required demonstrating consistency with

the principles outlined in the land use and community character (LUCC) element, Table LCC-2 and the illustrative development program shown in the LUCC element, Table LCC-3 prior to approval. For large projects, an existing or proposed specific plan may be used in lieu of an area plan. Development on smaller parcels and multifamily housing projects may satisfy this requirement with a site plan as determined by the community development director, and development of residential projects on the periphery of the downtown center may satisfy the requirement through approval of a planned unit development application.

- a. The Floating Zone Concept. A floating zone is a zone that delineates a general area where certain conditions would need to be considered before a development proposal is approved.
- b. Floating PUDs. The floating planned unit development (DC-PUD) designation allows for the development of single-family housing and less dense multifamily housing on the periphery of the downtown center. This will support development of the most intense development in proximity to Nason Street, allowing residential mixed-use projects with ground-floor commercial uses in proximity to the intersection of Nason Street and Alessandro Boulevard, and encouraging residential development greater than twenty (20) dwelling units per acre along portions of Alessandro Boulevard towards Nason Street.

The designation for the floating planned unit development zone is indicated on the official zoning map with a circle border and the letters "DC-PUD." This symbol represents a "floating" designation and is only intended to indicate a general area within which a PUD could be located. It does not preclude other development or uses that would otherwise be permitted within the downtown center. The purpose and intent of the PUD floating zone is to provide flexibility in planning for residential development of projects.

- c. Floating Plazas. The floating parks and plazas (DC-PPL) zone is used to designate lands that can be publicly or privately- owned and are intended to be programmed for low intensity, publicly accessible open space uses. Parks and plazas represent a creative solution to provide more public space in the downtown center zone. Plazas and pocket parks will generally be spaces that are developed and maintained privately, but open to the public. Opportunities for the creation of these types of plazas will occur as properties in the DC zone develop with higher intensity uses.

The designation for the park or plaza is indicated on the official zoning map with a circle border and the letters "DC-PPL." This symbol represents a "floating" designation and is only intended to indicate a general area within which a park or plaza site should be located. The specific size, exact location and configuration of such park or plaza site will be finalized only through future development of specific parcels in the DC district through an area plan, specific plan, or a site plan. Until such time that these properties are privately developed as a publicly accessible park or plaza space or purchased by the city, development is allowed consistent with the DC zone.

4. Site Development Standards.
 - a. General Requirements. The following sets forth minimum site development standards for the downtown center. In addition, projects must comply with the special requirements enumerated in subsection (B)(3) of this section, the performance standards included in Chapter 9.10, and other applicable

ordinances, policies, and programs. The parking standards in Section 9.11.040 off-street parking requirements shall apply.

Downtown Center (DC) - Development Standards

Requirement	Development Standards
Block Development	Blocks over 500 feet should feature midblock connections shall as pedestrian pathways or alleys. Block sizes should range between 330 and 660 linear feet where feasible
Mid-Block Pathways	Mid-block pathways shall be no less than 16 feet wide
Buildings shall be oriented such that frontages and entrances are visible and accessible from the public right-of-way, pedestrian connections, parks, or plazas	Buildings shall be oriented such that frontages and entrances are visible and accessible from the public right-of-way, pedestrian connections, parks, or plazas
Density - Dwelling Units (Du)/Acre ^{*1}	NA (with or without affordable housing)
Minimum Site Area	As determined through area plan if required or site plan review
Minimum site width, in feet	As determined through area plan if required or site plan review
Minimum site depth, in feet	As determined through area plan if required or site plan review
Front building setback, in feet (after dedications for right-of-way) ground floor use	0—10
Side street building setback area, in feet (after dedications for right-of-way)	0—10
Interior side yard setback in feet	0—10
Rear yard setback in feet	10
Lot coverage, maximum	Pending landscape and open space requirements
Building height, in feet, maximum	None
Floor Area Ratio (FAR)	NA
Minimum Dwelling Size	*See note below
Minimum distance between buildings in feet (between residential and commercial uses)	10
Parking (surface) front street setback, in feet (after dedications for right-of-way)	10
Parking (surface) side street setback, in feet (after dedications for right-of-way)	5
Garage/Tuck-Under Parking	Prohibited along front lot lines
Underground/Podium Parking	Allowed beneath building footprints
Above Ground Parking Structure	Allowed if screened from views from public right-of-way and adjacent single family residential zones
Setback Landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas
Publicly Accessible Open Space (nonresidential)	15% of net lot area
Private Open Space (multifamily residential) ²	150 sq ft per unit on 1st floor, and 100 sq ft per unit on upper floors
Common Open Space (multifamily residential) ²	300 sq ft per unit

Exhibit E

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Requirement	Development Standards
Ground floor building frontages clear glazing material	60%
Ground floor-to-ceiling minimum height in feet	15—20
<p>Notes:</p> <ol style="list-style-type: none">1. Minimum Dwelling Unit Sizes.<ol style="list-style-type: none">a. Studio and One Bedroom: four hundred fifty (450) square feet;b. Two Bedroom: eight hundred (800) square feet;c. Three Bedroom: one thousand (1,000) square feet.2. The Planning Commission may modify minimum open space requirements.	

9.08.070 Fences and walls.

A. General Provisions.

1. No fence or wall shall be placed in a manner that would deter the fire department from immediately discerning and gaining access to any fire hydrant or other fire protection device. Fences and walls shall be located to maintain a minimum of three feet of clearance around the circumference of any fire hydrant.
2. No fence or wall shall be placed within a city right-of-way without approval of an encroachment permit by the city engineer for such fence or wall.
3. Nothing in this section shall be construed to supersede more restrictive provisions of Chapter 8.21 of the municipal code (Grading Regulations), the International Building Code or the International Fire Code.
4. An open fence or wall, as used in this section, means any fence or wall for which at least seventy-five (75) percent of that portion which is above three feet in height consists of openings that provide visibility and allow the passage of light and air. All other fences and walls are considered solid.
5. All fences and walls shall comply with the sight distance requirements for traffic safety in accordance with the California Department of Transportation Highway Design Manual.
6. Required Walls and Fences along Moreno Valley Freeway (California State Highway 60)
 - a. Development projects adjacent to the Moreno Valley Freeway (California State Highway 60) right-of-way shall construct either a split-face block wall or tubular steel fence along the property line abutting freeway right-of-way.
 - b. The split-face block wall or tubular steel fence shall be eight feet (8') tall measured from the highest adjacent grade (property in question or freeway right-of-way).
 - c. Projects with frontage along City right-of-way abutting the Moreno Valley Freeway (California State Highway 60) right-of-way shall install walls and/or fencing along the limits of the right-of-way. The Public works director or their designee may require a fee in-lieu or may waive this requirement.
 - d. Wall heights may be increased subject to the recommendations of a property specific noise study and concurrence by the Community Development Director or their designee.

