
PLANNING COMMISSIONERS

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PLANNING COMMISSION AGENDA

March 8, 2012

PLANNING COMMISSION MEETING – 7:00 P.M.

**CITY OF MORENO VALLEY
City Hall Council Chambers
14177 Frederick Street
Moreno Valley, California 92553**

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PUBLIC ADVISED OF THE PROCEDURES TO BE FOLLOWED IN THE MEETING

(ON DISPLAY AT THE REAR OF THE ROOM)

COMMENTS BY ANY MEMBER OF THE PUBLIC ON ANY MATTER WHICH IS NOT LISTED ON THE AGENDA AND WHICH IS WITHIN THE SUBJECT MATTER JURISDICTION OF THE COMMISSION

The City of Moreno Valley complies with the Americans with Disabilities Act of 1990. If you need special assistance to participate in this meeting, please contact Mel Alonzo, ADA Coordinator at (951) 413-3027 at least 48 hours prior to the meeting. The 48-hour notification will enable the City to make arrangements to ensure accessibility to this meeting.

NON-PUBLIC HEARING ITEMS

PUBLIC HEARING ITEMS

1. Case Number: PA11-0038
P11-098
P12-012
Case Description: Fast food restaurant with drive-thru located in the Moreno Valley Plaza shopping center.
Case Type: Conditional Use Permit
Amended Plot Plan
Administrative Variance
Applicant: McDonald's USA, LLC
Owner: Moreno Valley Plaza Ltd
Representative: Fiedler Group
Location: 23831 Sunnymead Boulevard - Located on the south side of Sunnymead Boulevard, between Graham Street and Heacock Street.
Proposal: A Conditional Use Permit (CUP) and an amended plot plan for a 3,838 square foot fast food restaurant with drive-thru within the Moreno Valley Plaza commercial shopping center on a shared 18.20 acre site within the Community Commercial (CC) land use district and Village Specific Plan (SP No. 204) The project will also include an administrative variance for a building trellis encroaching two (2) feet into the front yard setback and the demolition of a 6,636 square foot retail building.
Case Planner: Mark Gross
Recommendation: **APPROVE** Resolution No. 2012-05 and thereby:
 1. **RECOGNIZE** that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 "New Construction or conversion of small structures."; and
 2. **APPROVE** PA11-0038 (Conditional Use Permit), P11-098 (Amended Master Plot Plan) and P12-012 (Administrative Variance) for an approximate 3,838 square foot fast restaurant with drive thru, encroachment of a trellis two (2) feet into the front yard setback and the demolition of an existing 6,636 square foot retail building within the Moreno Valley Plaza shopping center on a shared

18.20 acre site within the Community Commercial (CC) land use district and Village Specific Plan (SP204), based on the findings included in the resolution, subject to the attached conditions of approval included as Exhibit A to the resolution (Attachment 2).

2. Case Number: PA10-0030
Case Description: Amendment to various municipal code regulations to encourage site plan and energy efficiency.
Case Type: Municipal Code Amendment
Applicant: City of Moreno Valley
Owner: City of Moreno Valley
Representative: City of Moreno Valley
Location: City Wide
Proposal: To amend the municipal code regulations regarding: (1) Adopting WRCOG Good Neighbor Guidelines. (2) Parking Standards for Restaurants. (3) Reduction of (CC) Community Commercial front and street side building setbacks, and revisions to parking and landscape setbacks. (4) Provide for parking lot maintenance standard, banning “topping” of trees. (5) Amend the General Parking Design Standard with revised safety features and 24 foot wide drive aisles.
Case Planner: Gabriel Diaz
- Recommendation:** **APPROVE** Resolution No. 2012-04 and thereby **RECOMMEND** that the City Council:
1. **APPROVE** PA10-0030 (Municipal Code Amendment); and,
 2. **RECOGNIZE** that PA10-0030 (Municipal Code Amendment) qualify as an exemption in accordance with CEQA Guidelines, Section 15061 as defined by Section 15378.

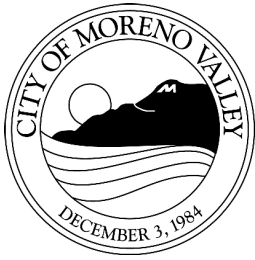
OTHER BUSINESS

1. 2011 Annual Report of the Planning Commission
 1. **ACCEPT** the 2011 Annual Report of the Planning Commission; and,
 2. **DIRECT** Staff to forward the 2011 Annual Report of the Planning Commission to the City Council.

STAFF COMMENTS

PLANNING COMMISSIONER COMMENTS

ADJOURNMENT



PLANNING COMMISSION STAFF REPORT

Cases: PA11-0038 (Conditional Use Permit)
P11-098 (Amended Master Plot Plan)
P12-012 (Administrative Variance)

Date: March 8, 2012

Applicant: McDonald's USA, LLC

Representative: Fiedler Group

Location: 23831 Sunnymead Boulevard, located on the south side of Sunnymead Blvd., between Graham Street and Heacock Street.

Proposal: A Conditional Use Permit (CUP) and an Amended Master Plot Plan for a 3,838 square foot fast food restaurant with drive-thru within the Moreno Valley Plaza shopping center on a shared 18.20 acre site within the Community Commercial (CC) land use district and Village Specific Plan (SP No. 204) The project also includes the demolition of an existing 6,636 square foot retail building and an administrative variance for the encroachment of a building trellis two (2) feet into the required front yard setback.

Recommendation: Approval

SUMMARY

The applicant, McDonald's USA, LLC, is requesting approval of a conditional use permit (CUP) for a 3,838 square foot fast food restaurant with drive-thru within the Moreno Valley Plaza shopping center on a shared 18.20 acre site within the Community Commercial (CC) land use district and Village Specific Plan (SP No. 204). The project will also include an amended master plot plan for the shopping center, the demolition of a 6,636 square foot retail building, and an administrative variance for the encroachment of a trellis two (2) feet into the required front yard setback.

BACKGROUND

The proposed project site is included within the existing Moreno Valley Plaza shopping center. The site consists of an approximate 340,000 square foot integrated shopping center with three separate parcels. Individual tenant spaces and buildings are located along the southern and northern peripheries of the three parcels with parking fields located in the middle of the parcels. The project was originally approved by Riverside County, while the original master plot plan is amended with this proposed project.

The applicant proposes to demolish an existing 6,636 square foot commercial building in the shopping center to construct the proposed 3,838 square foot fast food/drive-thru restaurant. A demolition permit is required to remove the existing retail building prior to constructing the proposed use.

PROJECT DESCRIPTION

Project

The proposed project includes a 3,838 square foot fast food restaurant with drive-thru within the Moreno Valley Plaza shopping center, which is an integrated retail complex on three separate parcels. The total size of the commercial/retail center is approximately 340,000 square feet, including multiple retail and restaurant tenants. The entire project site encompasses approximately 18.20 acres.

The land use designation for the site is "CC" (Community Commercial). The primary purpose of the CC district is to provide for the general shopping needs of area residents and workers with a variety of business, retail, personal and related services. The proposed project complies with both the General Plan and Municipal Code requirements, including, but not limited to any proposed land use and site plan elements within the Community Commercial (CC) land use district.

The proposed project includes two discretionary actions and one administrative action for approval - a CUP for the restaurant use, an amended master plot plan to modify the existing circulation and layout of the large commercial center, and an administrative variance for the proposed projection of a building trellis into the front yard setback. The following summarizes the three (3) required components of the project:

Conditional Use Permit (PA11-0038)

As required by Section 9.02.020 "Permitted Uses" of the Development Code, a fast food drive-thru restaurant use is conditionally permitted use in a commercial zone if located within 300 feet or less from a residential zone or use. The applicant proposes a fast food drive thru restaurant adjacent to Sunnymead Boulevard between two existing free standing multi-use tenant buildings. An existing 6,636 square foot retail building that is currently vacant will be demolished to make way for the restaurant use. Staff believes a fast food restaurant operation would be compatible at this site since the subject property is located within a large integrated commercial center, while any existing residential homes closest to the property are located behind the shopping center, approximately 600 feet south of the proposed restaurant pad site.

As the site is included in an existing shopping center, the applicant is requesting the opportunity to include a 24 hour business operation. Based on the fact that the site is situated in an existing shopping center, along a busy thoroughfare with residential use located well beyond the proposed restaurant pad, a 24 hour operation is justified. Conditions of approval have been provided that would limit noise from the proposed drive-thru restaurant operation.

Amended Master Plot Plan (P11-098)

A master plot plan is required to guide the placement of the project and any future approvals within a commercial center. As the Moreno Valley Plaza shopping center was developed prior to City incorporation, a master plot plan officially did not exist for the site. With the integrated shopping center including individual retail uses on three separate parcels and the introduction of a proposed fast food restaurant replacing an existing retail use, the applicant has included a master plot plan that depicts the changes in circulation and layout of the center. Specifics of the center includes an approximate 340,000 square feet of retail uses, including the proposed fast food restaurant. Parking for the site includes approximately 1,708 parking stalls, including the proposed 39 stalls required for the proposed restaurant use.

Future building design of the remaining parcels shall follow the requirements established within the Municipal Code, including requirements within the Design Guidelines. If future major changes to proposed land uses occur on the approved master plot plan, any applicant would be required to further modify the master plot plan, which would be subject to review by the Planning Commission.

Administrative Variance (P12-012)

An administrative variance allows for a 10 percent adjustment of existing setback requirements. The applicant has elected to apply for an administrative variance to allow a trellis attached to the proposed fast food restaurant to encroach two (2) feet into the 20 foot front yard setback.

The proposed administrative variance is justified based on three accounts. First of all, the architecture of the site would require posts to support the trellis and the design is compatible with posts and other features included within the existing retail shopping center complex. Secondly, the site was developed and approved under Riverside County prior to the City's incorporation. Front yard setbacks for the center and existing buildings and businesses along Sunnymead Boulevard are typically less than 20 feet to the property line. The encroachment of two feet would still allow an 18 foot front yard and provide an additional three (3) foot setback beyond what is currently provided by the existing structure. The final item includes carrying out the goals and objectives of the General Plan, including convenient and comfortable pedestrian access to sidewalks and commercial buildings designed and sited to present a human scale environment.

The minor variance procedure is an administrative process that is not typically reviewed by the Planning Commission. As the project included a CUP and amended master plot plan and is within 300 feet of residential structures, all items being requested for this project are being reviewed by the Planning Commission.

Site

The site is currently developed with an approximate 340,000 square foot integrated shopping center. Based on the site being fully developed with existing retail/commercial uses, there are no specific environmental concerns with the proposed development.

Surrounding Area

Surrounding land uses include single family homes to the south, commercial uses to the east and across Sunnymead Blvd to the north, and commercial uses to the west of the shopping center with an adjacent vacant commercially zoned parcel and then single-family homes across Graham Street. The pad site itself is adjacent to commercial/retail uses within the Moreno Valley Plaza shopping center.

Access/Parking

The primary access point for the proposed fast food restaurant is located immediately to the east of the proposed development, with the primary driveway off of Sunnymead Boulevard. There is no direct entry to Sunnymead from the project, with prospective patrons entering the site or drive-thru aisle via a shared driveway access located to the east of the pad site.

Pedestrian access is provided to exterior areas, driveways and within the interior portions of the site, including a proposed new sidewalk connection on the west side of the restaurant. Pedestrian access and sidewalks will also link the development with the adjacent uses in the shopping center.

The project requires approximately 39 parking stalls. Seven (7) of the thirty-nine (39) parking stalls will be located adjacent to the restaurant building on the south elevation, and this will also include two (2) handicapped/van accessible stalls. A truck loading stall for deliveries has also been provided to meet Municipal Code standards. As the site is included within an existing integrated shopping center, 1,651 parking stalls are required for the entire 18 acre shopping center. With the proposed use, the site is providing 1,708 parking stalls.

Design/Landscaping

Architecturally, the project has been modified based on initial preliminary drawings provided by the applicant to provide elements of the current Moreno Valley Plaza design and requirements included within SP No. 204. The architectural design includes a mixture of the current shopping center design mixed with the franchise corporate design. The site currently takes on a Spanish Mediterranean architectural theme, which incorporates exposed beams, visible columns under eave embellishments and a proposed tower element.

Colors for the project include a variety of coordinated earthtone shades that are compatible to the existing commercial center. The applicant proposes to use the color "white" as a building accent color, which does differ from existing colors in the center.

Landscape will be provided around the site adjacent to the drive-thru lane, around perimeters of the site and adjacent to parking stalls. Front yard landscape will be compatible with the center's landscape palette.

Some additional minor design enhancement items for the project will be addressed through conditions of approval. Regarding the architecture of the site, conditions have been included to include up lighting and decorative light sconces on the building and to provide comparable colors to what is provided within the Moreno Valley Plaza retail shopping center.

REVIEW PROCESS

The Project Review Staff Committee (PRSC) first met to review the project on December 14, 2011. At that time, staff required some site plan and architectural design items to be revised, including the addition of a required 20 foot landscape setback along Sunnymead Boulevard, a further separation of the drive-thru lane from the primary entrance into the center and architectural elements on the proposed building design that did not initially meet the palette of the existing shopping center.

A second Pre-PRSC meeting was held on January 24, 2012 to review corrections to the plans. After significant improvements with the site plan and architectural design, revised plans were provided to internal staff for a brief review prior to completing conditions of approval. Based on the attached plot and elevation plans submitted for Planning Commission review, all items discussed have either been revised or are handled through conditions of approval that require additional minor modifications.

ENVIRONMENTAL

The proposed fast food restaurant project and demolition of a commercial retail building are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303 "New Construction or conversion of small structures." The project will consist of a 3,838 square foot retail restaurant building, would not involve the use of significant hazardous substances, will provide all necessary public services and facilities, and the immediate surrounding area is not environmentally sensitive.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper.

REVIEW AGENCY COMMENTS

Staff received the following responses to the Project Review Staff Committee transmittal; which was sent to all potentially affected reviewing agencies.

<u>Agency</u>	<u>Response Date</u>	<u>Comments</u>
1. Riverside County Flood Control and Water Conservation District	December 27, 2011	The project is located within the limits of the District's Sunnymead Area Drainage Plan for which drainage fees have been adopted. An encroachment permit shall be obtained for any construction related activities occurring within the District right of way or facilities.

STAFF RECOMMENDATION

APPROVE Resolution No. 2012-05, and thereby:

1. **RECOGNIZE** that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 "New Construction or conversion of small structures."; and
2. **APPROVE** PA11-0038 (Conditional Use Permit), P11-098 (Amended Master Plot Plan) and P12-012 (Administrative Variance) for an approximate 3,838 square foot fast restaurant with drive thru, encroachment of a trellis two (2) feet into the front yard setback and the demolition of an existing 6,636 square foot retail building within the Moreno Valley Plaza shopping center on a shared 18.20 acre site within the Community Commercial (CC) land use district and Village Specific Plan (SP204), based on the findings included in the resolution, subject to the attached conditions of approval included as Exhibit A to the resolution (Attachment 2).

Prepared by:

Approved by:

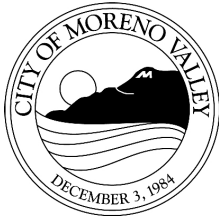
Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
 2. Planning Commission Resolution No. 2012-05 with attached Conditions of Approval
 3. Zoning Map
 4. Aerial Map
 5. Reduced Site / Elevation Plans
 6. Reduced Master Plot Plans
 7. Reduced Preliminary Grading Plan
- EXHIBITS:
1. Site / Elevation Plans and Preliminary Grading Plan

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Notice of PUBLIC HEARING

This may affect your property. Please read.

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

CASE: PA11-0038 (Conditional Use Permit)
P11-098 (Amended Plot Plan)
P12-012 (Administrative Variance)

APPLICANT: McDonald's USA, LLC

OWNER: Moreno Valley Plaza Ltd

REPRESENTATIVE: Fiedler Group

LOCATION: 23831 Sunnymead Boulevard

PROPOSAL: A Conditional Use Permit (CUP) and an amended master plot plan for a 3,838 square foot fast food restaurant with drive-thru within the Moreno Valley Plaza shopping center on a shared 18.20 acre site within the Community Commercial (CC) land use district and Village Specific Plan (SP No. 204) The project includes demolition of an existing 6,636 square foot retail building and an administrative variance for the encroachment of a building trellis two (2) feet into the required front yard setback.

ENVIRONMENTAL DETERMINATION: Pursuant to the California Environmental Quality Act (CEQA), the project is exempt pursuant to Section 15303 "New Construction or conversion of small structures."

REDEVELOPMENT AREA: No

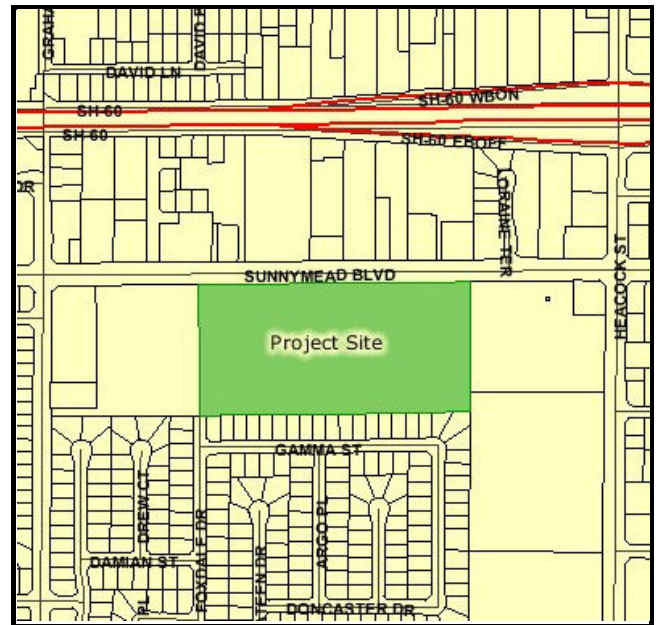
STAFF RECOMMENDATION: Approval

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

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

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

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



LOCATION N ↑

PLANNING COMMISSION HEARING

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

DATE & TIME: March 8, 2012, 7:00 P.M.