B. Fences and Walls in Residential Developments.

1. In required front yards of residential developments:
 - a. Any solid fence or wall located outside of vehicle lines-of-sight at street intersections shall not exceed three feet in height and any open fence or wall shall not exceed six feet in height. The height of such fences and walls shall be measured from the finished grade at the bottom of the fence or wall;
 - b. Retaining walls up to three feet in height are allowed within any front yard. In the case of a retaining wall that faces the exterior of the property on which it is located, an open fence up to three feet in height may be built directly on top of the retaining wall (See Figure 9.08.070-1). In the case of a retaining wall that faces the interior of the property on which it is located, a solid fence or wall up to three feet in height, or an open fence up to six

- feet in height, may be built directly on top of the retaining wall (See Figure 9.08.070-2);
- c. Fences and walls located in front yards shall be decorative and made of durable materials, including masonry, wood pickets, tubular metal or other materials, as approved by the community development director.
2. In required side and rear yards of residential developments:
- a. Height.
 - i. Except as described below, a wall or fence along any side yard or rear yard shall not exceed six feet in height, as measured from the finished grade.
 - ii. The height of a wall or fence along the side or rear yard may exceed six feet if the difference in elevation between adjoining sites warrants such increase to maintain the effectiveness of screening that is generally provided by six-foot walls and fences, provided that the height of such wall or fence does not exceed eight feet (See Figure 9.08.070-3).
 - iii. The height of a wall or fence along any side or rear yard may exceed six feet if the decision-making body determines that the additional height is needed to mitigate noise impacts or provide screening from adjoining arterial streets, freeways, or nonresidential uses (see Section 9.08.150 of this chapter). Any such wall or fence shall not exceed the height necessary to mitigate noise and screen undesirable views.
 - b. Retaining Walls and Combinations of Retaining Walls and Nonretaining Fences.
 - i. Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height. The combined height of retaining wall, wall and or fence shall not exceed eight feet of solid surface (See Figure 9.08.070-4).
 - ii. A six-foot high retaining wall may be placed three feet or more from the side or rear property line (See Figure 9.08.070-5).
 - iii. No two retaining walls on a given slope shall be closer to each other than the height of the taller wall, except as described below.
 - iv. In the case of a retaining wall that faces a street or other public viewpoint, a nonretaining fence or nonretaining wall may be erected above (either up-slope or directly on top) such retaining wall if their solid surfaces, when added together, do not exceed eight feet in height, and the combined surface area of solid and open fencing shall not exceed twelve (12) feet in height subject to approval by the community development director. For example, a four-foot decorative metal rail fence may be placed above a two-foot wall and a six-foot retaining wall (See Figure 9.08.070-6).
 - c. Fence and Wall Design.
 - i. Side Yards and Rear Yards Adjacent to Residential Parcels. Fences and walls located between residential parcels shall be constructed of wood, decorative metal rail, decorative block or other durable materials, as approved by the community development director.

- ii. Side and Rear Yards Adjacent to Streets, Freeways and Other Rights-of-Way. Fences and walls placed between lots and adjoining rights-of-way shall be constructed of decorative metal rail, decorative block or other decorative and durable materials, as approved by the community development director. Where practical, such fences and walls shall incorporate landscaping, earth berms and changes in materials or texture to reduce visible wall height, deter graffiti and add visual interest. Except where the community development director determines that screening is needed, open walls and fences shall be placed at the top of slopes that are six or more feet above any adjoining right-of-way to provide view opportunities and minimize wall height.
- iii. Side and Rear Yards Adjacent to Open Space Areas. Except where the community development director determines that screening is needed, open walls and fences shall be placed along side and rear yards that are adjacent to open space areas.
- iv. View Lots. Except where the community development director determines that screening is needed open walls and fences shall be placed along side and rear yards that are fifteen (15) or more feet above the pad height of the adjacent residential lot.

C. Fences and Walls in Nonresidential Developments.

- 1. In any required front or street side building setback area, a wall or fence shall not exceed three feet in height, as measured from the road grade nearest the property line.
- 2. Walls for the purpose of visual screening and sound attenuation shall be required between nonresidential activities and any adjacent residential use or residentially zoned property, or where more sensitive adjacent land uses exist. The height, placement and design of such walls shall be considered on a site-specific basis considering the need for sound attenuation or visual screening.
- 3. Unless otherwise required pursuant to subsection (B)(2) of this section, walls and fences in any required rear or interior side setback area shall not exceed six feet in height.

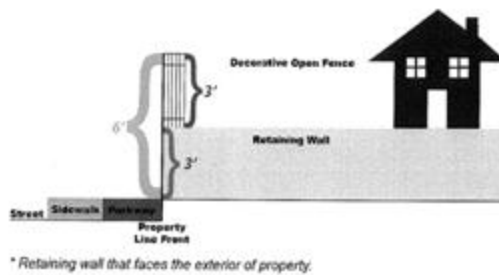
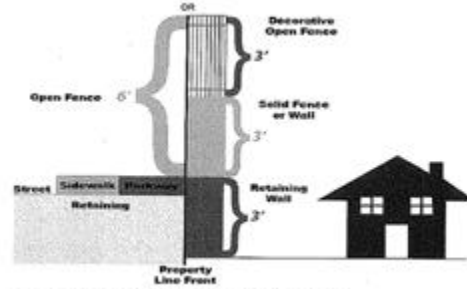


Figure 9.08.070-1



* Retaining wall that faces the interior of property:

Figure 9.08.070-2

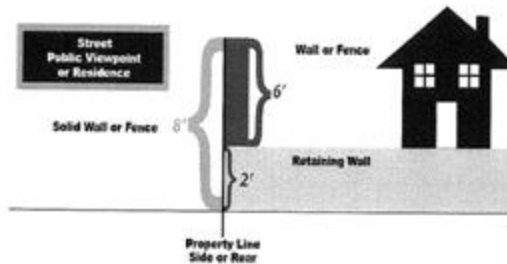


Figure 9.08.070-3

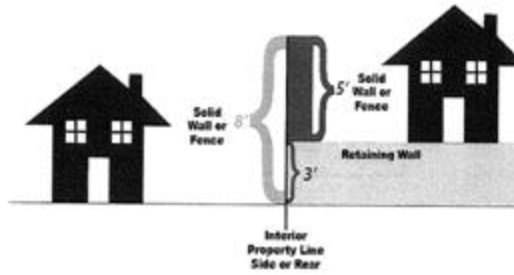


Figure 9.08.070-4

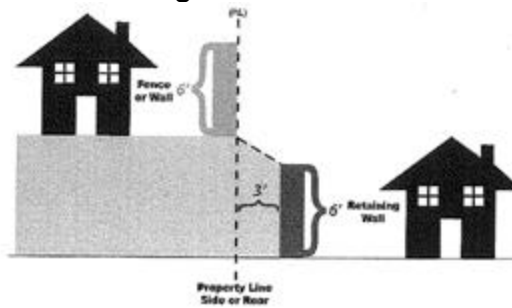


Figure 9.08.070-5

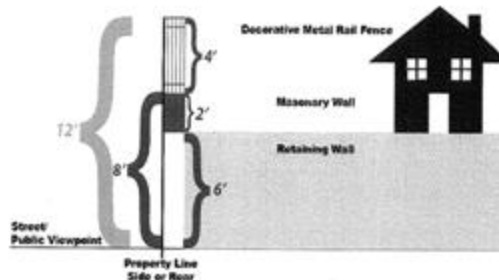


Figure 9.08.070-6

9.09.080 Drive-in, drive-through, fast food and take-out restaurants.

- A. Purpose and Intent. The purpose of this section is to ensure that drive-in, drive-through, fast food and take-out restaurants do not result in adverse impacts on surrounding neighborhoods by reason of customer and employee parking demand, traffic generation, noise, light, litter, or cumulative impact of such demands in one area, consistent with the goals, objectives and policies of the general plan.
- B. Applicability. Drive-in, drive-through, fast food, or take-out restaurants may be permitted subject to the standards of the underlying district and special conditions listed below. The provisions of this section shall apply to all drive-in, drive-through, fast food and take-out restaurants constructed or the use of which commenced after the effective date of this title and to any expansion of more than twenty (20) percent of the gross floor area or increase of more than twenty-five (25) percent of the number of seats in any such restaurant in use prior to the effective date of this title. Floor area added for the purpose of compliance with state or local health laws or access requirements of the disabled shall not be included in floor area calculations for purposes of determining applicability of this section.
- C. Minimum Development Standards. The following minimum development standards shall apply to all drive-in, drive-through, fast food and take-out restaurants.
1. Hours of Operation. When located on a site adjacent to, or separated by an alley from any residentially zoned property, a drive-in, drive-through, fast food or take-out restaurant shall not open prior to six a.m., nor remain open after ten p.m. unless extended hours are specifically approved by the planning commission.
 2. Driveways. Drive-in and drive-through restaurants sites shall have two points of ingress and/or egress.
 3. Queuing. Drive-up and drive-through restaurants shall have a capacity for queuing a minimum of eight vehicles awaiting service. Queuing area shall not interfere with on- or off-site circulation patterns and shall be reviewed and approved by the city traffic engineer prior to issuance of a building permit.
 4. Parking. A parking and vehicular circulation plan encompassing adjoining streets and alleys shall be submitted for review and approval by the city traffic engineer prior to approval of a conditional use permit.
 5. Trash Receptacle. A minimum of one outdoor trash receptacle shall be provided on-site. At least one additional on-site outdoor trash receptacle shall be provided for every ten (10) required parking spaces.
 6. Noise. Any drive-up or drive-through speaker system shall not be detectable above ambient noise levels beyond the property boundaries. The system shall incorporate best available technology to compensate for ambient noise levels.

9.11.040 Off-street parking requirements.

A. Automobile Parking Requirements. Off-street automobile parking shall be provided in accordance with the requirements of this chapter. The following tables set forth the required off-street parking requirements and certain notations for various residential, commercial, industrial, public and quasi-public uses. Parking provided above required off-street must be constructed with permeable surfaces and/or enhanced landscaped retention and absorption areas:

**Table 9.11.040A-12
Off-Street Parking Requirements**

Residential Uses	Requirement	Covered Parking	Notes
Single-family	2/unit	Within an enclosed garage	
Accessory dwelling unit	1/bedroom		The accessory dwelling unit shall provide a minimum of one parking space per bedroom in addition to the parking required for the main dwelling, except as exempted by state law (refer to Section 9.09.130 Accessory dwelling units). Spaces may be provided as uncovered and/or tandem parking on a driveway.
Duplex ¹	2/unit	Within an enclosed garage	
3 or more units: ¹ Studio 1 bedroom 2 bedrooms 3+ bedrooms	1.25/unit 1.5/unit 2.0/unit 2.5/unit	1 covered/unit 1 covered/unit 1 covered/unit 2 covered/unit	Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard.
Senior housing: ¹ Studio 1 bedroom + bedrooms	1.0/unit 1.25/unit 1.5/unit	1 covered/unit 1 covered/unit 1 covered/unit	Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard. Alternate parking requirements may be permitted subject to approval of a parking study pursuant to Section 9.11.070(A) of this chapter.
Mobile home parks	2.5/unit		Tandem spaces may be used to meet resident parking requirements.
Residential care homes ¹	Parking requirements shall be determined by the community development director subject to an approved parking study.		
Live-work units (residential component)	2/unit	2 covered/unit	Guest parking is required for all units at 0.25 spaces/unit. Guest parking is NOT included in the minimum required parking standard and can be shared with the business aspect of the “live-work” parking standard.

Residential Uses	Requirement	Covered Parking	Notes
Residential component of mixed-use project ¹	See multiple-family requirements in this table	See multiple-family requirements in this table	Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard and may be shared with the nonresidential component. Alternate parking requirements may be permitted subject to approval of a parking study pursuant to Section 9.11.070(A) of this chapter.
General Note: 1. Required Parking for tenants and guests shall not be rented separately from dwelling units.			