CONTACT PLANNER: Mark Gross

PHONE: (951) 413-3215

ATTACHMENT 1

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RESOLUTION NO. 2012-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING PA11-0038 (CONDITIONAL USE PERMIT), P11-098 (AMENDED MASTER PLOT PLAN) AND P12-012 (ADMINISTRATIVE VARIANCE) FOR A 3,838 SQUARE FOOT FAST FOOD RESTAURANT WITH DRIVE-THRU, ENCROACHMENT OF A BUILDING TRELLIS INTO THE FRONT YARD SETBACK AND THE DEMOLITION OF A 6,636 SQUARE FOOT RETAIL BUILDING WITHIN THE MORENO VALLEY PLAZA COMMERCIAL SHOPPING CENTER ON A SHARED 18.20 ACRE INTEGRATED SHOPPING CENTER SITE WITHIN THE COMMUNITY COMMERCIAL (CC) LAND USE DISTRICT AND VILLAGE SPECIFIC PLAN (SP NO. 204).

WHEREAS, the applicant, McDonald's USA, LLC has filed a conditional use permit application for a drive-through fast food restaurant within a proposed 18.20 acre commercial shopping center. The applicant has also submitted an application for an administrative variance to encroach with trellis posts two feet into the frontyard setback. Said project is located in an integrated commercial/retail center located on the south side of Sunnymead Blvd., between Graham Street and Heacock Street within the CC (Community Commercial) land use district and the Village Specific Plan (SP No. 204). The proposed project also includes an Amended Master Plot Plan for a retail shopping center and the demolition of a 6,636 square foot retail building to allow the development of a proposed fast food drive thru restaurant.

WHEREAS, on March 8, 2012 the Planning Commission of the City of Moreno Valley held a meeting to consider and provide a recommendation on the application.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

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

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

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

ATTACHMENT 2

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on March 8, 2012, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

Conditional Use Permit (PA11-0038)

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

FACT: The proposal for a conditional use permit, consisting of a drive-through restaurant within an integrated shopping center is consistent with the General Plan and its goals, objectives, policies and programs. The project is included within a master plot plan that includes an 18 acre integrated shopping center with multiple tenants. The General Plan land use map is included as CC (Community Commercial). The use is compatible with those uses permitted within the CC (Community Commercial) land use district and other retail uses included in the shopping center as depicted in the Municipal Code and the underlying SP No. 214.

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

FACT:. The proposed project will be located within the existing Community Commercial (CC) land use district. The proposed drive-through restaurant pad is considered as a conditionally permitted use under the CC (Community Commercial) land uses district, and will be replacing a 6,636 square foot retail building which will be demolished with the proposal. The proposed project is designed in accordance with the provisions of SP No. 204 as well as other codes and ordinances of the City. Various conditions of approval have been included to address specific requirements, including but not limited to site design, site improvements, and aesthetic enhancements.

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

FACT: The proposed project and use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity while direct impacts to surrounding land uses would be considered minimal with necessary conditions of approval and mitigation measure imposed. The project site is located within an existing integrated shopping center and is surrounded by existing retail tenants. As the proposed project is surrounded by compatible retail land uses and the actual use is located 600 feet or greater from any residential uses, it would be considered a compatible use with surrounding properties in the general vicinity. Conditions of approval have been included to reduce noise and other items related to a 24 hour drive-thru restaurant use.

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

FACT: The location, design and operation of the proposed project will be compatible with existing and planned land uses in the general vicinity. The proposed master plot plan for a commercial shopping center and individual conditional use permit to operate a drive-through restaurant will include uses as included within the Community Commercial (CC) land use and meet provisions of SP No. 204. The proposed project is immediately surrounding by compatible community commercial retail uses within an existing integrated shopping center.

Amended Master Plot Plan (P11-098)

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

FACT: The proposal for an amended master plot plan for an integrated shopping center containing a proposed drive thru restaurant and multiple retail/restaurant buildings is in conformance with the current General Plan policies and all proposed uses are consistent with its goals, objectives, policies and programs. The General Plan land use map is included as CC (Community Commercial). The project will amend a master plot plan to provide

the review and approval for the demolition of an existing 6,636 square foot retail building and an individual pad site for a proposed 3,838 square foot drive-thru/fast food restaurant. Said uses depicted on the amended Master Plot Plan (P11-098) are compatible with those uses permitted within the CC (Community Commercial) district and Specific Plan No. 204, as depicted in the Municipal Code.

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

FACT: The proposed amended master plot plan, consisting of an approximate 338,339 square foot commercial/retail center, is located within the existing Community Commercial (CC) land use district. All general retail and restaurant uses, including the proposed drive-thru fast food restaurant, would be considered as permitted uses under the CC (Community Commercial) land uses district. The proposal is designed in accordance with the provisions of the Village Specific Plan (SP No. 204), Moreno Valley Municipal Code and other codes and ordinances of the City. Various conditions of approval have also been included to address specific requirements, including but not limited to site improvements and aesthetic enhancements.

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

FACT: The proposed project site and existing master plot plan for the Moreno Valley Plaza shopping center includes various retail and restaurant buildings and uses. The proposed project and use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity while direct impacts to surrounding land uses would be considered less than significant, with necessary conditions of approval imposed. The project and use is considered a compatible use with surrounding properties in the general vicinity and is setback close to Sunnymead Boulevard, or approximately 600 feet to the north of any residential land uses.

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

FACT: The location, design and operation of the proposed project will be compatible with existing and planned land uses in the

general vicinity. The amended master plot plan for a commercial shopping center use to include the demolition of an existing retail building with the proposal to replace as a drive-thru fast food restaurant is a permitted uses as included within the Community Commercial (CC) land use district established under the Village Specific Plan (SP204). As the proposed project is located within an existing integrated retail shopping center and surrounded by compatible retail land uses, it would be considered a compatible use with surrounding properties in the general vicinity.

Administrative Variance (P12-012)

1. That the strict and literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship not otherwise shared by others within the surrounding area or vicinity

FACT: The strict and literal interpretation and enforcement of current code requirements on front yard setbacks for Community Commercial (CC) land use districts within the Municipal Code zones will create an unnecessary hardship not shared by others in the existing Moreno Valley Plaza commercial shopping center. Existing setbacks for all commercial buildings in this center along Sunnymead Boulevard currently have a setback of approximately fifteen (15) feet. The proposed use, including the minor variance for the encroachment of a building trellis two feet into the required front yard setback, will be more compatible with the existing shopping center and still be setback at least three (3) additional feet than the existing buildings that currently front Sunnymead Boulevard. The trellis will also add architectural character and provide compatibility with the existing architecture of the center that includes exposed posts.

2. There are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties in the same district.

FACT: Circumstances or conditions for other properties in the same commercial center differ. The current requirement of a 20 foot front yard setback is only intended for this use and other future uses in the center. As the use is demolishing an existing commercial building with a front yard setback less than the proposed fast food restaurant, including only a small projection of the building into the current front yard, it will be compatible with all

other commercial buildings that are adjacent to Sunnymead Boulevard which do not include a 20 foot front yard setback.

3. That strict or literal interpretations and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by other property owners in the same district.

FACT: Requiring the 20 foot front yard setback for a building in the middle of an existing commercial center and not allowing a projection of a trellis from the building into the front yard setback would deprive the applicant of privileges enjoyed by other property owners in the same district. Again, all other structures that are included adjacent to Sunnymead Boulevard were not constructed at a 20 foot setback. If the proposed use is not allowed to project into the setback area, it would be out of context with the existing shopping center and the applicant would be denied the privilege to add a structure that conforms to the architectural pallet within the existing shopping center.

4. That the granting of the administrative variance will not constitute a grant of a special privilege inconsistent with the limitations on other properties classified in the same district, and will not be detrimental to the public health, safety and welfare, or materially injurious to properties or improvements in the vicinity

FACT: The granting of the administrative variance for a minor projection into the front yard will not constitute a grant of a special privilege inconsistent with the limitations on other properties classified in the same district. Buildings in the existing center were not constructed to include a 20 foot setback in the front yard as allowed by Riverside County when the shopping center was built. The proposed project and projection into the front yard of a trellis will not be detrimental to the public health, safety and welfare, or materially injurious to properties or improvements in the vicinity.

5. The granting of an administrative variance is consistent with the objectives and policies of the general plan and the intent of this title.

The proposed variance is consistent with the objectives and policies of the general plan. For example, Policy 2.4.8 of the General Plan provides a goal of “orienting commercial development toward pedestrian use. Buildings should be designed and sited so as to present a human scale environment, including convenient and comfortable pedestrian access, seating areas, courtyards, and landscaping and convenient pedestrian access to the public sidewalk”.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development impact fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA11-0038 (Conditional Use Permit) and P11-098 (Amended Master Plot Plan) incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

Your right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which you have been given a notice similar to this nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2012-05 recognizing that the project is exempt from the California Environmental Quality Act (CEQA Guidelines Section 15303 “New Construction or conversion of small structures”), and approving PA11-0038 (Conditional Use Permit), P11-098 (Amended Master Plot Plan) and P12-012 (Administrative Variance) for a 3,838 square foot drive-through fast food restaurant, the encroachment of a building trellis into the front yard setback area and the demolition of a 6,636 square foot building on a portion of a 18.20 acre parcel of land located in the CC (Community Commercial) land use district and within SP No. 204, subject to the conditions of approval attached as Exhibit A to this resolution.

APPROVED this ____ day of _____, 2012.

Ray Baker
Chair, Planning Commission

ATTEST:

John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

City Attorney

Attached: Conditions of Approval

**CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT (PA11-0038)
AMENDED MASTER PLOT PLAN (P11-098)
APN: 292-100-004**

APPROVAL DATE:
EXPIRATION DATE:



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

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

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

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

GENERAL CONDITIONS

- P1. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

- P2. In the event the use hereby permitted ceases operation for a period of one (1) year or more, or as defined in the current Municipal Code, this permit may be revoked in

Exhibit A

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

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

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

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

**PLANNING DIVISION
CONDITIONS OF APPROVAL
PA11-0038/P11-098
PAGE 2**

accordance with provisions of the Municipal Code. (MC 9.02.260)

- P3. This project is located within Specific Plan 204. The provisions of the specific plan, the design manual, their subsequent amendments, and the Conditions of Approval shall prevail unless modified herein. (MC 9.13)
- P4. The site shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
- P5. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)
- P6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
- P7. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), proposed for this development shall be designed in conformance with the sign provisions of the Development Code or approved sign program, if applicable, and shall require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
- P8. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

Special Conditions

- P9. **The site has been approved for a 3,838 square foot fast food restaurant with drive thru, which may operate 24 hours a day. A change or modification shall require separate approval. For a Conditional Use Permit, violation may result in revocation in the case of a Conditional Use Permit.**
- P10. **Loading or unloading activities shall be conducted from the designated loading area. (MC 9.10.140, CEQA)**
- P11. **The shopping center/restaurant parking lot lighting shall be maintained in**

good repair and shall comply with the Municipal Code lighting standards of a minimum of one (1) foot candle and a maximum of eight (8) foot candle.

Fast Food/Drive-through

- P12. Any drive-up or drive-through speaker system shall not be detectable above daytime ambient noise levels beyond the property line boundaries, and shall not exceed fifty-five (55) dBA at any one time beyond the boundaries of the property line. (MC9.09.080 C.6 and 9.10.140)
- P13. One outdoor trash receptacle shall be provided shall be provided for every ten (10) required parking spaces, with a minimum of one receptacle provided. This project shall provide a minimum of four receptacles based on the requirement for 39 parking spaces for the use.

Prior to Issuance of Grading Permits

- P14. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered , **no further disturbance shall occur until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be contacted within a reasonable timeframe to identify the “most likely descendant.” The “most likely descendant” shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). (GP Objective 23.3, CEQA).**

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- P15. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property and City right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be shown on the plan, be a minimum size of 24 inch box, and meet a ratio of three replacement trees for each mature tree removed or as approved by the Planning Official. (GP Objective 4.4, 4.5, DG)
- P16. **(GP) Prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Planning Division, and Public Works Department – Special Districts for review and approval by each division. (GP - Circulation Master Plan) Timing of installation shall be determined by PW- Special Districts.**
- P17. **(GP) Decorative pedestrian pathways across circulation aisles/paths shall be provided throughout the development to connect the proposed use with other commercial/industrial buildings with open space and/or parking, and/or the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective 46.8, DG)**

PRIOR TO BUILDING PERMITS

- P18. (BP) Prior to issuance of building permits, the Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping. (GP Objective 43.30, DG)
- P19. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)
- P20. (BP) Prior to issuance of building permits, two copies of a detailed, on-site,

PLANNING DIVISION
CONDITIONS OF APPROVAL
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computer generated, point-by- point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles.

After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)

P21. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay any and all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P22. (BP) Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approved by the Planning Division. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and shall include:

- A. A three (3) foot high decorative wall, solid hedge or berm shall be placed in any setback areas between the public right of way and a parking lot for screening. The berm shall be consistent with the existing berm that runs the length of Sunnymead Boulevard for the existing shopping center.**
- B. Finger and end planters with required step outs and curbing shall be provided at the terminus of each aisle.**
- C. Drought tolerant landscape shall be used. Sod shall be limited to gathering areas and any existing bermed areas to provide landscape consistency along Sunnymead Blvd.**
- D. Street trees shall be provided every 40 feet on center in the right of way.**
- E. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of the perimeter of a parking lot and per thirty linear feet of a building dimension for the portions of the building visible from a parking lot or right of way. Trees may be massed for pleasing aesthetic effects.**
- F. Enhanced landscaping shall be provided at the driveway entry.**
- G. The review of all utility boxes, transformers etc. shall be coordinated to**

provide adequate screening from public view.

- H. Landscaping shall be provided on three sides of the trash enclosure.
 - I. Existing palm trees and surrounds along Sunnymead are maintained by the City's Public Works/Special Districts Division. Any modifications shall be reviewed by Special Districts. Any damage shall be corrected to the satisfaction of Special Districts.
- P23. (BP) Prior to the issuance of building permits, the site plan shall details for a new trash enclosure, while elevation plans for trash enclosures shall be provided that include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the color and materials of the proposed buildings, and subject to the approval of the Land Development and Planning Divisions.
- P24. (BP) Prior to the issuance of building permits, the elevation plans shall be revised to include decorative lighting sconces on up-lighting with decorative sconces shall be included for all building elevations, particularly those facing Sunnymead Boulevard. to provide up-lighting and shadowing on the structures. Include drawings of the sconce details.
- P25. (BP) Prior to the issuance of building permits, decorative window frames and surrounds shall be included for all windows on the north (Sunnymead Boulevard) elevation and a metal band or other embellishment approved by the Community and Economic Development Director shall be included on the northern elevation between the tower structure and the drive thru window.
- P26. (BP) Prior to the issuance of building permits, the landscape plan shall include additional trees within designated landscape planter areas on the west and south elevations of the building to break up large concreted areas, to the satisfaction of the Community and Economic Development Director.
- P27. (BP) Prior to the issuance of building permits, the exterior colors proposed for the buildings shall be shown to be consistent with the colors included in the Moreno Valley Plaza commercial shopping center and Village Specific Plan (SP No. 204), subject to the approval of the Planning Director.

PRIOR TO CERTIFICATE OF OCCUPANCY

- P28. (CO) Prior to issuance of Certificat es of Occupancy or building final, the required landscaping and irrigation shall be installed. (DC 9.03.040)
- P29. (CO) Prior to the issuance of Certif icates of Occupancy or building final, any

**PLANNING DIVISION
CONDITIONS OF APPROVAL
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proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

- P30. (BP/CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be inspected by the Planning Division. All on-site and common area landscaping shall be installed in accordance with the City's Landscape Standards and the approved project landscape plans and all site clean-up shall be completed.**
- P31. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of occupancy permits for the site or pad in question. Any missing trees, irrigation or plantings in the nearby end and diamond planters shall be replaced.**
- P32. All color and materials used for the exterior of the building shall be consistent with the Moreno Valley Plaza commercial shopping center, Village Specific Plan (SP No. 204) and final color and materials board, subject to the approval of the Planning Director.**

Building and Safety Division

- B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as city ordinances. All new projects shall provide a soils report as well. Plans shall be submitted to the Building Department as a separate submittal. The 2010 edition of the California Codes became effective for all permits issued after January 1, 2011.**
- B2. Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building and Safety Division for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building and Safety Division at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.**
- B3. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.**

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CONDITIONS OF APPROVAL
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- B4. (BP) Prior to the issuance of a building permit, show on the plans that no gutter, drainage feature, swale or other deviation in the flat level surface at the accessible parking spaces exists within and for a minimum four foot extension beyond the outer dimensions of the parking space, loading zone and path of travel.

SCHOOL DISTRICT

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

UNITED STATES POSTAL SERVICE

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

POLICE DEPARTMENT

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

Standard Conditions

- PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (DC 9.08.080)
- PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:
- a. The name (if applicable) and address of the development.
 - b. The developer's name, address, and a 24-hour emergency telephone number. (DC 9.08.080)
- PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact information Form for the project shall be completed at the permit counter of the Community and Economic Development Department - Building Division for routing to the Police Department. (DC 9.08.080)
- PD4. Addresses needs to be in plain view visible from the street and visible at night. It needs to have a backlight, so the address will reflect at night or a lighted address will be sufficient.
- PD5. All exterior doors in the rear and the front of the buildings need an address or suite

**PLANNING DIVISION
CONDITIONS OF APPROVAL
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number on them.

- PD6. All rear exterior doors should have an overhead low sodium light or a light comparable to the same.
- PD7. The exterior of the building should have high-pressure sodium lights and or Metal halide lights installed and strategically placed throughout the exterior of the building. The parking lots should have adequate lighting to insure a safe environment for customers and or employees.
- PD8. All landscape cover should not exceed over 3' from the ground in the parking lot.
- PD9. Bushes that are near the exterior of the building should not exceed 4' and should not be planted directly in front of the buildings or walkways.
- PD10. Trees, which exceed 20', should have a 7' visibility from the ground to the bottom half of the tree. This is so that patrons or employees can view the whole parking lot while parking their vehicles in the parking lot.
- PD11. Cash registers shall be placed near the front entrance of the store or as approved by Police.
- PD12. Window coverings shall comply with the city ordinance.
- PD13. No loitering signs shall be posted in plain view throughout the building.
- PD14. A monument address is to be located in front of the main entrance.
- PD15. Sufficient lighting is to be provided over all mailbox areas.

CITY OF MORENO VALLEY
CONDITIONS
Case No: PA11-0038 / P11-098
APN: 292-100-004
DATE: 2/21/12

FIRE PREVENTION BUREAU

1. Please complete and return attached fire flow letter.
2. The following Standard Conditions shall apply.

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

- F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.
- F2. The Fire Prevention Bureau is required to set a **minimum fire flow** for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 1500 GPM for 2 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B). **The 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow, hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C.**
- F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off-site super **fire hydrants** (6" x 4" x 2 1/2" x 2 1/2") and super enhanced fire hydrants (6" x 4" x 4" x 2 1/2") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 507.5.7 & MVMC 8.36.060 Section K)
- F4. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan **for Fire Lanes and signage.** (MVMC 8.36.050 and CFC 501.3)
- F5. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency

vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

- F6. Prior to construction and issuance of Building Permits, **fire lanes and fire apparatus access roads** shall have an unobstructed width of not less than twenty-four (24) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less than thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])
- F7. Prior to issuance of Building Permits, the applicant/developer shall participate in the **Fire Impact Mitigation Program**. (Fee Resolution as adopted by City Council)
- F8. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the **water system plans** to the Fire Prevention Bureau for review. Plans shall:
- a) Be signed by a registered civil engineer or a certified fire protection engineer;
 - b) Contain a Fire Prevention Bureau approval signature block; and
 - c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

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

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 507.5)

- F9. Prior to issuance of Certificate of Occupancy or Building Final, **"Blue Reflective Markers"** shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 509.1)
- F10. Prior to issuance of Certificate of Occupancy or Building Final, all **commercial buildings shall display street numbers** in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)
- F11. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a **fire sprinkler system** based on square footage

and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

- F12. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)
- F13. Prior to issuance of a Certificate of Occupancy or Building Final, a “Knox Box Rapid Entry System” shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. (CFC 506.1)
- F14. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 105)
- F15. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.
- F16. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)
- F17. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.
- F18. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous

location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with CFC 105 and MVMC 8.36.100.

- F19. Approval of the **safety precautions required** for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)
- F20. Construction or work for which the Fire Prevention Bureau's approval is required shall be **subject to inspection by the Fire Chief** and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 105)
- F21. The Fire Prevention Bureau shall maintain **the authority to inspect**, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 105)
- F22. Permit requirements issued, which designate specific **occupancy requirements** for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 105)
- F23. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the **intent of this code as approved by the Fire Chief**. (CFC Section 102.8)
- F24. Any **alterations, demolitions, or change in design, occupancy and use of** buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Chapter 1)
- F25. **Emergency and Fire Protection Plans** shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)
- F26. Prior to construction, **all traffic calming** designs/devices must be approved by the Fire Marshal and City Engineer.

FIRE FLOW LETTER

Date: 12/08/11	Address: 23857 SUNNYMEAD
Case Number: <u>PA11-0038</u> <u>P11-098</u>	A.P.N.: <u>292-100-004</u>

This is certification the water system is capable of meeting the following required fire flows as determined by the California Fire Code Appendix B.

Based on the information provided on the above referenced case. The fire flow required for this project will be 1500 G.P.M. for duration of 2-HOURS measured at 20-psi residual pressure.

The required fire flow may be adjusted during the approval process to reflect changes in design, construction type or automatic fire protection measures as approved by the Fire Prevention Bureau.

**Applicant/
Developer:** _____

By: _____

Date: _____

Title: _____

WATER AGENCY APPROVAL

Name of Agency: _____

Address: _____

Telephone: _____

Date: _____

By: _____

Title: _____

NOTE: THE COMPLETION AND SUBMITTAL OF THIS LETTER TO THE FIRE PREVENTION BUREAU SHALL NOT BE CONSTRUED AS APPROVAL FOR THE INSTALLATION OF THE REQUIRED FIRE HYDRANT (S) AND/OR WATER SYSTEM.

**CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL
PA11-0038 – Conditional Use Permit
APN 292-100-004**

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

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

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

General Conditions

- LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC).
- LD2. (G) It is understood that the **conditional use permit** correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)
- LD3. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:
- (a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.
 - (b) Observance of working hours as stipulated on permits issued by the Public Works Department.
 - (c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.
 - (d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

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

it has been determined that all operations and activities are in conformance with these conditions.

- LD4. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

Prior to Grading Plan Approval or Grading Permit

- LD5. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.
- LD6. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:
- a. The grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points.
 - b. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.
 - c. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.
- LD7. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.
- LD8. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.
- LD9. (GPA) Prior to approval of the grading plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.
- LD10. (GPA) Prior to approval of the grading plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access

ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD11. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD12. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

Prior to Certificate of Occupancy

LD13. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD14. (CO) Prior to issuance of a certificate of occupancy, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System (**NPDES**) as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of certificate of occupancy issuance. Following are the requirements:

- a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
 - i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
 - ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.
- b. Notify the Special Districts Division of the intent to request building permits 90 days prior to their issuance and the financial option selected. The financial option selected shall be in place prior to the issuance of certificate of occupancy. (California Government Code & Municipal Code)

LD15. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

- LD16. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.
- LD17. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:
- a. Street improvements including, but not limited to: pedestrian ramps.
 - b. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

SPECIAL CONDITIONS

- LD18. Prior to precise grading plan approval, the grading plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.
- LD19. Prior to precise grading plan approval, the grading plans shall clearly show that the parking lot conforms to City standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.
- LD20. Prior to precise grading plan approval, the plans shall show that the designer has made a good faith effort to incorporate, to the greatest extent feasible, implementation of water quality treatment. This may be accomplished via site design, source control and/or treatment control Best Management Practices (BMPs). These water quality BMPs might include but not be limited to, directing the roof drains to a landscaped area instead of directly to the concrete drive or parking lot, including grass swales, utilization of porous pavement, providing additional trash cans, etc.
- LD21. Prior to building permit issuance, the applicant shall schedule a walk through with a Public Works Inspector to inspect existing improvements within public right-of-way along project frontage. The applicant will be required to install, replace and/or repair any missing, damaged or substandard improvements including handicap access ramps that do not meet current City standards. Any work within the public right-of-way requires an encroachment permit.

LD22. During construction, areas of the parking lot, where the developer proposes to demolish pavement, shall be cordoned off (or equal) after pavement removal to ensure public safety. Perimeter protection of the non paved areas shall be clearly visible at night.

**CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Case No: PA11-0038 (CUP for a fast food restaurant with drive thru)
APN: 292-100-004
01.25.12 revised**

PUBLIC WORKS DEPARTMENT

Special Districts Division

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

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA11-0038**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

- SD-1 The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services), C (Arterial Street Lighting), and Zone S (Sunnymead Boulevard Maintenance). All assessable parcels therein shall be subject to annual Zone A, Zone C, and Zone S charges for operations and capital improvements.
- SD-2 Any damage to existing landscape areas maintained by the Moreno Valley Community Services District due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.
- SD-3 Modification of the existing irrigation system for the Sunnymead Boulevard Improvements will be required per the direction of and approval by the Special Districts Division. Please contact Special Districts at 951.413.3472 to coordinate.

Prior to Building Permit Issuance

- SD-4 (BP) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a

Declaration of Covenant and Acknowledgement of Assessments for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division. For a copy of the Declaration of Covenant and Acknowledgement of the Assessment form, please contact Special Districts, phone 951.413.3480.

Prior to Certificate of Occupancy

- SD-5 (CO) If any new streetlights are required to be installed by Land Development, then prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
PA11-0038/P11-098

A Conditional Use Permit and Amended Plot Plan for restaurant with drive-through located within SP 204 along Sunnymead Boulevard, east of Graham Street.

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

Transportation Engineering Division – Conditions of Approval

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

GENERAL CONDITIONS

TE1. Conditions of approval may be modified if project is altered from any approved plans.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

TE2. Sight distance at driveways and on streets shall conform to City of Moreno Valley Standard No. 125A, B, C at the time of preparation of final grading, landscape, and street improvements.

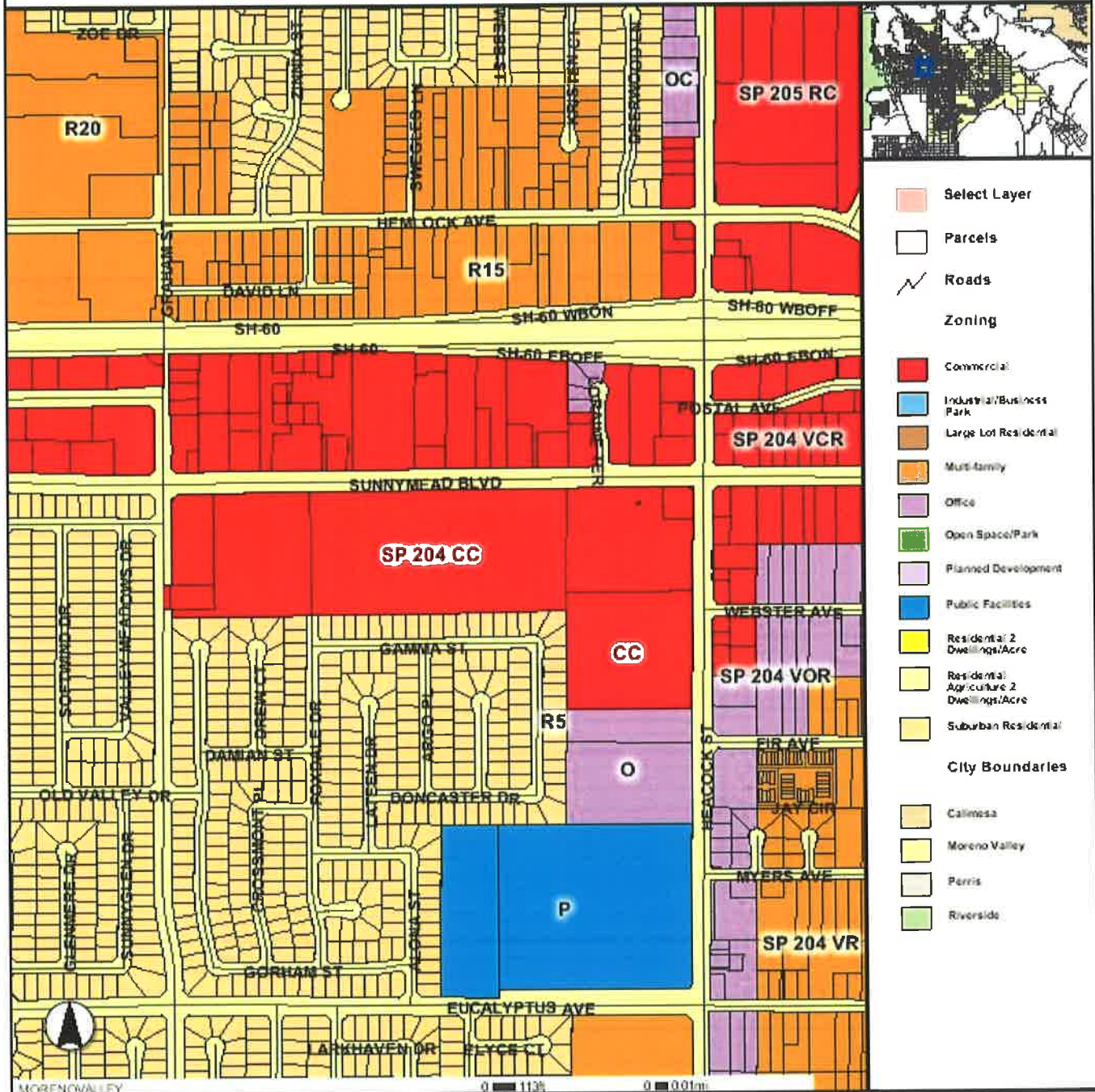
TE3. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer may be required.

PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

TE4. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

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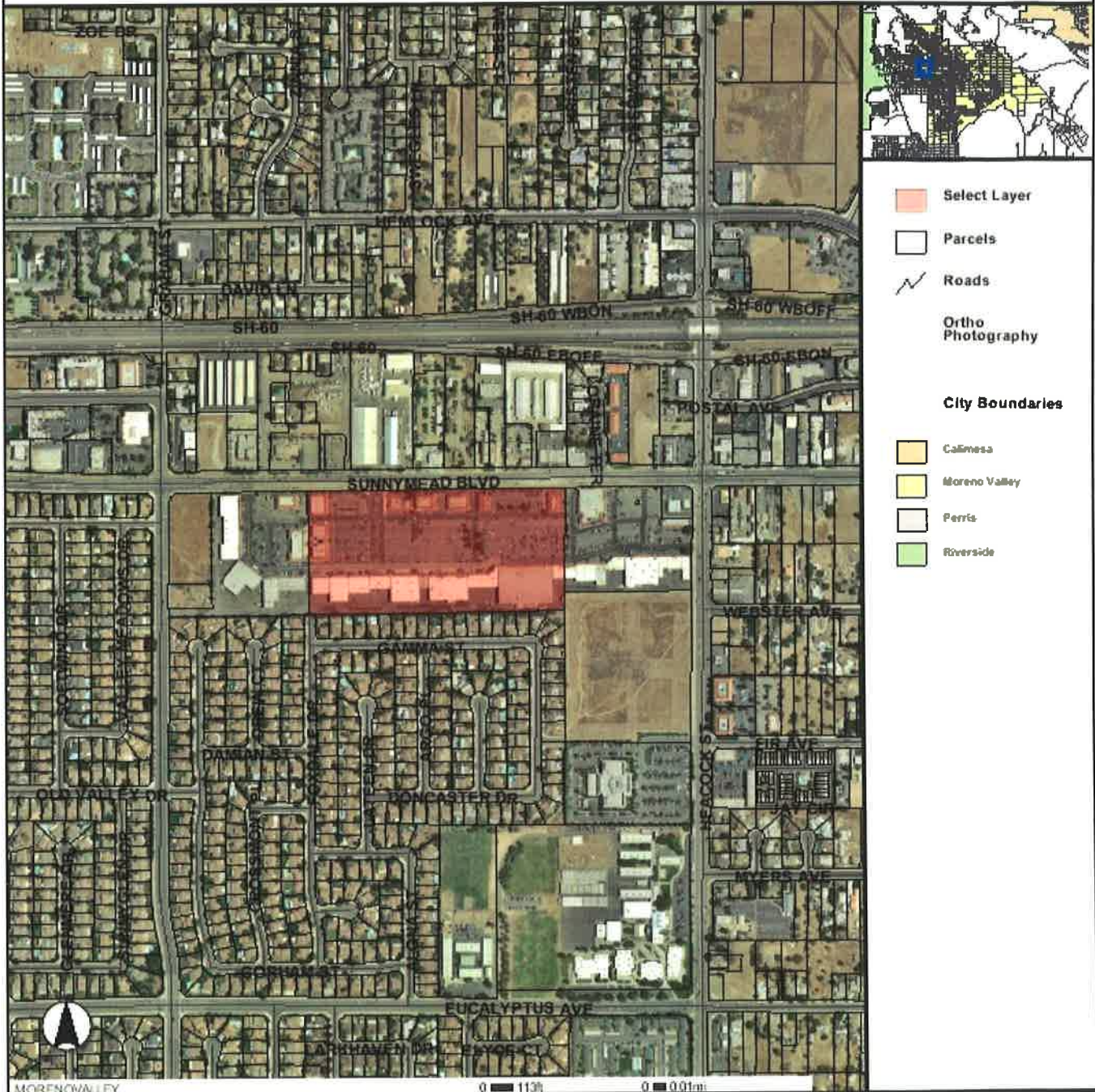
PA11-0038/P11-098 - Zoning Map



Refer to the Accela GIS Administrators Guide for instructions on how to set the disclaimer text displayed in this area.

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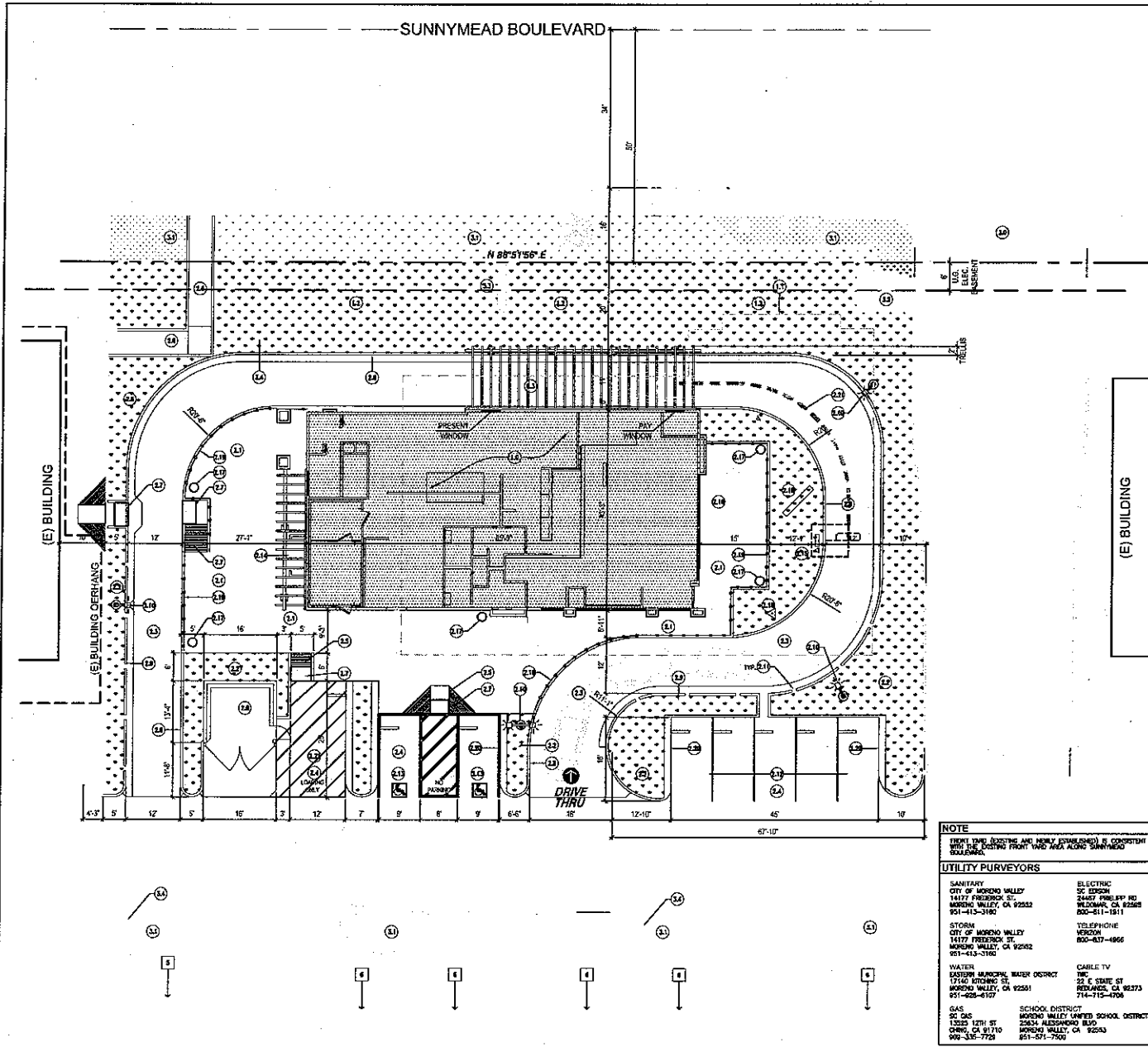
PA11-0038/P11-098 - Aerial Photograph



Refer to the Accela GIS Administrators Guide for instructions on how to set the disclaimer text displayed in this area.