**Table 9.11.040B-12
Off-Street Parking Requirements**

Commercial Uses	Requirement	Notes
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Automobile, boat, mobile home, or trailer sales, retail nurseries, or other similar outdoor commercial activities	1/2,000 sq. ft. of display area	1. Display area shall include all office, service and repair, or other related activities and areas that are accessible to the public. 2. No required off-street parking spaces shall be used for display, sales, service or repair of vehicles.
Automobile service stations, repair and service facilities	2 spaces + 4/service bay for 4 or less bays and 2/service bay for 5 or more bays	Any related retail activities shall be subject to the general retail parking standards (mini-markets, tire sales, and the like).
Automobile washing and waxing establishments: Self-serve Automated	2 spaces + 2/washing stall 10 + 1 per 2 employees	
Business and professional offices	1/250 sq. ft. of gross floor area	
Banks, savings and loans and medical/dental offices	1/225 sq. ft. of gross floor area	
Day care center	1/employee + 1/500 sq. ft. of gross floor area	Special design requirements shall apply for bus loading or parent drop-off points.
Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand-alone use. No additional parking required if outdoor dining area comprises no more than 15% of the interior gross floor area of the primary food service use; if outdoor dining area is over 15%, 1 space for every 60 sq. ft. or 1 space for every 3 seats, whichever is greater.
Eating and drinking establishments within shopping centers of 25,000 sq. ft. of building area or greater	1/225 sq. ft. of gross floor area up to 15% of the shopping center gross building square footage	
Hotel/motel	1/guest room	

Commercial Uses	Requirement	Notes
Kennels	2 spaces/1,000 sq. ft.	2 spaces/1,000 sq. ft. of indoor animal enclosure.
Veterinary hospital and clinic	1/200 sq. ft. of gross floor area	
Mortuaries	1/4 seats + funeral procession queue capacity for 5 cars	
Nail salons	1 space/2 work stations	
Schools, private: Business and trade College Elementary/junior high Senior high	10 spaces + 24/classroom 10 spaces + 30/classroom 10 spaces + 2/classroom 10 spaces + 10/classroom	
Storage lots and mini-warehouses	1/100 storage spaces and 2/caretaker residence	2 spaces minimum.
Medical and health services: Convalescent and nursing homes Homeless shelter Hospitals Residential care facilities	1/3 beds 1/4 beds 1/bed see Residential Uses, Section 9.11.040 Table 9.11.040A-12	
Recreation: Arcades Bowling and billiards Commercial stables Golf course Golf driving range Golf, miniature Health club Parks—public and private Skating rink Tennis, handball and racquetball facilities	1/75 sq. ft. of gross floor area 5/alley + 2/billiard table 1/5 horse capacity for boarding on-site 6/hole 1/tee 3/hole 1/100 sq. ft. of gross floor area To be determined by the approval authority based upon an approved parking study. 1/100 sq. ft. of gross floor area 3/court	
Theaters	1/3 fixed seats	

**Table 9.11.040C-12
Off-Street Parking Requirements**

Industrial Uses	Requirement	Notes
Manufacturing	1/500 sq. ft. of gross floor area	Trailer parking: parking stalls for trailers shall be provided at a ratio of 1 stall per truck loading dock door. This is in addition to the loading parking stall already provided at the dock door.
Research and development	1/350 sq. ft. of gross floor area	
Warehouse and distribution	1/1,000 sq. ft. of gross floor area for the first 20,000 sq. ft.; 1/ea. 2,000 sq. ft. of gross floor area for the second 20,000 sq. ft.; 1/ea. 4,000 sq. ft. of gross floor area for areas in excess of the initial 40,000 sq. ft.	

**Table 9.11.040D-12
Off-Street Parking Requirements**

Public and Quasi-Public Uses	Requirement	Notes
Libraries, museums and galleries	1/300 sq. ft. of gross floor area	
Public utility facilities without an office on-site	2/employee on the largest shift + 1/company vehicle	A minimum of 2 spaces shall be required.
Auditorium, places of public assembly and places of worship	1/3 fixed seats or 1/35 sq. ft. of gross floor area of the assembly area or 1 space for every 4.5 lineal feet of benches/pews, whichever is greater	
Government offices	To be determined by a parking study approved by the community development director	

B. Schedule of Accessible Parking Requirements. The following requirements for accessible parking are intended to be consistent with the state requirements. Any conflicting provisions or future changes in state or federal requirements shall preempt the standards for provision of accessible parking spaces contained in this title.

1. Accessible parking for residential uses shall be provided at a rate of one space for each dwelling unit that is designed for accessibility and occupancy by the disabled, unless an adjustment is allowed, based on a parking study approved by the community development director.
2. Accessible parking for outpatient units and facilities providing medical care and other services for persons with mobility impairments shall be provided at a rate of ten (10) percent of the total number of parking spaces provided serving such outpatient unit or facility. Accessible parking for units and facilities that specialize in treatment or services for persons with mobility impairments shall be provided at a rate of twenty (20) percent of the total number of parking spaces provided serving each such unit or facility.
3. Accessible parking spaces for other uses shall be provided at the following rates:

No. of Automobile Spaces Provided	No. of Accessible Spaces Provided
1—25	1
26—50	2
51—75	3
76—100	4
101—150	5
151—200	6
201—300	7
301—400	8
401—500	9
501—1,000	2% of total spaces
1,001 and over	20 plus 1 for each 100 spaces or fraction thereof over 1,001

4. Each accessible parking space shall be fourteen (14) feet wide, striped to provide a nine-foot wide parking area and a five-foot wide loading area (access aisle) and shall be a minimum of eighteen (18) feet in length. If two accessible spaces are located adjacent to each other, they may share the five-foot wide loading area, resulting in a width of twenty-three (23) feet for the two spaces. One in every eight handicapped spaces, but not less than one, shall be van accessible; served by a loading area not less than eight feet wide. If two van accessible parking spaces are located adjacent to each other, they may share a common eight-foot wide loading area.

5. When less than five parking spaces are provided, at least one shall be fourteen (14) feet wide, striped to provide a nine-foot parking area and a five-foot loading area. Such space shall not be required to be reserved or identified exclusively for use by persons with disabilities.
 6. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.
 7. In each parking area, a bumper or curb shall be provided and located to prevent encroachment of cars over the required width of walkways. The space shall be so located that persons with disabilities are not compelled to wheel or walk behind cars other than their own. Pedestrian ways that are accessible to people with disabilities shall be provided from each such parking space to the related facilities, including curb cuts or ramps as needed. Ramps shall not encroach into any parking space, with the exception that ramps located at the front of accessible parking spaces may encroach into the length of such spaces when such encroachment does not limit the capability of a person with a disability to leave or enter their vehicle, thus providing equivalent facilitation. Where the building official determines that compliance with any regulation of this subsection would create an unreasonable hardship, a waiver may be granted when equivalent facilitation is provided.
 8. The slope of an accessible parking stall shall be the minimum possible and shall not exceed one-quarter inch per foot (2.083% gradient) in any direction.
 9. Notwithstanding the off-street parking requirements of subsection A of this section, the number of parking spaces that are not accessible may be reduced to the extent necessary for modification of an existing facility to comply with the requirements described in this subsection.
 10. Where provided, one passenger drop-off and loading zone shall provide an access aisle at least five feet wide and twenty (20) feet long adjacent and parallel to the vehicle pull up space. Such zones shall be located on a surface with a slope not exceeding one vertical in fifty (50) horizontal and shall be located on an accessible route of travel to the entrance of the facility. If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp shall be provided. Valet parking facilities shall provide a passenger loading zone, as described herein.
- C. Low Emitting Fuel Efficient Carpool/Vanpool Vehicle Parking. Eight percent of required parking shall be designated for any combination of low-emitting, fuel efficient and carpool/vanpool vehicles for all new nonresidential development.
- D. Parking requirements for religious institution affiliated housing development projects (RIAHD).
1. Notwithstanding any provisions of this Title or any adopted specific plan to the contrary, the parking requirements for a religious institution affiliated housing development project are subject to the provisions of Government Code section 65913.6, as amended.
 2. Religious institution affiliated housing development project" (RIAHD) is defined as a housing development project that meets all of the following requirements:
 - a. The housing development project is located on one or more contiguous parcels that are each owned, entirely, whether directly or through a wholly owned company or corporation, by a religious institution.
 - b. The housing development project qualifies as being near collocated religious-use parking by being on or adjacent to a parcel with religious-use parking or by being located within one-tenth of a mile of a parcel that contains religious-use parking.
 - c. Qualifies for a density bonus under Government Code section 65915.
 3. Allows up to 50 percent elimination of total religious-use parking spaces available for a

- Religious Institution Affiliated Housing Development project.
4. No replacement requirement of religious-use parking spaces for a Religious Institution Affiliated Housing Development project proposes to eliminate, provided the reduction does not exceed 50 percent.
 5. Allows the remaining religious-use parking spaces to count toward number of parking spaces required for the Religious Institution Affiliated Housing Development project.
 6. Prohibits the reduction in parking spaces from reducing the minimum parking standards below one space per unit unless the Religious Institution Affiliated Housing Development project is within one-half mile of a high-quality transit corridor or a major transit stop, or a car share vehicle within one block of parcel.
 - a. High-quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.
 - b. Major transit stop includes existing rail or bus rapid transit station, ferry terminal served by either bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.
 - c. Car sharing means a model of vehicle rental where users can rent vehicles for short periods of time and users are members that have been preapproved to drive.

9.14.065 Finance and conveyance maps.

- A. Purpose and Intent.
1. The purpose of this chapter is to set forth the process of tentative maps for financing and/or conveyance purposes only, and does not create legal building sites upon which new development may occur. It is not the intent of the finance and/or conveyance map to create any legal building site(s), and a future subdivision map shall be required in accordance with this Chapter, and the subdivision map act, in order for any development to occur.
 2. This criteria shall govern the filing and processing of tentative maps for finance and/or conveyance purposes. Applications for finance and/or conveyance maps (collectively referred to as “financing maps”) may only be accepted under one of the following criteria:
 - a. The site to be subdivided by the map is already developed, and the proposed map will not create legal building sites upon which new development may occur; or
 - b. A future map for development purposes must be processed and recorded in order for any development on the site to occur, and this fact is clearly stated on the face of the map; or
 - c. An approved conditional use permit, master plan, or master Plot Plan is approved for the site, has not expired, and all conditions of approval, expected exactions, and mitigation measures associated with the underlying approval(s) shall be implemented as previously prescribed, or as properly modified, for any development on the property to occur.
- B. Definition.
1. A “finance and/or conveyance map”, sometimes “financing maps”, is a map used to parcelize, for finance and/or conveyance purposes only, undivided land, existing parcel maps, and/or existing tract maps for reasons other than physical development of the property.
- C. Filing Instructions. Finance and/or conveyance maps are filed with the Community Development Department, 14177 Frederick Street, Moreno Valley, California, 92552. Application forms are available at the community development department or may be obtained on-line at www.moval.org, or by contacting the planning division at (951) 413-3206.
- D. Submittal Requirements. The form, content and supplementary information that must accompany a finance and conveyance map shall conform to the submittal requirements for tentative maps set forth in Section 9.14.040 of this code except as hereafter provided.
1. Notwithstanding the requirements set forth in Section 9.14.040, the director of community development or designee may waive the following requirements in writing if requested in advance by the applicant:
 - a. Internal streets and access ways within the boundary of the map (with concurrence of the city engineer);
 - b. Dimensions and location of sidewalks and common areas;
 - c. Soils and geology report;
 - d. Regional housing needs statement; and/or
 - e. Other submittal requirements set forth in Chapter 9.14, Land Divisions, or the Subdivision Map Act, provided, the city engineer determines in advance, that the proposed map continues to comply with the spirit and intent of the Subdivision Map Act, the Subdivision Ordinance, and these subdivision regulations.

2. The following statement must be clearly printed on the face of the proposed financing map: “FOR FINANCE AND CONVEYANCE PURPOSES ONLY.”
 3. If a future map is required for any development, the face of the map must include the following additional statement: “THIS MAP DOES **NOT** CREATE A LEGAL BUILDING SITE. FURTHER APPLICATIONS ARE NECESSARY TO DEVELOP THIS PROPERTY.”
 4. If a previously approved tentative map, vesting tentative map, or conditional use permit is in place on the property, the face of the map must include the following additional statement in addition to the statement required in subsection (C)(2): “THIS MAP DOES NOT REMOVE ANY DEVELOPMENT REQUIREMENTS SET FORTH WITH APPROVAL OF {insert case number(s)}, WHICH MUST BE SATISFIED WITH CONTINUED DEVELOPMENT OF THE PROPERTY.”
- E. Review Procedure. Except as otherwise noted herein, finance maps shall be processed in the same manner and shall be subject to the same requirements as specified for tentative maps in Section 9.14.050 of the municipal code. The community development department will distribute copies of the financing map to the appropriate reviewing bodies to determine whether the map conforms to the requirements of this chapter, and the Subdivision Map Act. These reviewing bodies are set forth in Section 9.14.050(C) of this chapter.
- F. Approval Process.
1. Criteria. The advisory agency reviewing authority shall base its decision to approve, conditionally approve, or disapprove the proposed financing map on the information required under this chapter, and any additional information reasonably necessary to determine that the property covered by the map can be feasibly developed under the existing zoning and general plan designations for the site. At a minimum, the advisory agency/reviewing authority must ensure the following:
 - a. The parcel (or parcels) of land covered by the map meet the minimum size requirements to ensure that future development can meet all applicable site development standards imposed by Title 9 of the municipal code.
 - b. The parcel (or parcels) of land have access from a public road, or access is both feasible and required by a condition of approval for the proposed map.
 - c. The parcel lines do not conflict with any public easements.
 - d. There are not physical constraints or other issues which may affect the feasibility of future development on the site (e.g., vehicular access, utility service extensions). If necessary in order to adequately evaluate the map, additional technical studies (e.g., access study) should be required prior to finding the application complete.
 - e. The map provides sufficient information on future uses and feasibility of future uses to ensure consistency with the general plan and zoning designations for the site.
 - f. The site is suitable for the future permitted or proposed uses.
 - g. The map provides sufficient information on the subdivision design and future improvements to evaluate its potential impact on the environment in compliance with the California Environmental Quality Act.
 - h. There is sufficient information on the subdivision design and future improvements to enable the city to determine whether the map complies with applicable water quality standards, particularly with respect to future discharge of waste into the sewer system.