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Project: 11360/Design: 300 Entitlement Documents/ Civil Design/ 13660 CI.dwg, 2/27/2012 8:12:43 AM, arnz



SUNNYMEAD BOULEVARD

N 88°51'56" E

U.G. ELEC. EASEMENT

REILLES

TRP. 2.5'

DRIVE THRU

(E) BUILDING

VICINITY MAP

GRAPHIC SCALE 1" = 10'-0"

CONSTRUCTION NOTES

SITE SCOPE OF WORK

- (14) NEW 4057 TYPE BUILDING
- (15) NEW LANDSCAPING ALONG SUNNYMEAD TO BE CONSISTENT WITH EXISTING LANDSCAPING.
- (16) NEW TRASH ENCLOSURE FOR CITY ZONING
- (17) NEW CONCRETE WALKWAY - NON SLIP
- (18) NEW LANDSCAPING
- (19) NEW REINFORCED CONCRETE DRIVE SLAB
- (20) NEW ASPHALT PAVING
- (21) NEW CONCRETE ACCESS RAMP
- (22) NEW PATH OF TRAVEL
- (23) NEW TRUNCATED DOMES
- (24) NEW CONCRETE PLANTER CURB
- (25) NEW CONCRETE CURB & GUTTER
- (26) NEW WIND LIGHT
- (27) NEW 12" CURB OPENING
- (28) EXISTING BUILDING TO BE DEMOLISHED
- (29) NEW STANDARD PARKING
- (30) NEW HANDICAP ACCESSIBLE PARKING
- (31) NEW ELECTRICAL SWITCH GEAR
- (32) NEW COMMUNICATION STATION
- (33) NEW OUTDOOR SEATING AREA
- (34) NEW TRASH RECEPTACLE
- (35) NEW MENU BOARD
- (36) NEW GUARD RAIL
- (37) NEW CONCRETE CURB STEP-OUTS
- (38) NEW W/ DISTANCE TO C.I.D.
- (39) NEW LOADING ONLY SPACE

NOTE: NEW PARKING STRIPING SHALL BE DOUBLE-STRIPED PER MUNICIPAL CODE PERMITS

SITE WORK - EXISTING

- (40) EXISTING DRIVEWAY TO REMAIN
- (41) EXISTING LANDSCAPE TO REMAIN
- (42) EXIST. TRANSFORMER TO REMAIN
- (43) EXISTING MONUMENT SIGN
- (44) EXISTING WIND LIGHT

LEGEND

- NEW LANDSCAPE
- EXISTING LANDSCAPE
- NEW BUILDING
- PEDESTRIAN PATH OF TRAVEL
- EXISTING SITE MEMO
- PROPOSED USE OF PARKING SPACES

SITE INFORMATION

AREA OF PROPERTY		AREA
GROSS AREA	28,636 SQ. FT.	
UNBUILT DABLE AREA	9.50 FT.	
DEDICATIONS, EASEMENTS, RIGHT OF WAY	9.50 FT.	
NET BUILDABLE AREA	28,626 SQ. FT.	

DESCRIPTION	PERCENT	AREA
LANDSCAPE REQUIRED	76.0	21,757 SQ. FT.
LANDSCAPING PROVIDED (GRASS)	29.0	8,294 SQ. FT.
TOTAL LANDSCAPING	29.0	8,294 SQ. FT.

STRUCTURES		AREA
(E) BUILDINGS	343,127 SQ. FT.	
(E) BUILDING TO BE REMOVED	1,526 SQ. FT.	
(R) RESTAURANT	336,329 SQ. FT.	
TOTAL BUILDING AREA	336,329 SQ. FT.	
% OF LOT COVERAGE	24.0%	
BUILDING AREA	338,329 SQ. FT.	
MASTER SITE AREA	1,411,344 SQ. FT.	

NEW RESTAURANT		1,700 SQ. FT.	38 SPACES
DESCRIPTION (PROVIDED PARKING)	BASE	PROVIDED	
(E) STANDARD SPACES	EXISTING	1,672	
(E) HANDICAP SPACES	EXISTING	27	
(E) PARKING SPACES TO BE REMOVED	EXISTING	-29	
(E) STANDARD SPACES	NEW	1,641	
(E) HANDICAP SPACES	NEW	27	
(E) LOADING ONLY SPACES	NEW	12	
TOTAL PARKING SPACES PROVIDED			1,708 SPACES

NOTE

EXISTING AND NEWLY ESTABLISHED IS CONSISTENT WITH EXISTING FRONT YARD AREA ALONG SUNNYMEAD BOULEVARD.

UTILITY PURVEYORS

SANITARY	CITY OF MORENO VALLEY 14177 FREEBORN ST. MORENO VALLEY, CA 92552 951-413-3160	ELECTRIC	SC ELECTRIC 2447 FREEBORN RD. MORENO VALLEY, CA 92552 951-511-1911
STORM	CITY OF MORENO VALLEY 14177 FREEBORN ST. MORENO VALLEY, CA 92552 951-413-3160	TELEPHONE	VERIZON 951-437-4666
WATER	DISTRICT MUNICIPAL WATER DISTRICT 17140 WYOMING ST. MORENO VALLEY, CA 92551 951-625-4107	CABLE TV	TIME 22 E. STATE ST REDAWOOD, CA 95234 714-712-4708
GAS	SC GAS 13283 12TH ST DOWNEY, CA 91710 650-336-7728	SCHOOL DISTRICT	MORENO VALLEY UNIFIED SCHOOL DISTRICT 28634 ALEXANDER BLVD MORENO VALLEY, CA 92554 951-571-7500

McDonald's USA, LLC

PROPOSED McDonald's NEW BUILDING
MORENO VALLEY, CA

DATE: 01/27/2012

SCALE: AS SHOWN

NO. 1: 1:200

NO. 2: 1:500

NO. 3: 1:1000

NO. 4: 1:2000

NO. 5: 1:5000

NO. 6: 1:10000

NO. 7: 1:20000

NO. 8: 1:50000

NO. 9: 1:100000

NO. 10: 1:200000

NO. 11: 1:500000

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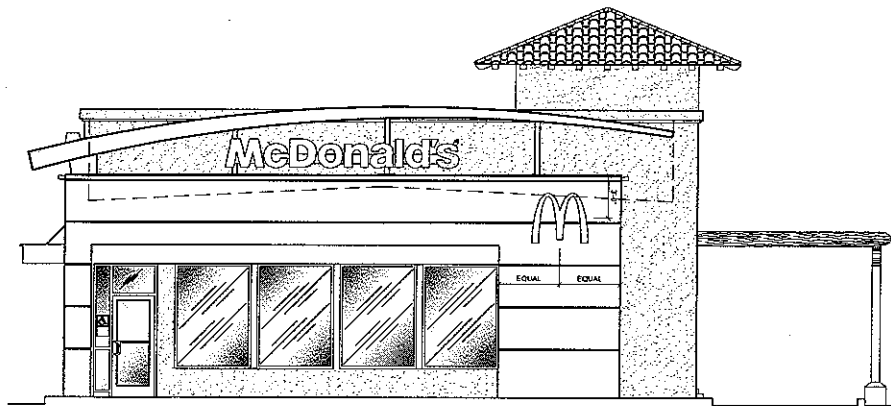
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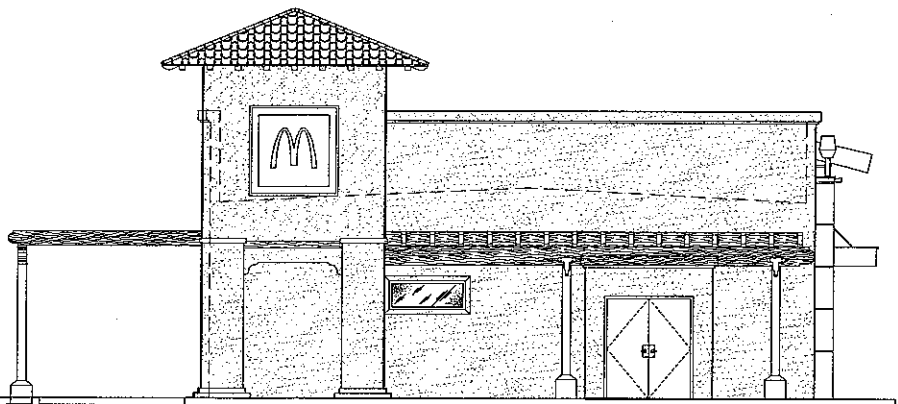
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NO. 50: 1:5000000000000000000

ATTACHMENT 5



1 EAST ELEVATION
1/4" = 1'-0"



2 WEST ELEVATION
1/4" = 1'-0"

KEY NOTES:

- CONTROL JOINTS INSTALLED PER MANUFACTURER'S RECOMMENDATIONS. LOCATIONS TO BE COORDINATED BY ARCHITECT & REGIONAL.
- BOTTOM DT COLOR BAND SHOULD BE DARKER COLOR OF ANY EXTERIOR TWO-COLOR SCHEME.

NOTE: REFT PER SITE SPECIFIC REQUIREMENT	
COLOR LEGEND - ALL COLORS ARE PER BOHANNAN MOORE PAINTS, (N.A.O.)	
ROOF SCHEME	STUCCO - DUNN EDWARDS DEC 744 "CEL TIC LINEN"
FACIAD & HEARTH	STUCCO - DUNN EDWARDS DEC 744 "CEL TIC LINEN"
BASE & SILLING	DUNN EDWARDS DEC 717 "BANKED POTATO"
DRIVE THRU BANDING	DUNN EDWARDS DEC 744 "CEL TIC LINEN"
PARAPET BAND	STUCCO - DUNN EDWARDS DEC 744 "CEL TIC LINEN"

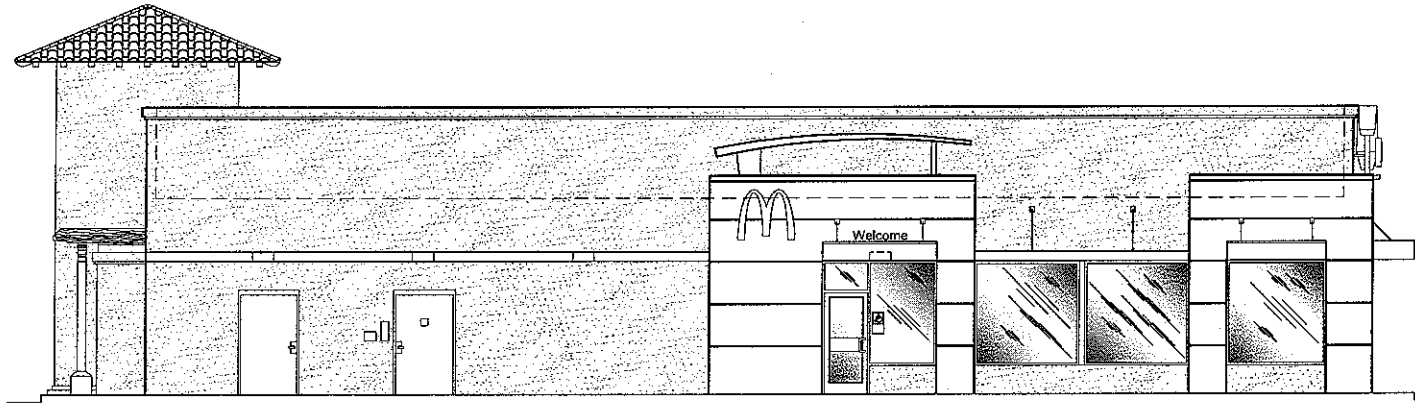
- TOP DT BAND HEIGHT WILL VARY ACCORDING TO BOTTOM OF TRUSS LOCATION.
- HIGHLY RECOMMEND BRAND DT HEARTH ELEMENT TO BE INSTALLED BASED ON SITE VISIBILITY.
- HIGHLY RECOMMEND REAR BRAND WALL ELEMENT TO BE INSTALLED BASED ON SITE VISIBILITY.

DATE:	12/15/2011
SCALE:	1/4" = 1'-0"
PROJECT:	PROPOSED MCDONALD'S NEW BUILD MUSKOGEE VALLEY, CA
CLIENT:	M. McDonald's USA, LLC
ARCHITECT:	PREPARED BY fiedler group
DATE:	12/15/2011
BY:	12/15/2011
REV:	12/15/2011
DESCRIPTION:	ADDED COVER PER CLIENT REQUEST
DATE:	12/15/2011
BY:	12/15/2011
DESCRIPTION:	ADDED COVER PER CLIENT REQUEST

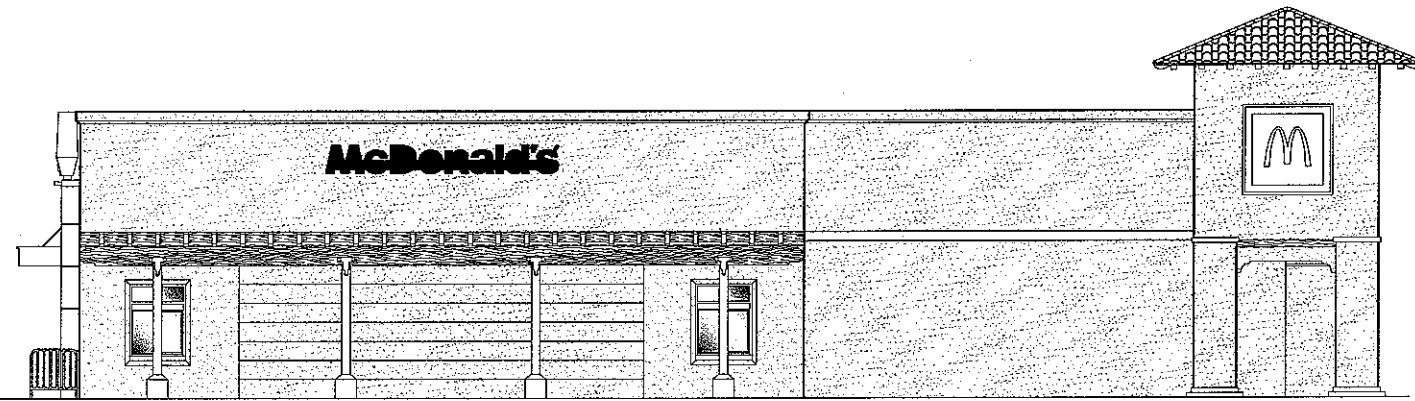
PREPARED BY
fiedler group
ARCHITECTS
11111 N. 10th Street, Suite 100
Scottsdale, AZ 85258
PH: 480.344.1111
WWW.FIEDLERGROUP.COM

CLIENT: M. McDonald's USA, LLC
PROJECT: PROPOSED MCDONALD'S NEW BUILD
MUSKOGEE VALLEY, CA
DATE: 12/15/2011
SCALE: 1/4" = 1'-0"

DATE: 12/15/2011
SCALE: 1/4" = 1'-0"
PROJECT: PROPOSED MCDONALD'S NEW BUILD
MUSKOGEE VALLEY, CA
CLIENT: M. McDonald's USA, LLC
ARCHITECT: PREPARED BY
fiedler group
ARCHITECTS
11111 N. 10th Street, Suite 100
Scottsdale, AZ 85258
PH: 480.344.1111
WWW.FIEDLERGROUP.COM



1 SOUTH ELEVATION
1/4" = 1'-0"



2 NORTH ELEVATION
1/4" = 1'-0"

KEY NOTES:

NOTE: EDIT PER SITE SPECIFIC REQUIREMENT	
(ALL COLORS ARE PER BENJAMIN MOORE PAINTS, U.S.G.)	
COLOR LEGEND	
ROOF SCHEME	ARCADIA & HEARTH STUCCO - SNOW WHITE #2122-70
BASE BUILDING	DUNKIN EDWARDS DEC 717 TANGLED POTLIP
DRIVE THRU BANDING	DUNKIN EDWARDS DEC 744 CELTIC LINEN
PARAPET BAND	STUCCO - DUNKIN EDWARDS DEC 744 CELTIC LINEN
NOTE:	
CONTROL JOINTS INSTALLED PER MANUFACTURER'S RECOMMENDATIONS. LOCATIONS TO BE COORDINATED BY ARCHITECT OF RECORD.	* TOP DT BAND HEIGHT WILL VARY ACCORDING TO BOTTOM OF TRELLIS LOCATION.
* BOTTOM DT COLOR BAND SHOULD BE DARKER COLOR OF ANY EXTERIOR TWO-COLOR SCHEME.	* HIGHLY RECOMMEND BRAND OF HEARTH ELEMENT TO BE INSTALLED BASED ON SITE VISIBILITY.
	* HIGHLY RECOMMEND REAR BRAND WALL ELEMENT TO BE INSTALLED BASED ON SITE VISIBILITY.