2. Findings. A tentative map for finance and conveyance purposes shall be approved or conditionally approved only if the advisory agency can make the following findings:
 - a. That the proposed map is consistent with applicable general and specific plans and the zoning ordinance.
 - b. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.
 - c. That the site is physically suitable for the type of development.
 - d. That the site is physically suitable for the proposed density of development.
 - e. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
 - f. That the design of the subdivision or type of improvements is not likely to cause serious public health problems.
 - g. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
 - h. That the requirements of the California Environmental Quality Act have been satisfied.
- G. Mandatory Conditions of Approval. In addition to the standard subdivision conditions of approval applied to all maps for development purposes, the following shall apply to all financing maps:
 1. Any submittal requirements which were waived in connection with the financing map in accordance with subsection (C)(1) shall be submitted concurrently with the first discretionary application for development of the property covered by the map (i.e., with an application for a future map, a conditional use permit, or master plan), or shall be submitted as prescribed by conditions of approval already in place with underlying entitlement approvals that govern continued or subsequent development of the property as described on the face of the map per subsection (C)(4).
 2. This map is approved for finance and land conveyance purposes only. No applications for building or grading permits shall be accepted for the parcel or parcels created by this map until a (future map/conditional use permit/master plan) for development has been approved by the city, or as prescribed by conditions of approval already in place with underlying entitlement approval that govern continued or subsequent development of the property as described on the face of the map per subsection (C)(4).

9.14.090 Final land division maps.

- A. General. After the approval or conditional approval of the tentative map and prior to the expiration of such map, the subdivider may cause the real property included within the map, or any part thereof, to be surveyed and a final map thereof prepared in accordance with the current city standards and the approved or conditionally approved tentative map.
- B. Subdivision Boundary Plat Requirements.
1. Surveys made in preparation of final land division maps shall be in accordance with standard practices and principles of surveying and all applicable provisions of the Subdivision Map Act.
 2. Before the final map of a subdivision will be accepted by the city engineer for checking, the land divider shall submit and obtain approval by the city engineer of a map showing:
 - a. A boundary survey of the land division, including all courses and distances necessary to compute a closure;
 - b. Sufficient data to prove the method by which the boundary was determined, including a description of all corners found or set, adjoining maps or property lines of record.
 3. The city engineer may waive the boundary plat if sufficient survey information is of record.
 4. Whenever the city engineer has established the centerline of a street, that data shall be considered in making the surveys and in preparing the final map, and all monuments found shall be indicated and proper reference made to field books or maps of public record, relating to the monuments. If the points were reset by ties, that fact shall be stated. The final map shall show city and county boundaries adjoining the division of land.
- C. Preliminary Filing of Final Subdivision Map.
1. When a boundary survey map is approved or waived by the city engineer, the subdivider may then file his final map for preliminary checking in the office of the city engineer. The quantity of the number of positive prints shall be determined by the city engineer.
 2. The final map shall be accompanied by the following:
 - a. Map checking fee, as set by the city council;
 - b. Any additional data, as determined by the city engineer.
 3. Proposed improvement plans shall be submitted and accompanied with the plan checking fee, as set by the city council.
 4. Prior to the recordation of the final map, the following items shall be provided and approved:
 - a. A copy of the approved conditions, covenants and restrictions (CC&Rs) that are to be recorded with the final map;
 - b. Evidence of title in the form of a current preliminary title report issued by a California title company, showing the names of persons having any record title interest in the land to be divided, together with the nature of their respective interests therein. In the event that any dedication is to be made for public use of any property shown on a final land division map, a subdivision guarantee shall be issued by a California title company. The consent of the owner or owners of any contingent reversionary interest in the lands to be subdivided is not necessary and need not be named in the guarantee of title;
 - c. All requests for waivers of signatures as provided in the Subdivision Map Act;

- d. Utility Plans.
 - i. An original and three positive prints of each map showing the proposed water distribution and sewage collection systems, signed by a registered civil engineer and the water and sewer purveyors. Each system shall comply with all applicable state and county and city regulations. The city fire prevention officer shall also sign the water plans when conditions include fire protection, and
 - ii. Letters from other utility purveyors that will serve the land division certifying that satisfactory provisions have been made with each of the public utility purveyors as to location of their facilities and construction thereof.
- D. Preliminary Filing of Final Parcel Map. After a tentative parcel map is approved, the land divider may cause a final parcel map to be prepared and submitted to the city engineer. The land divider shall submit the following:
 - 1. A number of positive prints of the final parcel map, as determined by the city engineer with plan checking fee, as set by the city council;
 - 2. All required improvement plans with plan checking fee, as set by the city council; and
 - 3. Evidence of title in the form of a current preliminary title report issued by a California title company, showing the names of persons having any record title interest in the land to be divided, together with the nature of their respective interests herein. In the event that any dedication is to be made for public use of any property shown on a final parcel map, a subdivision guarantee shall be issued by a California title company.
- E. Data Required—Final Land Division Maps.
 - 1. Final subdivision and parcel maps shall conform to all of the following provisions:
 - a. Each map shall be legibly drawn, printed or reproduced by a process guaranteeing a permanent record in black on tracing cloth or good quality polyester base film, including certificates, except that such certificates may be legibly stamped or printed upon the map with opaque material when recommended by the city engineer and authorized by the county recorder. If ink is used on polyester base film, the ink surface shall be coated with a suitable substance to assure permanent legibility. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch;
 - b. Each map, including each sheet of a multisheet map shall bear the number as assigned by the Riverside County road department or other proper official which shall be followed by a subtitle consisting of a general description of all the property being divided by reference to record maps, and to section surveys or ranchos. Reference shall be spelled out and worded identically with original records, with complete reference to proper book and page of record;
 - c. All sheets shall be numbered, the relation of one sheet to another clearly shown, and the number of sheets used shall be set forth on each sheet. An adequate number of sheets shall be submitted to clearly present all pertinent data;
 - d. A location map shall be placed on the final map which indicates the location of the proposed land division and its relationship to existing streets and highways;