REV	DATE	DESCRIPTION
3	08/11/12	REVISIONS: NO. 3 (CORRECTION)
2	08/11/11	REVISIONS: TOWER
1	08/11/11	ADDED TOWER PER CLIENT REQUEST

fiedler group
 ARCHITECTS
 10000 Wilshire Blvd, Suite 1000
 Beverly Hills, CA 90210
 Tel: 310.274.1111
 Fax: 310.274.1112
 www.fiedlergroup.com

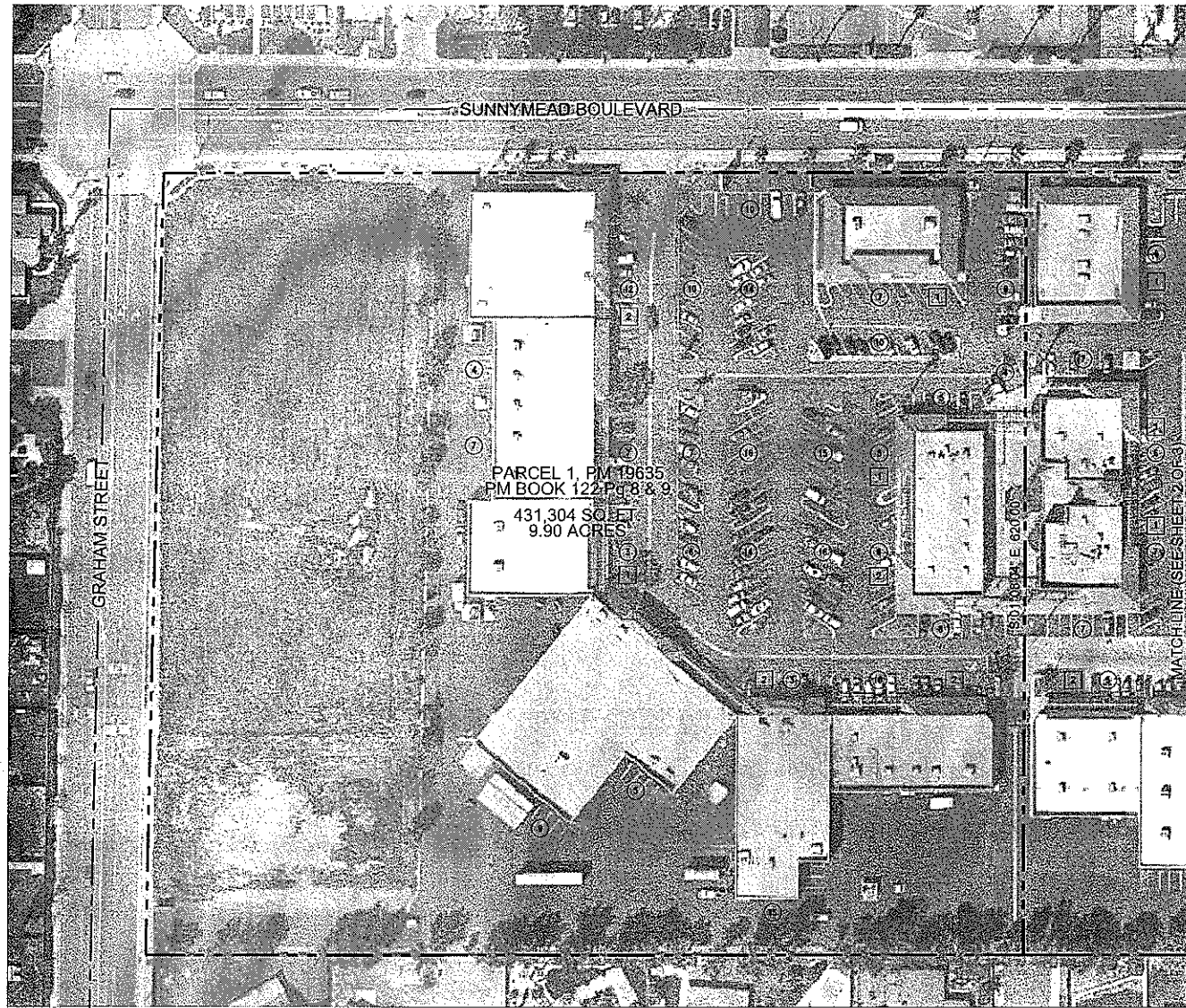
PREPARED BY
McDonald's USA, LLC
 1915 N. Lincoln Ave., Suite 100
 Los Angeles, CA 90033
 Tel: 213.772.2000
 Fax: 213.772.2001
 www.mcdonalds.com

PROJECT
PROPOSED MCDONALD'S NEW BUILD
 MIDCRED VALLEY, CA
 DATE
 08/11/12

SHEET NO.
A2.0
 EXTERIOR ELEVATIONS

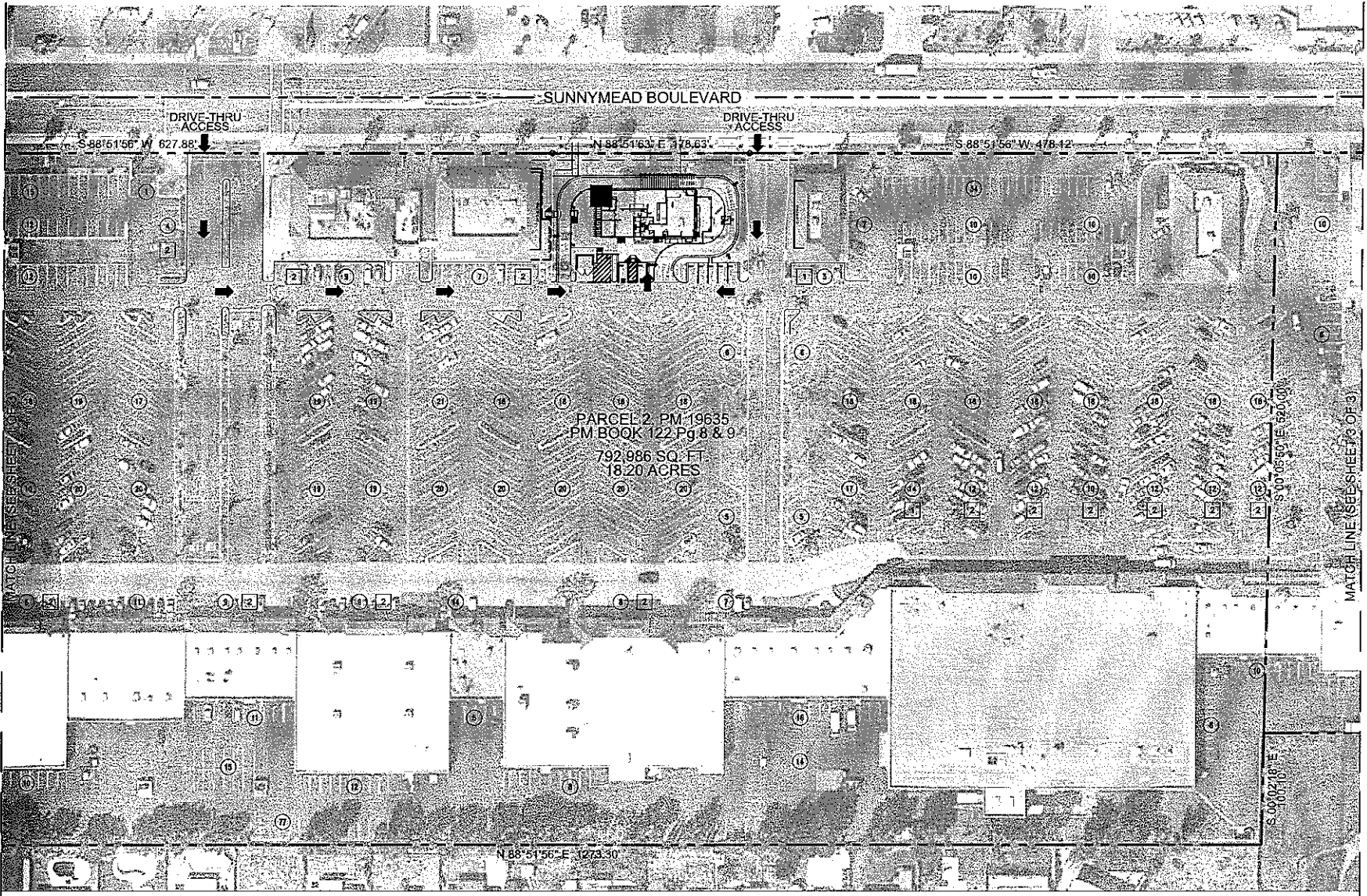
08/11/12 10:00 AM C:\Users\jgarcia\Documents\Projects\A2.0\A2.0.dwg (1/4" = 1'-0")

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PROJECT PROPOSED MCDONALD'S NEW BUILD USCANTO VALLEY, CA <small>McDonald's is a registered service mark of McDonald's USA, LLC. © 2012 McDonald's USA, LLC. All rights reserved.</small>		PROJECT NO. 13640		SHEET NO. 10F2	
CLIENT M. McDonald's USA, LLC		DATE 02/27/2012		DRAWN BY SNC	
DESIGNER firedler group		CHECKED BY ES		DATE 02/27/2012	
APPROVED BY <small>McDonald's USA, LLC. All rights reserved.</small>		APPROVED BY <small>firedler group. All rights reserved.</small>		APPROVED BY <small>McDonald's USA, LLC. All rights reserved.</small>	
REVISIONS NO. DESCRIPTION DATE		REVISIONS NO. DESCRIPTION DATE		REVISIONS NO. DESCRIPTION DATE	

ATTACHMENT 6



PARCEL 2, PM 19635
 PM BOOK 122, Pg 8 & 9
 792,986 SQ. FT.
 18.20 ACRES

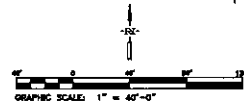
SUNNYMEAD BOULEVARD

DRIVE-THRU ACCESS

DRIVE-THRU ACCESS

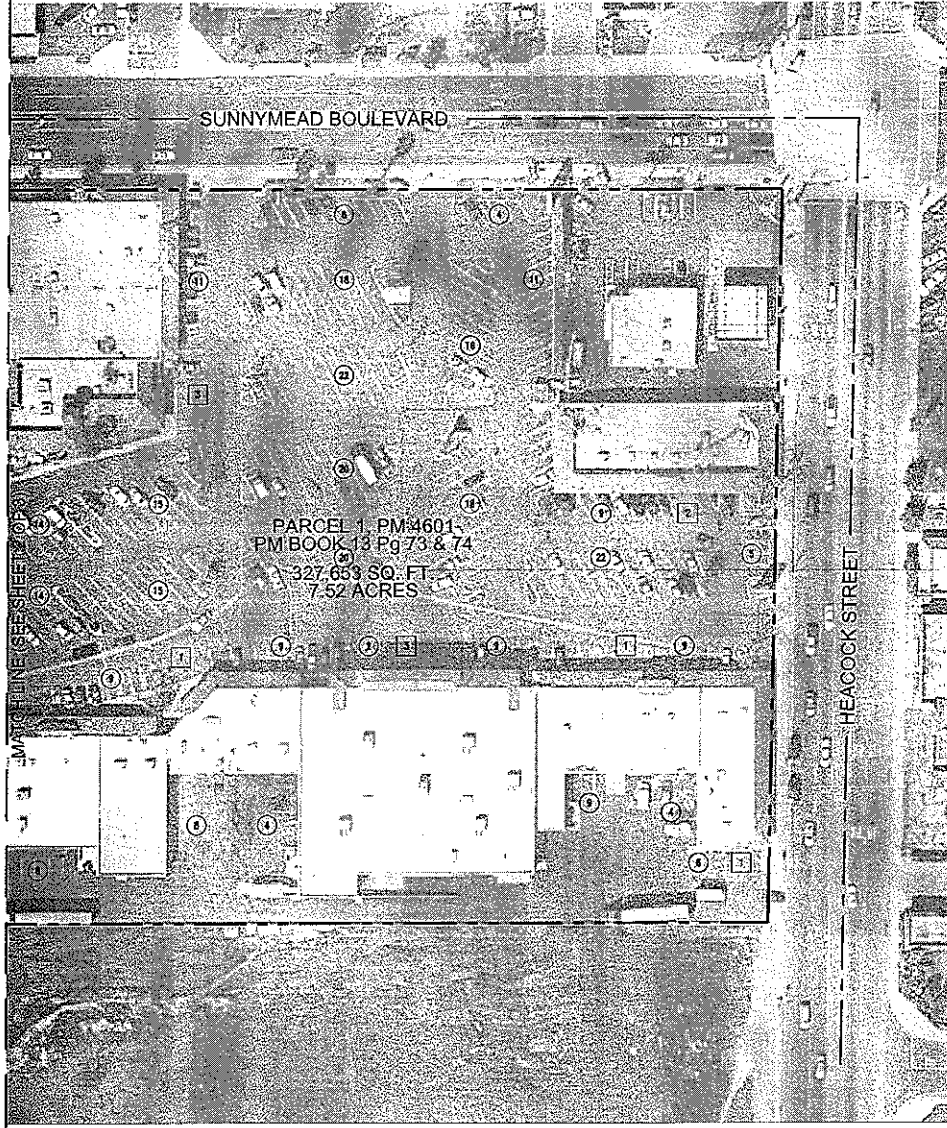
MATCH LINE (SEE SHEET 3 OF 3)

- LEGEND**
- (X) NO. OF STANDARD PARKING SPACE(S)
 - (X) NO. OF HANDICAP PARKING SPACE(S)



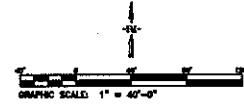
PROJECT INFORMATION PROJECT NAME: McDonald's USA, LLC CLIENT: fiedler group <small>12000 Fiedler Way, Suite 200, San Diego, CA 92121</small>		SHEET NO.: -56- TOTAL SHEETS: 56
PLANNED BY: McDonald's USA, LLC DATE: 08/18/2010	DESIGNED BY: CS DATE: 08/18/2010	CHECKED BY: CS DATE: 08/18/2010
DRAWN BY: CS DATE: 08/18/2010	PROJECT NO.: 10100000 SHEET NO.: 56	DATE: 08/18/2010 TIME: 10:00 AM
REVISIONS: NO. DESCRIPTION 1.		

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LEGEND

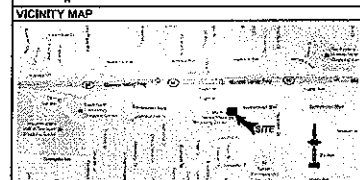
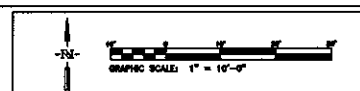
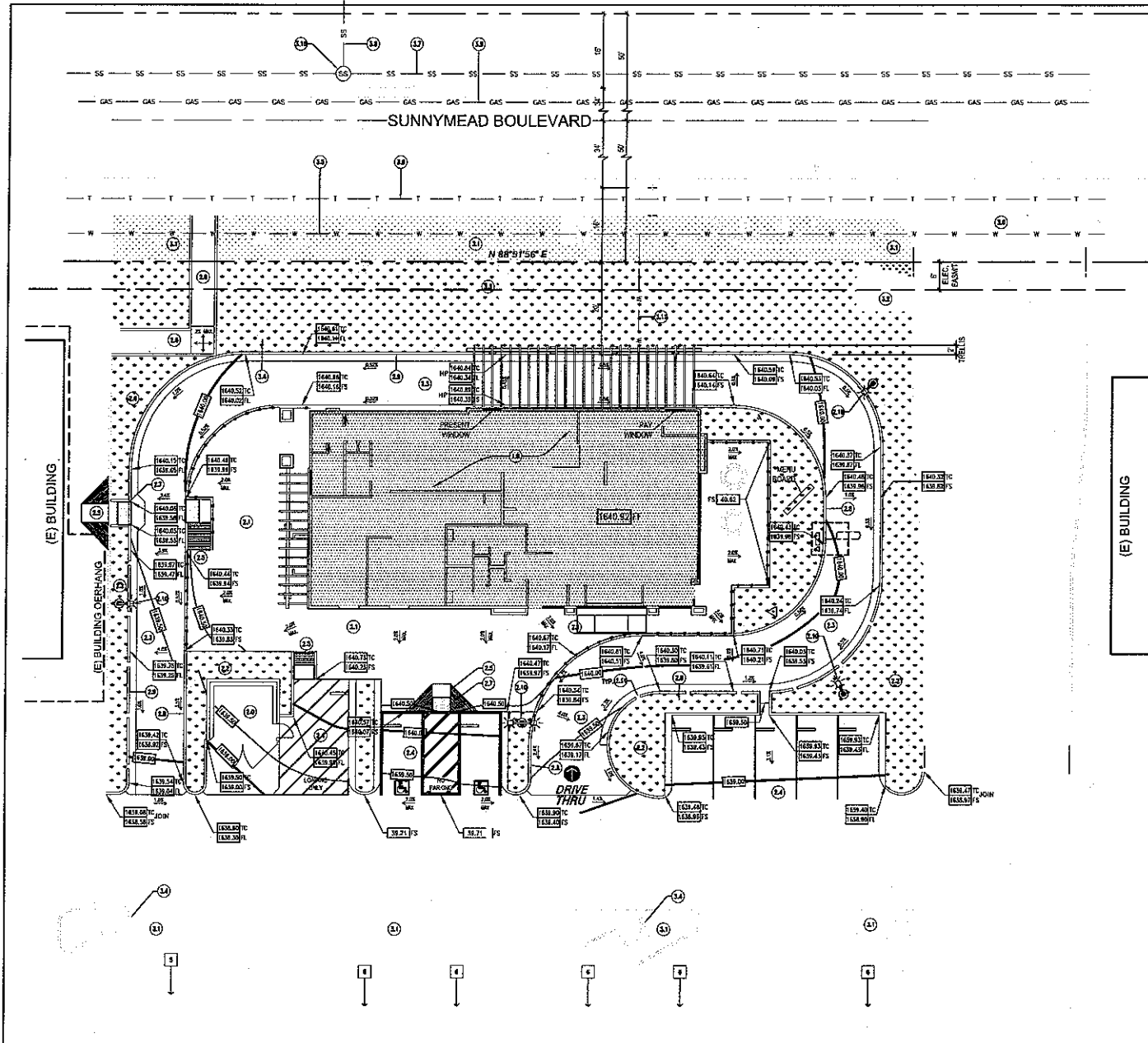
- (O) NO. OF STANDARD PARKING SPACE(S)
- (X) NO. OF HANDICAP PARKING SPACE(S)



PROJECT INFORMATION M. McDonald's USA, LLC <small>USA, LLC and its subsidiaries are trademarks of McDonald's USA, LLC. All other trademarks are the property of their respective owners.</small>			PREPARED BY fiedler group <small>1000 West 11th Street, Suite 100 Portland, Oregon 97204 503.525.1234</small>		
CLIENT INFORMATION McDonald's USA, LLC <small>1000 West 11th Street, Suite 100 Portland, Oregon 97204 503.525.1234</small>			SHEET NO. -57-		
TITLE PROPOSED MCDONALD'S NEW BUILD MORENO VALLEY, CA <small>McDonald's USA, LLC and its subsidiaries are trademarks of McDonald's USA, LLC. All other trademarks are the property of their respective owners.</small>					
M1 MASTER PLAN 3 OF 3					

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Project: 1126501\Design\200 Entitlement Documents\Civil Design\13640 C3.dwg, 2/27/2012 8:49:53 AM, acntz



- CONSTRUCTION NOTES**
- SITE SCOPE OF WORK**
- (A) NEW 4587 TYPE BUILDING
- SITE WORK - PROPOSED**
- (1) NEW TRASH ENCLOSURE (16'X16')
 - (2) NEW CONCRETE VALVEYARD - NON SLIP
 - (3) NEW LANDSCAPING
 - (4) NEW REINFORCED CONCRETE DRIVE SLAB
 - (5) NEW ASPHALT PARKING
 - (6) NEW CONCRETE ACCESS RAMP
 - (7) NEW PATCH OF TRAVEL
 - (8) NEW TRUNCATED DOWNS
 - (9) NEW CONCRETE PLANTER CURB
 - (10) NEW CONCRETE CURB & GUTTER
 - (11) NEW YARD LIGHT
 - (12) NEW 12" CLS OPENING
- SITE WORK - EXISTING**
- (13) EXISTING DRIVEWAY TO REMAIN
 - (14) EXISTING LANDSCAPE TO REMAIN
 - (15) EXIST. TRANSFORMER TO REMAIN
 - (16) EXISTING MOVEMENT SIGN
 - (17) EXISTING YARD LIGHT
 - (18) EXISTING 2" TELEPHONE LINE
 - (19) EXISTING 16" SEWER LINE
 - (20) EXISTING 10" SEWER LINE
 - (21) EXISTING 4" GAS LINE
 - (22) EXISTING SEWER MANHOLE
 - (23) EXISTING WATER LATERAL

- LEGEND**
- (---) NEW LANDSCAPE
 - (---) EXISTING LANDSCAPE
 - (---) NEW BUILDING
 - (---) PROPOSED CONTOUR
 - (---) PEDESTRIAN PATH OF TRAVEL
 - (---) EXISTING GRADES
 - (---) PROPOSED GRADES
 - (---) EXISTING CONTOUR
- PRELIMINARY EARTHWORK VOLUME**
- CUT = 27 CY
 FILL = 228 CY
- SURVEY TOPOGRAPHY PROVIDED BY:**
- MILLMAN SURVEYING, INC.
 CORPORATE HEADQUARTERS:
 1742 CEDARCROFT ROAD, SUITE H
 HUDSON, OHIO 44334
 DATE OF SURVEY: 10/21/2011

LEGAL DESCRIPTION

PARCEL 1:

STARTING IN THE CITY OF MARIETTA VALLEY, COUNTY OF HENNING, STATE OF COLORADO, BEING A PORTION OF PARCEL 2, PARCEL MAP NO. 1962, RECORDED AS PARCEL MAP BOOK 122, PAGES 8 AND 9, OF THE HENNING COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT TEN FEET TO THE CENTERLINE INTERSECTION OF SHERWOOD BOULEVARD AND PUBLIC HIGHWAY 160 (160) AND GRADING STREET ONE FIFTEEN FEET TO THE EAST AS SHOWN ON THE RECORDED PARCEL MAP NO. 1962;

THENCE NORTH 89 DEGREES 58 MINUTES 00 SECONDS EAST, ALONG THE CENTERLINE OF SHERWOOD BOULEVARD, 125.00 FEET TO A POINT;

THENCE NORTH 89 DEGREES 58 MINUTES 00 SECONDS EAST, DEPARTING SAID POINT OF INTERSECTION, 25.00 FEET TO A POINT BEING THE SOUTHWEST CORNER OF THE PORTION OF SUNNYMEAD BOULEVARD, ALSO BEING THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN;

THENCE NORTH 89 DEGREES 58 MINUTES 00 SECONDS EAST, ALONG SAID RIGHT OF WAY, 174.00 FEET TO A POINT;

THENCE SOUTH 89 DEGREES 58 MINUTES 00 SECONDS EAST, DEPARTING SAID POINT OF INTERSECTION, 115.00 FEET TO A POINT;

THENCE SOUTH 89 DEGREES 58 MINUTES 00 SECONDS WEST, 174.00 FEET TO A POINT;

THENCE NORTH 89 DEGREES 58 MINUTES 00 SECONDS EAST, 115.00 FEET TO A POINT BEING THE POINT OF BEGINNING OF THE ABOVE DESCRIBED PARCEL, AND CONTAINING 0.4722 ACRES (32,000 SQUARE FEET), SUBJECT TO ALL LEGAL ENCUMBRANCES, EASEMENTS AND RESTRICTIONS.

THE HEREIN FOR ALL PURPOSES SHOWN HERETO BE THE CENTERLINE OF SHERWOOD BOULEVARD KNOWN AS BEING NORTH 89 DEGREES 58 MINUTES 00 SECONDS EAST, FOR PARCEL MAP NO. 1962, RECORDED AS PARCEL MAP BOOK 122, PAGE 8 AND 9, OF THE HENNING COUNTY RECORDS.

PARCEL 2:

EASEMENTS FOR VEHICULAR PARKING, VEHICULAR AND PEDESTRIAN ACCESS AND EGRESS, UTILITIES AND POWER AND NEARBY SITES AS DESCRIBED AND REFERRED TO IN THE STREET LAYOUT "IMPROVING CENTER ADDITIONAL (PERSONAL EASEMENTS)" ATTACHED TO THE GRADING (LEASE) CASE BETWEEN MARIETTA VALLEY PLAZA, LLC, A DELAWARE LIMITED PARTNERSHIP (PLANSITE) AND MCDONALD'S USA, LLC, A DELAWARE LIMITED LIABILITY COMPANY ("MCD").

SEVEREY'S ERROR - THERE IS AN ERROR IN THE LEGAL DESCRIPTION - "EAST" SHOULD BE WEST

McDonald's USA, LLC

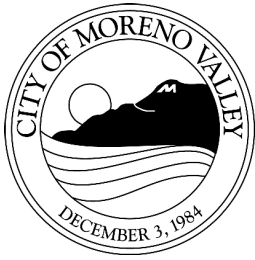
PROPOSED MCDONALD'S NEW BUILDING
 MARIETTA VALLEY, CO

DATE: 02/27/2012
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 DATE: [Date]

C2
 CONCEPTUAL GRADING PLAN

ATTACHMENT 7

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PLANNING COMMISSION STAFF REPORT

Case: PA10-0030 (Municipal Code Amendment)

Date: March 8, 2012

Applicant: City of Moreno Valley

Representative: Planning Division

Location: City-wide

Proposal: To amend the municipal code regulations regarding:
(1) Adopting WRCOG Good Neighbor Guidelines. (2) Parking Standards for Restaurants. (3) Reduction of (CC) Community Commercial front and street side building setbacks, and revisions to parking and landscape setbacks. (4) Provide for parking lot maintenance standards, banning "topping" of trees. (5) Amend the General Parking Design Standard with revised safety features and 24 foot wide drive aisles.

Recommendation: Approval

SUMMARY

This is a proposal to amend a range of zoning regulations contained in Title 9 of the City of Moreno Valley Municipal Code as identified in the report title above. Some of the proposed changes are due to Planning Commission requests, and others are staff generated to address changes in development practices, and to provide greater clarity of city regulations.

PROJECT DESCRIPTION

This proposed amendment would modify various provisions of the Municipal Code. If adopted, it would create or change the regulations concerning: (1) Adopting WRCOG Good Neighbor Guidelines with amendments to address air quality: (2) Reducing the minimum restaurant parking space requirement within shopping centers greater than 25,000 square feet of building area where restaurant space is less than 15% of the shopping center square footage: (3) Recommending that the (CC) Community Commercial front and street side building setbacks be reduced, while maintaining a greater setback for parking than for buildings and eliminating the 10 feet and 10 feet landscape option, and replacing it with a 15 feet landscape depth requirement between the property line and parking area on the parking side street setback and 20 feet on the parking front street setback: (4) Providing for a parking lot maintenance standard including the banning of “topping” of trees: and (5) Amending the General Parking Design Standard with revised safety features and 24 foot maximum wide drive aisles. The modifications are aimed at reducing the environmental impact of new and existing development by increased attention on post-construction operational issues, increased efficiency in site development and decreased energy usage.

ANALYSIS

Issue 1. Adopting WRCOG Good Neighbor Guidelines.

Chapter 9.05 Industrial Districts of the Municipal Code addresses requirements for industrial development.

The addition of Section 9.05.050 to Chapter 9.05 has been suggested to help minimize the impacts of diesel particulate matter (PM) from on-road trucks associated with warehouses and distribution centers on sensitive receptors located within the City of Moreno Valley. The Good Neighbor Guidelines used in this code amendment is a modified version of the WRCOG model guidelines. The guidelines would apply to warehouses of 650,000 square feet or more, the State threshold for “projects of regional significance” that require enhanced environmental scrutiny. The following are the standards from WRCOG that staff suggests be adopted:

- A. Minimize exposure to diesel emissions to neighbors that are situated in close proximity to the warehouse/distribution center.
- B. Eliminate diesel trucks from unnecessarily traversing through residential neighborhoods.
- C. Eliminate trucks from using residential areas and repairing vehicles on the streets.
- D. Reduce and/or eliminate diesel idling within the warehouse/distribution center.

There are current municipal code sections that help with the implementation of the WRCOG standards A - D. The municipal code sections that are called out are located in Title 12 *Vehicles and Traffic* of the Municipal Code. By citing the exiting Title 12 codes in the new Good Neighbor Guidelines Section 9.05.050 of Title 9 *Planning and Zoning* it will assist in minimizing the impacts of diesel particulate matter (PM) from on-road trucks associated with warehouses and distribution centers. The entire code amendment is located on Attachment 3.

Issue 2. Parking Standards for Restaurants.

Section 9.11.040 of the Municipal Code, addresses Off-street parking requirements.

Revisions to Section 9.11.040 have been made to better address the standard parking requirement for eating and drinking establishments within shopping centers of 25,000 square feet of building area or greater. The proposed standard would reduce the required parking for restaurant space equaling up to 15% of the shopping center building square footage, which has been shown to be accommodated with adequate parking at the lower retail parking standard. The size threshold provides for sufficient parking lot size and variety in retail and service uses to preclude a single popular restaurant from overwhelming parking provided on site.

Currently the parking standard for eating and drinking establishments is 1/100 sq. ft. of gross floor area up to 6,000 sq. ft. and 1/75 sq. ft. of gross floor area over 6,000 sq. ft. The proposed parking standard will make eating and drinking establishments within shopping centers of 25,000 sq. ft. of building area or greater be calculated at the general retail standard of 1/225 sq. ft. of gross floor area for up to 15% of building gross floor area for the shopping center. For eating and drinking establishments in excess of the 15% building gross floor area of the shopping center the parking calculation will be 1/100 sq. ft. of gross floor area.

Staff has researched a number of local jurisdictions and found that many have similar parking requirements for restaurants within shopping centers of 25,000 square feet of building area or greater. In addition staff has completed a number of parking studies to prove that the proposed parking standard will not result in a lack of available parking. Lakeside Plaza (Stater Bro's Market Center) located at the northwest corner of Lasselle and Iris, and Lakeside Terrace (CVS Center) at the north east corner of Lasselle and Iris were studied – both centers had sufficient excess parking at peak hours to allow for the proposed lower parking standard. The proposed parking changes will result in shopping centers being more adequately parked, and provide for more efficient development. The proposed standard would permit greater building area and/or less impervious paved areas.

Staff recommends amending Table 9.11.040B-12 of Section 9.11.040 by changing the subscript for restaurant parking and adding subscript for as follows: See Attachment 3.

Issue 3. Reduction of (CC) Community Commercial front and street side building setbacks, and revisions to parking and landscape setbacks.

Section 9.04.040 of the Municipal Code, addresses Commercial site development standards.

Several years ago, the Planning Commission asked staff to review other cities setback requirements in the Community Commercial (CC) and Neighborhood Commercial (NC) zones. The City of Moreno Valley has the same setback requirements for both Community Commercial and Neighborhood Commercial zones. Other local cities that have been researched differentiate setback requirements between the CC and NC zones.

On January 28, 2010 staff brought forth the following research. From the research typically the NC zone has a greater setback requirement than the CC zone. Typically what would be developed in the NC zone is smaller scale commercial buildings that cater to the local neighborhoods, and the greater setbacks help create a more residential character by providing more landscaping. The CC zone is typically a community or regional commercial zone where retailers draw people from throughout the community and from other communities. The CC zone tends to be more of a destination for shoppers and typically has your big box retailers;

therefore the shopping center is typically bigger than the NC shopping center in most cases, and the lesser setbacks help create a more urban character with buildings closer to the street.

For either zone, parking could be permitted closer or further away from the front property line. The Village Commercial Residential zone along Sunnymead Boulevard currently allows for buildings to be placed closer to the front property line while keeping parking at the twenty foot setback to allow for the creation of a more pedestrian downtown feel to that area long term. This information was provided to allow for elicit Planning Commission discussion of the issue. Staff did not have a specific recommendation.

At the January 28, 2010 meeting Planning Commission recommended that staff do further research on the building and parking setbacks in the NC and CC zones and that staff provide a recommendation.

Revisions to Section 9.04.040 have been made in order to address the past concerns of the Planning Commission. Planning staff has done additional review of building and parking setbacks in other jurisdiction's commercial zones. Attachment 4 is an informational table that provides the setbacks of other cities that were studied. Staff recommends that the CC front building setback be amended from 20 feet to 10 feet, and that the side street building setback be amended from 20 feet to 10 feet. In the NC zone staff recommends that the setback not change and keep the existing 20 foot front and street side setback. Additionally we have added * in regards to building height, this is something we did not bring forth at the previously Planning Commission meeting. Through our research we came across this in other cities and thought it made sense to include a setback based on height to help reduce the potential of having too much building massing at the setback line. In addition to the building setback we changed the parking setback. Based on staff research we recommend that the building play more of a prominent roll in the development of the site layout. Therefore we have revised the parking area to have the same minimum setback as the building setback, or in the case of the CC zone have the parking be set back further than the building setback. In keeping with the building playing more of a prominent role in site layout staff has eliminating the 10 feet and 10 feet landscape option, and replacing it with a 15 feet landscape depth requirement between the property line and parking area on the parking side street setback and 20 feet on the parking front street setback.

Staff recommends amending Table 9.04.040-7 of Section 9.04.040 by changing the subscript for front building and side street building setback, and adding subscript B4 as follows: See Attachment 3.

Issue 4. Provide for parking lot maintenance standards, banning "topping" of trees.

Section 9.17.030 of the Municipal Code, addresses Landscape and Irrigation Design Standards.

Revisions to Section 9.17.030 have been made in order to address the practice of topping of trees, which prevents the development of adequate tree canopy to provide the shading required by the Municipal Code. Parking lot shading reduces the "heat island effect" created by hot pavement and results in lower micro-climate temperatures that can provide greater comfort and lower energy use in adjacent structures. There are current commercial centers in Moreno Valley that practice and have practiced the topping of trees. The Municipal Code requires that parking areas provide 50 percent shading. The majority of the parking areas meet this code requirement by planting trees, the code defines the 50 percent tree shading requirement at maturity. The practice of topping prohibits trees from growing naturally or

reaching maturity and fulfilling the code requirement. In association with the new Tree Preservation and Maintenance portion of the code we have added a Heritage Trees section to help preserve mature and historical trees in our City. Staff has researched other cities that have adopted similar tree preservation ordinances.

Staff recommends amending by changing subscript E, F, G, and H by adding, deleting, and renumbering, subscript as follows: See Attachment 3.

Issue 5. Amend the General Parking Design Standard with revised safety features and 24 foot wide drive aisles.

Section 9.11.080 of the Municipal Code, addresses General Parking Design Standards.

Revisions to Section 9.11.080 have been made in order to make parking design safer and consistent with current traffic engineering standards. The standard improvements safety features of parking lot design have been revised and Table 9.11.080-13 has revised driveway and aisle dimensions.

Staff recommends amending by changing subscript C and Table 9.11.080-13 by adding and deleting subscript as follows: See Attachment 3.

ENVIRONMENTAL

The project is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061 as defined by Section 15378 of the CEQA Guidelines. The amendment does not have the potential to cause a significant effect on the environment.

NOTIFICATION

A 1/8 page public notice was published in the local newspaper.

STAFF RECOMMENDATION

APPROVE Resolution No. 2012-04 and thereby, **RECOMMEND** that the City Council:

1. **APPROVE** PA10-0030 (Municipal Code Amendment); and,
2. **RECOGNIZE** that PA10-0030 (Municipal Code Amendment) qualify as an exemption in accordance with CEQA Guidelines, Section 15061 as defined by Section 15378.

Prepared by:

Gabriel Diaz
Associate Planner

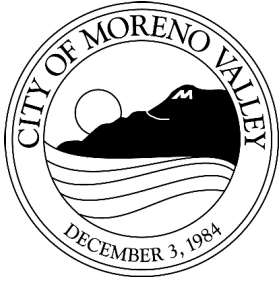
Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice.
2. Planning Commission Resolution No. 2012-04.
3. Suggested code amendments.
4. Setbacks of other cities.

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NOTICE OF PLANNING COMMISSION PUBLIC HEARING

THE PLANNING COMMISSION WILL CONSIDER A MUNICIPAL CODE AMENDMENT (PA10-0030) COVERING REGULATIONS REGARDING: (1) WRCOG GOOD NEIGHBOR GUIDELINES. (2) PARKING STANDARDS FOR RESTAURANTS IN SHOPPING CENTERS. (3) COMMUNITY COMMERCIAL LAND USE ZONE (CC) FRONT AND STREET SIDE BUILDING SETBACKS, AND PARKING AND LANDSCAPE SETBACKS. (4) PARKING LOT MAINTENANCE STANDARD TO BAN "TOPPING" OF TREES; AND (5) GENERAL PARKING DESIGN STANDARDS FOR SAFETY FEATURES AND 24 FOOT WIDE DRIVE AISLES.

The proposed Municipal Code Amendment (PA10-0030) modifies various provisions listed above. The modifications update, eliminate conflicts and/or clarify the meaning of the above mentioned sections.

The project is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061 of the CEQA Guidelines. The amendment does not have the potential to cause a significant effect on the environment.