- e. The certificates and acknowledgements, required by the Subdivision Map Act and this title, shall appear on the first sheet only. "Certificates" shall include the following:
- i. Owner's certificate,
 - ii. Trustee's certificate,
 - iii. Recorder's certificate,
 - iv. Surveyor's/engineer's certificate,
 - v. City engineer's certificate,
 - vi. City clerk's certificate,
 - vii. Tax collector's certificate,
 - viii. Tax bond certificate (as appropriate).
- The first sheet shall also include: (1) signature omissions (relating to oil, gas or mineral rights) and (2) notice of election by land divider to defer payment of drainage fees. If needed, the second map sheet may be used for notary acknowledgements. In no case shall the certificates noted above be placed on the second sheet of a multisheet map;
- f. The recorder's certificate shall be placed in the upper right-hand corner of the map or in the upper right-hand corner of the first sheet only of multisheet maps;
- g. The surveyor's or engineer's certificate shall state that the survey was made by him or under his direction, that the survey is true and complete as shown, that all monuments are of the character and occupy the positions indicated and are sufficient to enable the survey to be retraced, that the map conforms to the approved tentative map and conditions of approval thereof, and that all provisions of the applicable state and local ordinances have been complied with;
- h. The number, scale, north point and sheet number shall be shown on each sheet of the map. The map shall be drawn at a suitable engineer's scale to identify and describe all essential details clearly. If more than two map sheets are used, an index showing the division of land, with lots numbered as shown on the map, shall be shown. A complete boundary survey shall be shown on one sheet of every phase of a unitized subdivision. Such boundary shall also reflect the original boundary as shown on the tentative map of the subdivision;
- i. A land division name shall not be shown on the map;
- j. The exterior boundary of the land shown on a land division map shall be indicated by a distinctive delineation and clearly designated;
- k. A statement labeled surveyor's notes or engineer's notes shall be shown on the first map sheet after the signature sheet of a multisheet map. The statement shall include the basis of bearings; the monuments that were found; the monuments and points that were set, with reference to city standards; and a key to the symbols and abbreviations and such other information required by the city engineer;
- l. Lots shall be numbered consecutively, commencing with the number "1," with no omissions or duplications. Each lot shall be shown in its entirety on one sheet. Lots used for streets, alleys or barrier strips shall be lettered. Easements shall be clearly identified; and
- m. Where a part-width street is shown on a map, the centerline of the improvements shall be monumented and shown correctly, as related to the full future width of the street.

2. The following data shall be shown on each final subdivision and parcel map:
- a. Dates of survey and the name and registration number of the person authorized to practice land surveying by the state of California and who is responsible for the preparation of the map;
 - b. Locations and names (without abbreviations) of all adjoining, existing and proposed streets and the location of alleys. Proposed public area and easements shall also be identified;
 - c. Gross area of land division, and the net acreage, computed to the nearest .01 acres, on all lots containing one acre or more. Lot lines shall be shown by solid lines;
 - d. Centerlines of all streets and lengths, tangent, radius and central angle or radial bearings on all points on curves and the bearings of radial lines to each lot corner on a curve; the width of each street, the width of the portion being dedicated and the width of existing dedications; and the widths of right-of-way of railroads, flood control or drainage channels and other easements appearing on the map;
 - e. Sufficient data to determine readily the bearing and length of each line. Recorded survey data as required by the city engineer;
 - f. Sufficient primary survey control points;
 - g. Ties to and recording references to adjacent record maps and to section corners, quarter section corners and also to section lines and quarter section lines when adjacent or within the map;
 - h. Centerline data and width of all easements to which the division of land is subject. If the easements are not definitely located by record, a statement as to the easement shall appear on the title sheet of the land division. Distances and bearings on the side lines of lots which are cut by an easement shall be so shown as to indicate clearly the actual location. Alignment data alongside lot lines of easements shall be provided when not controlled by paralleling lines or centerline. The easement shall be clearly labeled and identified and, if already on record, proper reference to the records given. Easements dedicated in land divisions shall be included in the owner's certificate of dedication. Easements shall be shown on the map by broken lines;
 - i. Clear indication of stakes, monuments or other evidence found on the ground to determine the boundaries of the tract, data to determine physical description, size, ground position, tag number and record reference of survey markers; untagged monuments accepted as control shall be tagged or replaced by the surveyor or engineer making the survey;
 - j. No setback lines shall appear on the final map;
 - k. New street names shown on a land division map must be approved by the city engineer;
 - l. When an environmental constraint sheet is required, a note shall be placed below the surveyor's notes on the final map in one-fourth inch high bold block letters, stating:
ENVIRONMENTAL CONSTRAINT NOTE: Environmental constraint sheet affecting this map is on file in the Office of the City Engineer. This affects Lot Nos. _____ or Parcel No. _____.
and
 - m. The basis of bearings must be between two found monuments of one record map survey plat or right-of-way map on file and approved by the county surveyor or the city engineer. Replacement monuments may be

used if the position of the original monuments have been preserved by cross-ties or swing ties acceptable to the city engineer. The bearing and distance of the reference line shall be shown on the map and if the distance is also of record it shall be so stated. If a basis of bearing is not available from a record map then a basis will be, as determined by the city engineer.