The Planning Commission may consider any appropriate modifications or alternatives to the amendment or the environmental determination. Any person concerned about the proposal may submit written comments to the Planning Division prior to the hearing date listed below. Any person may appear and be heard in support or opposition to the project or the environmental determination at the time of the hearing. Any person interested in the proposed project may contact Gabriel Diaz, Associate Planner at (951) 413-3206 or at the Community & Economic Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission on or before the following meeting date:

**Thursday, March 8, 2012
7:00 P.M. or thereafter
City Council Chambers
14177 Frederick Street
Moreno Valley, CA 92552-0805**

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PLANNING COMMISSION RESOLUTION NO. 2012-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY RECOMMENDING APPROVAL OF PA10-0030 (MUNICIPAL CODE AMENDMENT) TO THE CITY COUNCIL, AMENDING THE MORENO VALLEY MUNICIPAL CODE REGULATIONS REGARDING: (1) ADOPTING WRCOG GOOD NEIGHBOR GUIDELINES. (2) PARKING STANDARDS FOR RESTAURANTS: (3) REDUCTION OF (CC) COMMUNITY COMMERCIAL FRONT AND STREET SIDE BUILDING SETBACKS, AND REVISIONS TO PARKING AND LANDSCAPE SETBACKS: (4) PROVIDE FOR PARKING LOT MAINTENANCE STANDARDS, BANNING "TOPPING" OF TREES: AND (5) AMEND THE GENERAL PARKING DESIGN STANDARD WITH REVISED SAFETY FEATURES AND 24 FOOT WIDE DRIVE AISLES.

Section 1:

WHEREAS, the City of Moreno Valley has filed an application for the approval of PA10-0030 (Municipal Code Amendment), as described in the title of this Resolution.

WHEREAS, on March 8, 2012, the Planning Commission of the City of Moreno Valley held a meeting to consider the application.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

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

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:
 - 1. **Conformance with General Plan Policies** – The amendment is consistent with the General Plan, and its goals, objectives, policies and programs, and with any applicable specific plan.

FACT: All of the proposed changes are consistent with, and do not conflict with the goals, objectives, policies, and programs established within the General Plan or any specific plan. The amendments modify various provisions of the Municipal Code regarding: (1) Adopting WRCOG Good Neighbor Guidelines with amendments to address air quality: (2) Reducing the minimum restaurant parking space requirement within shopping centers greater than 25,000 square feet of building area where restaurant space is less than 15% of the shopping center square footage: (3) Recommending that the (CC) Community Commercial front and street side building setbacks be reduced, while maintaining a greater setback for parking than for

buildings and eliminating the 10 feet and 10 feet landscape option, and replacing it with a 15 feet landscape depth requirement between the property line and parking area on the parking side street setback and 20 feet on the parking front street setback: (4) Providing for a parking lot maintenance standard including the banning of “topping” of trees: and (5) Amending the General Parking Design Standard with revised safety features and 24 foot maximum wide drive aisles. The modifications are aimed at reducing the environmental impact of new and existing development by increased attention on post-construction operational issues, increased efficiency in site development and decreased energy usage.

2. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or general welfare.

FACT: The proposed changes do not have the potential of adversely affecting the public health, safety or welfare of the residents of the City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment. Amendments like the Good Neighbor Guidelines and amendments that make development more efficient only improve the Health, Safety and Welfare.

3. **Conformance with Zoning Regulations** – The proposed amendment is consistent with the purpose and intent of Title 9.

FACT: The amendments to the Municipal Code provides for an internally consistent set of regulations that are compatible with the purpose and intent of Title 9. The proposed changes eliminate conflicts or clarify the meaning of some sections of Title 9. As such, it furthers the specific purpose and intent of Title 9 to “implement the goals, objectives, policies and programs of the Moreno Valley General Plan and manage future growth and change in accordance with that plan.”

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2012-04, recommending that the City Council approve PA10-0030 (Municipal Code Amendment), thereby amending the Municipal Code as described in the title of this resolution.

APPROVED this 8th day of March, 2012.

Ray L. Baker
Chair, Planning Commission

ATTEST:

John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

City Attorney

Issue 1. Adopting WRCOG Good Neighbor Guidelines.

Staff recommends amending Chapter 9.05 by adding Section 9.05.050 as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

Sections:

9.05.010 Purpose and intent.

9.05.020 Industrial districts.

9.05.030 Permitted uses for industrial districts.

9.05.040 Industrial site development standards.

9.05.050 Good Neighbor Guidelines

9.05.050 Good Neighbor Guidelines for Warehouse Distribution Facilities.

In September, 2005, the Western Riverside Council of Governments (WRCOG) and the Regional Air Quality Task Force (RAQTF) approved the *Good Neighbor Guidelines For Siting New and/or Modified Warehouse/Distribution Facilities*. The Good Neighbor Guidelines used in this section are a modified version of the WRCOG's RAQTF Guidelines. The modified version includes goals and strategies that fit the specific needs of the City of Moreno Valley.

These "Good Neighbor Guidelines for Siting New and/or Modified Warehouse/Distribution Facilities," (referred to as "Good Neighbor Guidelines") assist planning departments, developers, property owners, elected officials, community organizations, and the general public as a tool to potentially help address some of the complicated choices associated with permitting warehouse/distribution facilities and understanding the options available when addressing environmental issues. These Good Neighbor Guidelines are designed to help minimize the impacts of diesel particulate matter (PM) from on-road trucks associated with warehouses and distribution centers on sensitive receptors located within the City of Moreno Valley. Sensitive receptors include residential neighborhoods, schools, parks, playgrounds, day care centers, nursing homes, hospitals, and other public places where residents are most likely to spend time.

For the purpose of these Guidelines, warehouse/distribution center means a building used for the storage, receiving, shipping, or wholesaling of goods and merchandise, and any incidental or accessory activities that is greater than 650,000 square feet. This shall be cumulative to include multiple warehouse buildings deemed as part of a project or a phased project exceeding a combined total building area of 650,000 square feet. For the purpose of these Guidelines, a warehouse and distribution center is not intended to include "big box" discount or warehouse stores that sell retail goods, merchandise or equipment, or storage and mini-storage facilities that are offered for rent or lease to the general public.

A. Minimize exposure to diesel emissions to neighbors that are situated in close proximity to the warehouse/distribution center by using the following strategies:

1. To the extent possible, locate driveways, loading docks and internal circulation routes away from residential uses or any other sensitive receptors.

2. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.2 – "Parking Prohibitions or Restrictions" is unlawful to park or leave

standing any commercial vehicle weighing 10,000 pounds or more on any vacant lot or unimproved nonresidential property in the City.

3. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.5 – “Parking Prohibitions or Restrictions” is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds within any commercially zoned property for the purpose other than doing business at the site, and or remaining parked or standing for longer than reasonably appropriate to do such business acts related to such business operations.

4. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.8 – “Parking Prohibitions or Restrictions” is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds or more on any highway, street or road which is adjacent to a parcel upon which there exists a public facility.

5. Enforce compliance with Moreno Valley Municipal Code Section 9.10.150 – “Odors” no operation or activity shall be permitted which emits odorous gases or other odorous matter in such quantities as to be dangerous, injurious, noxious, or otherwise objectionable to a level that is detectable with or without the aid of instruments at or beyond the lot line of the property containing said operation or activity.

B Eliminate diesel trucks from unnecessarily traversing through residential neighborhoods by using the following strategies:

1. Enforce compliance with Moreno Valley Municipal Code Section 12.36.030 – “Designation of Truck Routes” the city traffic engineer shall erect appropriate signs designating the affected street or portion thereof.

2. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.B.1 – “Parking Prohibitions or Restrictions” is unlawful to park or leave standing any commercial vehicle weighing 10,000 pounds or more on any highway, street, road, alley or private property within any residential district within the city.

3. Required warehouse/distribution centers to establish a specific truck route and post signage between the warehouse/distribution center and the freeway and/or primary access arterial that achieves the objective.

4. Require warehouse/distribution centers to provide signage or flyers identifying where food, lodging and entertainment can be found, when it is not available on site.

C. Eliminate trucks from using residential areas and repairing vehicles on the streets by using the following strategies:

1. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.A.4. – “Parking Prohibitions or Restrictions” It is unlawful to park or leave standing any vehicle on any highway, street, road or alley within the city for the purpose of servicing or repairing such vehicle except when necessitated by an emergency.

2. Allow warehouse/distribution facilities to establish an area within the facility for repairs.

D. Reduce and/or eliminate diesel idling within the warehouse/distribution center by using the following strategies:

1. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020.C – “Parking Prohibitions or Restrictions” while adjacent to a developed residential area, the operator shall not idle the vehicle’s engine for longer than fifteen (15) minutes.

2. Enforce compliance with Moreno Valley Municipal Code Section 12.50.040.A.1 – “Idling Limitation” a driver of a vehicle must turn off the engine upon stopping at a destination.

3. Enforce compliance with Moreno Valley Municipal Code Section 12.50.040.C – “Idling Limitation” an equipment operator of a TRU (Transportation Refrigeration Unit) must not cause or allow a TRU to operate while stationary unless the vehicle is lawfully parked at a location approved for truck parking by this code and not within five hundred (500) feet of a school unless the operator is actively engaged in the process of loading or unloading cargo or is waiting in a queue to load or unload cargo for a period not to exceed two hours.

4. Enforce compliance with Moreno Valley Municipal Code Section 12.50.060.D – “Relationship to other laws” nothing in this chapter allows idling in excess of other applicable laws, including, but not limited to any other local, state or federal law or regulation as stringent as, or more stringent than this chapter.

5. Future tenant improvements involving conversion of a warehouse for refrigeration storage shall include electrical hookups for refrigeration units.

6. Promote the installation of on-site electric hook-ups to eliminate the idling of main and auxiliary engines during loading and unloading of cargo and when trucks are not in use.

Issue 2. Parking Standards for Restaurants.

Staff recommends amending Table 9.11.040B-12 of Section 9.11.040 by changing the subscript for restaurant parking and adding subscript for as follows:

**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	
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.
<u>Eating and drinking establishments within shopping centers of 25,000 square feet of building area or greater.</u>	<u>1/225 sq. ft. of gross floor area up to 15% of the shopping center gross building square footage.</u> <u>1/100 sq. ft. of gross floor area over the 15%.</u>	<u>Example a 25,000s.f. Shopping Center. 15% of Shopping Center = 3,750s.f. is calculated at 1/225. $3,750/225 = 17$.</u> <u>Any restaurant space over 3,750s.f. is calculated at 1/100. $2000/100 = 20$</u>

Issue 3. Reduction of (CC) Community Commercial front and street side building setbacks, and revisions to parking and landscape setbacks.

Staff recommends amending Table 9.04.040-7 of Section 9.04.040 by changing the subscript for front building and side street building setback, and adding subscript B4 as follows:

9.04.040 Commercial site development standards.

A. General Requirements. The following table sets forth minimum site development standards for all commercial and office zones. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified. In addition, projects must comply with the special requirements enumerated in Section 9.04.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.04.040-7

Commercial Site Development Minimum Standards

	Requirement	O	OC	VC	NC	CC
1	Minimum site area	10K ¹	10K	10K	10K	1ac ²
2	Minimum site width, in feet	100	100	100	100	200
3	Minimum site depth, in feet	100	100	100	100	175
4	Front building setback, in feet ³	20 ₋ *	20 ₋ *	20 ₋ *	20 ₋ *	20 10*
5	Side street building setback area, street sides, in feet ³	20 ₋ *	20 ₋ *	20 ₋ *	20 ₋ *	20 10*
6	Lot coverage, maximum	60%	60%	—	—	—
7	Building height, in feet, maximum	See Special Requirements				
8	<u>Parking front street setback, in feet³</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>

	Requirement	O	OC	VC	NC	CC
<u>9</u>	<u>Parking side street setback, in feet³</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>
<u>10</u> <u>8</u>	Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas	All setbacks exclusive of required walkways and driveways will be landscaped planting areas

¹ The term “K” means one thousand (1,000).

² The term “ac” means acre or acres.

³ Measured from property line after dedications for public rights-of-way.

* Building areas above 30 feet shall be setback an additional 5 feet for every 10 feet of additional structure height unless otherwise approved by the Planning Commission.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any of such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated commercial center containing shared parking and access, in which case no minimums are established. Parcels created within integrated commercial centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and if appropriate easements for reciprocal access parking and maintenance are provided.

B. Special Requirements.

1. Wherever a lot in any commercial district abuts a lot in any residential district, a minimum setback equal to the building height, but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles in commercial districts are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all commercial districts, required front building setback areas shall be landscaped. Such landscaping shall consist predominantly of plant materials except for necessary walks and drives.

~~4. The street side building setback area in any commercial district shall be used only for landscaping, pedestrian walkways, driveways or off street parking. When off-street parking is located within building setback areas, a minimum landscaped area of ten (10) feet in depth shall be provided between the property line and the parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.~~

~~5~~ 4. Required rear and interior side building setback areas in any commercial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

~~6~~ 5. In the office commercial district, all nonoffice uses permitted shall be supportive of office-based development. (See Table 9.02.020-1)

~~7~~ 6. In the office commercial district, all commercial and retail activities, other than offices, shall be limited to no more than twenty-five (25) percent of the square footage of any building. In the case of a mixed use development, no more than twenty-five (25) percent of the total square footage of all buildings shall be devoted to commercial/retail uses, with the remaining seventy-five (75) percent to be utilized for office.

~~8~~ 7. Parking for each use shall comply with the requirements of Chapter 9.11.

~~9~~ 8. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line. (Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992).

Issue 4. Provide for parking lot maintenance standards, banning “topping” of trees.

Staff recommends amending by changing subscript E, F, G, and H by adding, deleting, and, renumbering, subscript as follows:

9.17.030 Landscape and irrigation design standards.

A. General. The landscape plans shall incorporate low water use plants, turf trees and ground covers adaptable to the area. A list of plants may be found in the county of Riverside’s Guide to California Friendly Landscaping that provides a variety of options to meet the drought tolerant needs of the area while ensuring an aesthetically

pleasing landscape. Plants not on the list may be used providing the water consumption does not exceed the project's water budget. Consideration should be given to climate, soil types and topographic conditions. Landscapes should group plants using similar watering patterns to eliminate over watering and provide irrigation watering zones of similar use.

The irrigation systems shall be installed using water-conserving equipment including the installation of bubblers, drip systems, low volume sprays and smart irrigation controls. Smart irrigation controls are sensitive to the changing weather patterns and adjust watering cycles automatically to reduce water usage during colder/rainy weather. A water budget shall be completed that meets Eastern Municipal Water District guidelines and submitted with the landscape plans. Based on the landscape design, the water budget will determine the landscape's water demand. Once calculated, the annual maximum allowable water budget (AMAWB) is compared to the estimated annual water use (EAWU) to ensure the design does not exceed the allowed water use.

Projects shall be designed to capture and retain storm water onsite to improve water use efficiency and water quality. The use of reclaimed water is encouraged. Contact Eastern Municipal Water District for availability.

B. Plan Design Standards. The following design standards are required on all landscape plan submittals:

1. Final landscape and irrigation plans shall be based on the approved site plan and/or the final grading plan for the project.

2. Final landscape and irrigation plans for all projects, with more than one thousand (1,000) SF of landscaped area, except custom homes or projects designed in-house by the public works department or parks and community services department, shall be designed (and wet stamped/certified) by a California state licensed architect, civil engineer or landscape architect. All non-residential projects with one thousand (1,000) square feet or less of landscaped areas shall provide landscape and irrigation plans certified by a certified irrigation designer.

3. Minimum scale is one inch = twenty (20) feet. A smaller scale may be used with prior approval by the city. Standard sheet size is twenty-four (24) inches by thirty-six (36) inches.

4. Existing vegetation shall be retained on any portion of a development not designated for grading or construction, unless otherwise approved or required by the city.

5. Landscape shall include drought-tolerant plants and water conservation principles.

6. All soil surfaces in landscape areas shall be covered with plant materials, walkways or mulch (organic or inorganic).

7. Ground-mounted equipment (e.g., transformers and back flow preventers) shall be screened with landscaping or screening walls, allowing for adequate access for equipment maintenance.

8. Trash enclosures are screened with at least three feet of landscaping on three sides.

9. Unimproved areas are maintained in a weed-free condition, and may require temporary landscape and irrigation.

10. All nonturf landscape areas are covered with a minimum of three inches of mulch following installation, unless otherwise approved by the city.

11. Native or low-water use plant materials shall be used. The use of invasive plants should be avoided. (See the California Invasive Plant Inventory by the California Invasive Plant Council www.cal-ipc.org). No invasive plants are permitted adjacent to Multi-Species Habitat Conservation Plan conservation areas.

12. Water budgets that meet Eastern Municipal Water District guidelines shall be attached to plan submittal. Obtain water budget information from Eastern Municipal Water District.

13. Water budgets are subject to approval by Eastern Municipal Water District. The city of Moreno Valley will cooperate with Eastern Municipal Water District in monitoring to the extent practicable.

14. Irrigation systems shall be designed, maintained and managed to meet the current irrigation efficiency standard as determined by the state of California Code of Regulations and Eastern Municipal Water District. Landscape plans submitted shall meet this standard.

15. Water quality basin design shall ensure that the design between the basin and the required landscaping area complement one another.

C. Turf Areas.

1. Turf areas shall have a maximum design slope of twenty (20) percent and a minimum design slope of one percent.

2. Turf areas shall be limited to less than twenty-five (25) percent and only in gathering areas with the exception of parks and similar recreational facilities. Turf shall not be used solely for decorative purposes. Turfless or xeriscape design concepts are preferred.

3. Where turf areas are allowed, drought-tolerant and warm season turf varieties shall be used.

4. Except for single-family residences, concrete mow strips shall be installed between all turf areas and groundcover/shrub areas, vine pockets, walls, structures, or signs.

5. High quality artificial turf is allowed as an element of a project landscape.

6. Native grasses not requiring regular mowing shall be used in lieu of turf in water quality facilities.

D. Ground Cover/Shrub Areas.

1. Shrubs and groundcover shall be installed in shrub/planting areas in amounts and at intervals that will provide eighty (80) percent coverage within twenty-four (24) months.

2. Shrubs shall be located to provide visual interest to the project site, break-up building massing, and help screen unsightly views.

3. Groundcover (low water use plants are preferred) shall be installed in such a manner to ensure eighty (80) percent coverage within twelve (12) months.

4. No plantings shall be located closer than twenty-four (24) inches from any building or structure, unless otherwise approved by the city.

5. All planting areas adjacent to buildings or structures shall slope away from all buildings, structures or walls, or incorporate drains to direct water away from these elements.