- F. Parcel Maps Compiled from Recorded Data. A parcel map of four or less parcels may be compiled from recorded or filed data, if such data is acceptable to the city engineer.
- G. Filing of Final Land Division Maps.
1. After the preliminary final land division map is determined to be correct, the city engineer shall notify the land divider to prepare and submit the original and duplicate original of the final map together with all required agreements for improvements and securities and all other required documents as may be necessary for consideration of the final map. If the final land division map or documents are not determined complete by the city engineer, they shall be returned to the land divider for corrections.
 2. The original and duplicate original map shall be inscribed on polyester base film, including the required signatures, and shall meet the requirement of the city engineer.
- H. Action by the City Engineer.
1. When a Schedule "A," "B," "C," or "D" final tract map and all agreements, securities and other required documents have been submitted and found to be in correct form, the city engineer shall, within twenty (20) days thereafter, file the final map and documents with the city clerk and certify that:
 - a. He has examined the map;
 - b. The land division as shown is substantially the same as it appeared on the tentative map and any approved alterations thereof;
 - c. All provisions of the Subdivision Map Act and all city ordinances applicable at the time of approval of the tentative map have been complied with;
 - d. He is satisfied that the map is technically correct; and
 - e. In the certificate, the city engineer shall state the date of approval of the tentative map and the date of expiration.
 2. When a Schedule "E," "F," "G," "H," or "I" final parcel map and all agreements, securities and other required documents have been submitted and found to be in correct form, the City Engineer shall, within 20 days thereafter, approve the map if it conforms to all the requirements of the Subdivision Map Act and this ordinance applicable at the time of approval or conditional approval of the tentative map and any rulings made thereunder, or, if it does not so conform, disapprove the map; provided, however, that the final map shall not be disapproved due to technical or inadvertent errors which in the opinion of the City Engineer do not materially affect the validity of the map. When the map is approved, the City Engineer may accept or reject dedications and offers of dedication that are made by certificate on such map, and may sign the certificate for the City. The City Engineer shall file the approved map and documents with the City Clerk.
- I. Action by the City Council. The city council, upon filing of a Schedule "A," "B," "C," "D," "E," "F," "G," "H" or "I" map, shall at the meeting at which it receives the map or at its next regular meeting after the meeting at which it receives the map, approve the map if it conforms to all the requirements of the Subdivision Map Act and this title applicable at the time of approval or conditional approval of the tentative map and any rulings made thereunder, or if it does not so conform, disapprove the map; provided, however, that the final map shall not be disapproved due to technical or inadvertent errors which in the opinion of the city engineer do not materially affect the validity of the map.

- J. Surveys and Monuments.
1. At the time of making the survey for a final land division map, the engineer or surveyor shall set sufficient durable monuments to conform to the standards described in Section 8771 of the Business and Professions Code and also comply with city standards.
 2. All monuments for final land division maps containing five or more lots, and all Schedule "E" maps regardless of the amount of lots shown on the map, shall be set prior to the recordation of the map unless the land divider executes a secured agreement guaranteeing the setting of the monuments.
 3. All monuments for final land division maps containing four or less lots, except Schedule "E" maps, shall be set prior to the recordation of the map.
- K. Delivery of Final Map to the Recorder.
1. Upon approval by the city council, the city clerk shall certify that all required certificates, security and deposits have been filed and shall transmit the final map to the recorder.
 2. The land developer shall present to the recorder evidence that, at the time of the filing of a final map, the parties consenting to the filing are all of the parties having a record title interest in the real property being divided whose signatures are required, as shown by the records in the office of the recorder; otherwise, the map shall not be filed.
 3. The recorder shall have not more than ten (10) days within which to examine the final land division map and either accept or reject it for filing.
 4. If the recorder accepts the map for filing, such acceptance shall be certified on the face thereof.
 5. The recorder, upon filing the final subdivision map or parcel map, shall attach the recording data to the polyester type film duplicate original and thereupon deliver the same to the city engineer who shall retain custody thereof.
- L. Waived Maps.
1. The waiver of a final map shall only be approved by the city engineer based on the required findings pursuant to Section 66428(b) of the Subdivision Map Act. To allow a waiver, the city engineer shall first determine that the proposed division of land complies with city requirements with respect to area, improvements and design, floodwaters and drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of the Subdivision Map Act or city ordinances.
 2. The requirement for a tentative parcel map may be waived by the community development director if it is determined by the city engineer that the land division meets the requirements herein for approval of a waiver of the final parcel map and a request for waiver of the tentative parcel map accompanies the request for waiver of the final parcel map.
 3. When a final parcel map has been waived, the city engineer shall distribute copies of the certificate of compliance and waiver of the parcel map to the community development department and file a certificate of compliance with the recorder's office upon payment of the fee set per the city council.
- M. Certificate of Correction of Final Maps. After a final map or parcel map is filed in the office of the county recorder, the recorded final map may be modified by a certificate of correction.
1. Application. The land divider may apply for a certificate of correction upon finding that one or more of the following conditions apply:
 - a. To correct an error in any course or distance shown thereon;
 - b. To show any course or distance that was omitted therefrom;

- c. To correct an error in the description of the real property shown on the map;
 - d. To indicate monuments set after the death, disability or retirement from practice of the engineer or surveyor charged with responsibilities for setting monuments;
 - e. To show the proper location or character of any monument which has been changed in location or character and originally was shown at the wrong location or incorrectly as to its character; or
 - f. To correct any other type of map error or omission as approved by the city engineer which does not affect any property right. Such errors and omissions may include, but are not limited to, lot numbers, acreage, street names, and identification of adjacent record maps. As used in this section, "error" does not include changes in courses or distances from which an error is not ascertainable from the data shown on the final or parcel map.
2. The application for a certificate of correction shall be made to the city engineer upon payment of fees set by the city council and on the forms provided by the city engineer and shall include such information, as required by the city engineer in addition to the following:
 - a. The certificate of correction shall be prepared and signed by a registered civil engineer or licensed land surveyor and shall show in detail the corrections made and show the names of the present fee owners of the property affected by the correction or omission.
 3. Recordation of Certificate of Correction. Once the certificate of correction has been certified by the city engineer, the certificate of correction shall be filed in the office of the county recorder in which the original map was filed. Upon such filing, the county recorder shall index the names of the fee owners and the appropriate tract designation shown on the amended map or certificate of correction in the general index and map index respectively. Thereupon, the original map shall be deemed to give notice of all such corrections in the same manner as though set forth upon the original map.
- N. Amendment of Final Maps.
1. In addition to the amendments authorized by subsection M of this section, after a final map or parcel map is filed in the office of the county recorder, the recorded final map may be modified by an amendment of final map.
 2. Application. The land divider may apply for an amendment of final map on the forms provided by the city engineer upon payment of fees as set by the city council and shall include such information, as required by the city engineer.
 3. No amendment of final map shall be approved unless it complies with the following standards:
 - a. There are changes in circumstances which make any or all of the conditions of such a map no longer appropriate or necessary;
 - b. The modifications do not impose any additional burden on the present fee owner of the property;
 - c. The modifications do not alter any right, title, or interest in the real property reflected on the recorded map; and
 - d. The city engineer finds that the map, as modified, conforms to the provisions of Section 9.14.080 of this chapter.
 4. Notice of Hearing. The city engineer shall set the matter for public hearing in accordance with Section 9.02.200 of this title. The hearing shall be confined to consideration of and action on the proposed modification.

Exhibit J

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5. Recordation of Amendment of Final Map. When the changes to a final map are in conformance with the standards, the city engineer shall certify to this fact on the amended map.