6. Large ground cover areas shall have multiple plant types including a variation in height, texture and color.

7. The plant palette provided in the Riverside County Landscape Guidelines is recommended to identify plants which can be used to establish a balance of drought tolerant plants.

E. Trees.

1. Trees shall be planted in a manner, which maximizes the shading of paved areas, outdoor seating, and both south- and west-facing windows.

2. Street trees for designated streets shall be used, unless a different street tree has already been established along the street segment in question.

3. Trees shall be planted at sufficient size and manner to ensure successful establishment and protection from breakage.

4. All landscape plans shall indicate mature tree canopy diameters.

~~5. All mature tree canopies in parking lots shall be pruned and maintained to maximize shade potential and ensure healthy, maximum growth. Topping of trees shall be avoided.~~

6.5. The tree palette shall provide a balanced use of evergreen and deciduous trees with attention to summer shade, fall and spring color, winter sunlight, and new growth.

7.6. Parkway tree planting shall provide a buffer effect that creates partial screening between parking lot areas and street vehicular traffic.

8.7. Existing mature trees that cannot be preserved in-place, shall be transplanted elsewhere on the site, unless transplantation is infeasible due to the type or condition of the trees.

9.8. Projects necessitating the removal of existing trees with four-inch or greater trunk diameters (calipers), shall be replaced at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved.

10.9. Trees shall be planted in a manner and at locations, which minimize the potential for damage to adjacent walkways and paving.

F. Tree Preservation and Maintenance.

1. Trees are required to be pruned, fertilized, and irrigated as needed to maintain an appropriate healthy condition, maximize shading, and maintain an aesthetically pleasing appearance.

2. Topping of trees is prohibited. Topping of trees means cutting back of the crown creating large stubs and preventing trees from growing to maximum maturity resulting in a loss of shading.

3. Pest diseased trees and dead trees shall be replaced with the same species and in the appropriate size. The appropriate size shall be a minimum twenty-four (24) inch box tree.

4. Guidelines are subject to modifications as determined by an arborist, or landscape architect, and approved by the Community & Economic Development Director.

G. Heritage Trees.

1. Heritage trees are defined as meeting one of the following:

a. Any tree that defines the historical and cultural character of the City including older Palm and Olive trees, and or any tree designated as such by official action.

b. Trees with a fifteen (15) inch diameter measured twenty-four (24) inches above ground level.

c. Trees that have reached a height of fifteen (15) feet or greater.

2. No person shall remove, destroy, top, or disfigure a Heritage tree within the City Limits.

3. Removal of a Heritage tree is permitted if the tree poses a dangerous or hazardous condition to people, structures, property, or another Heritage tree.

4. Removal of a Heritage tree is permitted if tree is diseased, drying, or dead, and if a reasonable undertaking to preserve the tree had occurred.

5. Removal of a Heritage tree in the public or future right of way is permitted with the approval of the Community and Economic Development Director and if a reasonable undertaking to preserve the tree had occurred.

6. Removal of a Heritage tree designated historic and or culturally significant by official action shall require the review of the Ecological Historical Preservation Board.

7. Trees grown by nurseries and tree farms for sale purposes are exempt from being a Heritage tree.

F H. Irrigation.

1. All planted landscape areas shall be provided with an approved “smart” automatic irrigation control systems (labeled as evapotranspiration (E.T.) based), with rain sensing and soil moisture sensing devices. Watering during the rain shall be avoided.

2. Drip and bubbler-type and MP rotator sprinkler heads or similar efficient sprinklers shall be used whenever possible. These sprinklers should be used exclusively when positioned adjacent to building walls. (Bubblers and spray heads should be pressure compensating, low volume type).

3. Separate irrigation zones shall be provided for areas with different irrigation requirements, including, but not limited to, trees, turf and nonturf areas.

4. Reduced pressure backflow preventers are required on all irrigation systems.

5. No fixed risers are permitted, unless otherwise approved by the community development director.

6. A pressure vacuum breaker shall be installed at the top of slopes when irrigation is installed on the top of the slope.

7. Irrigation shall be placed in a manner that eliminates overspray, runoff, wicking action and/or damage to adjacent buildings, walls, walks, driveways, streets, and fences.

8. Irrigation of landscapes should occur between nine p.m. and six a.m. except during the establishment period, when temperatures are predicted to fall below zero or when repairing/adjusting the irrigation system.

9. Eastern Municipal Water District will calculate the annual maximum allowable water budget (AMAWB) for customers requesting a new account. The proposed landscape must meet the AMAWB requirements prior to meter release. (Ord. 786 § 2, 2009)

Issue 5. Amend the General Parking Design Standard with revised safety features and 24 foot wide drive aisles.

Staff recommends amending by changing subscript C and Table 9.11.080-13 by adding and deleting subscript as follows:

9.11.080 Design standards.

A. General Parking Design Standards.

1. Parking lot design shall take into consideration the appropriate integration of commercial uses. Parking facilities shall be designed to eliminate obstacles to pedestrian movement, consider spatial relationships between commercial uses and associated parking, and where appropriate, parking design will dictate the types of uses that may feasibly be established to ensure that adequate parking is available within a reasonable distance to the use it serves.

2. Special plazas, motor courts or turnarounds are encouraged to identify entrance areas.

3. Project access and circulation shall allow for both vehicles and pedestrians by separating autos and foot traffic, by creating pedestrian entrances to projects and by using enhanced paving treatments, bollards or pergolas to identify pedestrian pathways through parking areas and along buildings.

4. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points should be consolidated to take advantage of planned or existing median breaks.

5. The city may require reciprocal parking and access agreements between individual and adjacent commercial parcels.

6. To discourage excessive speeds within parking areas, the maximum length of straight aisles shall not exceed three hundred (300) feet unless otherwise approved by the community development director.

7. Parking rows shall not be longer than one hundred eighty (180) feet, allowing for easier movement within the parking lot and preventing long queues within aisles unless otherwise approved by the community development director.
8. Drive aisles should make a loop around the structures and avoid dead end parking. In the case of straight drive aisles, provide at least ten (10) feet of setback between the last parking stall and the property line.
9. Parking areas shall be screened from streets through a combination of mounded landscaping, low profile walls and/or grading separations.
10. Parking areas shall not be used for loading or unloading.
11. Internal roadways should be designed so that direct access is available to all structures visible from a particular parking area.
12. Parking areas should use sound walls, screen walls and landscaping to minimize auto noise, glare and increased ambient temperature.
13. Landscaping, signs and walls shall be limited to thirty-six (36) inches in height, measured from top of curb within twenty-five (25) feet of any driveway entrance to protect visibility. Any trees located in these areas shall have trunks not exceeding eight inches in diameter and shall have a minimum branching height of six feet.
14. Trash enclosures shall not impair visibility.
15. Auto headlights in parking areas shall be screened so that they do not shine into adjacent properties or public rights-of-way.
16. All illumination of streets, parking areas and other project areas shall provide a variety of light quality and intensity, emphasizing areas of high vehicular and pedestrian activity with increased light intensity.
17. Driveways shall be designed so entering vehicles do not interfere with the existing vehicles. Main driveways shall employ entry medians whenever possible.
18. The first parking stall perpendicular to a driveway or first aisle juncture shall be at least sixty (60) feet back from the property line, providing sufficient queuing for exiting vehicles unless otherwise approved by the city engineer.
19. In commercial developments, parking aisles should be oriented perpendicular to the major tenant's front entrance, to facilitate pedestrian movement.
20. Dead-end parking aisles which exceed eight standard parking stalls in length, and serving greater than sixteen (16) standard stalls for dual lanes, shall provide turnaround facilities (i.e., hammerhead, cul-de-sac, etc.) adequate to accommodate emergency vehicles.

21. Consideration shall be given to service vehicles (i.e., tractor trailers) when designing landscape and hardscape areas.

22. Bicycle and motorcycle parking shall be provided as required by this code.

23. All projects generating vehicular traffic shall participate in the traffic signal mitigation program as adopted by the city of Moreno Valley.

24. Transportation management programs may be requested of projects generating significant vehicular traffic. These programs may include transportation system strategies or transportation demand strategies targeted to reduce the project's impact on roads, air quality, and energy consumption. System strategies deal with physical improvements to the road or facility network, such as street widening, restriping, bus turnout improvements or consolidation of driveways. Demand strategies deal with the behavior of those using the road system and include carpooling, subsidized transit passes, bicycle racks, showers for employee use located within the facility, transit centers, and flexible work shifts.

25. Parking lot design shall include openings in curbs to convey water run off into landscape areas for water quality, retention and absorption. Pervious surfaces are recommended where feasible and required for parking areas provided in excess of city requirements.

B. Dimensions of Parking Spaces.

1. Covered Spaces. Parking spaces within an enclosed garage shall have an unobstructed, clear area dimension of ten (10) feet by twenty (20) feet for each required parking space provided. All other covered spaces shall each be nine feet in width and eighteen (18) feet in depth. The parking area shall be clear of any obstructions and the measurements shall not include the exterior walls or structural supports.

2. Parallel Space. Each parallel parking space shall have a minimum dimension of eight feet wide by twenty-two (22) feet long. However, if a parallel space does not abut another parallel space, and access is adequate to that space, the length may be reduced to twenty (20) feet (see Figure 9.11.080-4).

3. Uncovered Spaces, Full-Size. Each full-size uncovered space shall be nine feet in width and sixteen (16) feet in depth of paved area and two feet of landscaped depth in excess of the adjacent landscape requirement. Spaces may be eighteen (18) feet of paved depth with no additional landscape depth subject to approval by the planning official. (The two feet of additional landscape may not be included in the required landscape setback.) (See Figure 9.11.080-5.)

4. Trailer parking stalls shall have a minimum dimension of fourteen (14) feet wide by fifty (50) feet in depth.

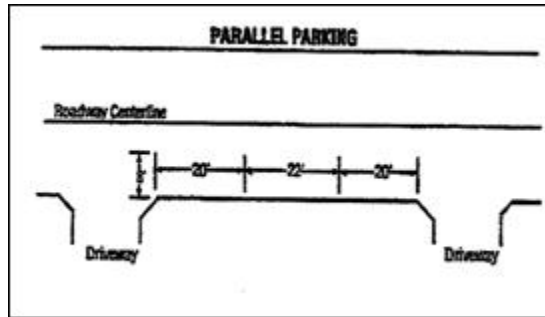


Figure 9.11.080-4

Dimensions of Parallel Parking Spaces

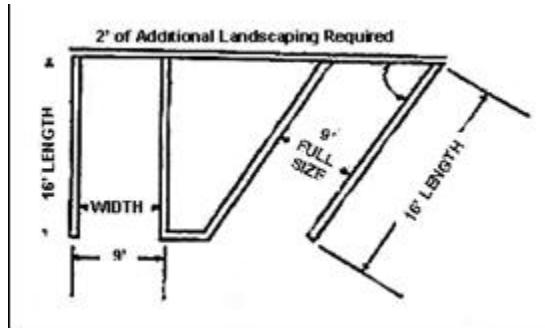


Figure 9.11.080-5

Nonparallel Parking Spaces

5. Tandem Space. Each tandem space shall be a minimum of nine feet in width and twenty-two (22) feet in depth.

C. Standard Improvements.

1. Drainage. Parking lots shall be designed to drain into landscape planters using openings in curbs and site grading. All parking facilities, except those serving two or fewer dwelling units, shall be graded and provided with drainage facilities so as to provide for the disposal of water without surface flow over sidewalks within public rights-of-way.

2. Safety Features.

a. Additional requirements and guidelines for parking facility safety, including design, internal layout, acceptable turning radii, pavement slope, vehicular and pedestrian circulation and other design features may be adopted by the city traffic engineer when determined to be appropriate.

b. Visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility. To the extent possible, the parking facility shall be designed so that primary pedestrian access to and from building entrances is along, rather than across, parking aisles.

c. Parking lots shall be designed to minimize conflicts between vehicles and pedestrians and shall also endeavor to minimize speeding and through traffic.

d. Drive aisles and parking lot drives shall not exceed five percent slope.

e. Streets should intersect others on outside rather than inside horizontal curves.

f. Streets should intersect at as near to a right angle as possible. They should be no more than fifteen (15) degrees skew.

g. Intersections should be offset a minimum of ~~one hundred fifty (150)~~ six hundred (600) feet.

h. Deceleration right turn lanes should be a minimum of two hundred ~~ten (240)~~ thirty five (235) feet long and ten (10) to twelve (12) feet wide, composed of a minimum sixty (60) foot transition and one hundred ~~fifty (150)~~ twenty five (125) foot turn lane. As approved by the City Traffic Engineer.

i. Internal streets and drive lanes should have a minimum radius of two hundred fifty (250) feet (twenty-five (25) mph design speed).

j. Where feasible, bus turnouts and bus stops shall be located on the far side of intersections to reduce conflicts between buses and through traffic.

3. Striping and Identification.

a. All automobile parking spaces shall be clearly outlined with white double lines on the surface of the parking facility as shown in Figure 9.11.080-6 (three-inch line – six-inch space – three-inch line for a total of twelve (12) inches) or as otherwise specified by the building official.

b. Fire lanes, if required, shall be installed to the specifications of the city of Moreno Valley fire chief, including red curbing and posting with signs.

c. Stop signs and painted stop bars shall be installed in parking areas where drive lanes intersect and at egress points to streets or alleys.

d. Within parking facilities, the city traffic engineer may require all aisles, approach lanes and maneuvering areas to be clearly marked with directional arrows on the pavement surface to facilitate vehicular movement. In addition to directional arrows, the city traffic engineer may require installation of signs to ensure safe and efficient vehicular movement.

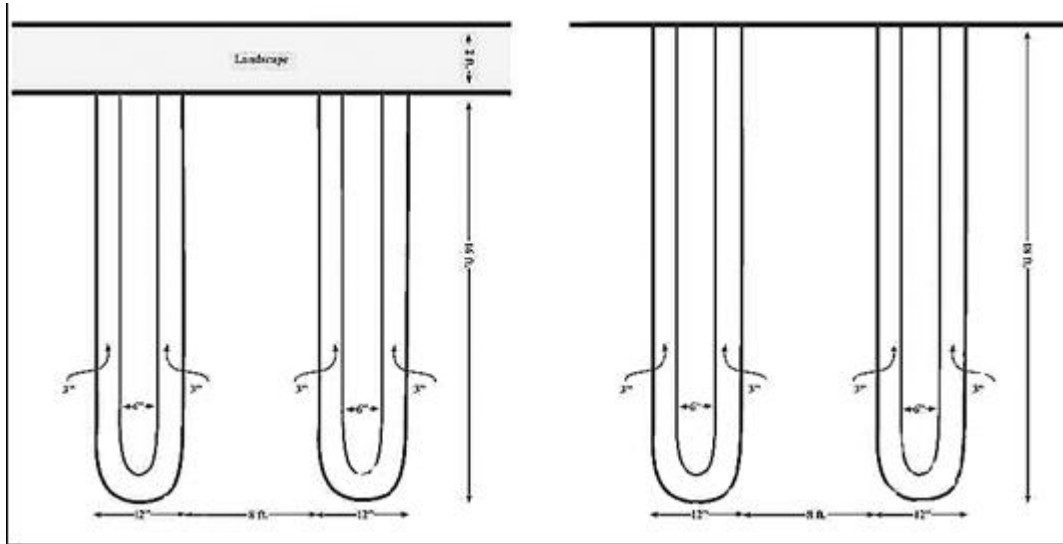


Figure 9.11.080-6A Figure 9.11.080-6B

Parking Space Striping Requirements

* Ends of parking stall striping shall be curved or squared off.

D. Accessible Parking Design Standards. The following design standards for accessible parking are intended to be consistent with the state or federal 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. All accessible parking spaces shall be striped and marked according to applicable state regulations.

2. Each parking space reserved for persons with disabilities shall be identified by a permanently affixed reflectorized sign, of a construction and material approved by the building official, displaying the international symbol of accessibility. The sign shall have a minimum size of seventy (70) square inches, and shall be centered at

the interior end of the parking space at a maximum height of eighty (80) inches from the bottom of the sign to the finished grade of the parking space.

3. At each entrance to a parking facility containing one or more parking spaces for the handicapped, a sign with a minimum size of seventeen (17) inches by twenty-two (22) inches shall be posted, stating clearly and conspicuously in letters with a minimum height of one inch the following:

Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for physically handicapped persons may be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____.

4. Parking spaces reserved for persons with disabilities shall have, in addition to the requirements of subsections (D)(1), (2) and (3) of this section, a surface identification in blue paint of at least three square feet in size, duplicating the international symbol of accessibility.

5. 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 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.

6. 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. Said space shall not be required to be reserved or identified exclusively for use by persons with disabilities.

7. 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.

8. 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

paragraph would create an unreasonable hardship, a waiver may be granted when equivalent facilitation is provided.

9. The slope of an accessible parking stall shall be the minimum possible and shall not exceed one-quarter inch per foot (2.083 percent gradient) in any direction.

10. Notwithstanding the off-street parking requirements of Subsection 9.11.040(A) of this chapter, 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.

11. 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.

12. All disabled spaces shall be located as close as possible to the entrance(s) of the use they are intended to serve and oriented so that the user of the disabled parking space need not go past the rear of automotive parking spaces in order to reach the building's main entrance.

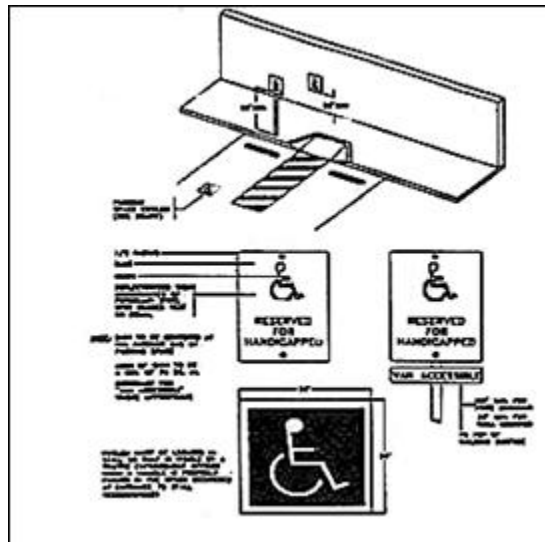


Figure 9.11.080-7

Accessible Parking Stall Requirement

- * Ramps shall include a curb-cut type design
- * Loading area width: van accessible = 8 feet; all other accessible spaces = 5 feet

E. Surfacing.

1. All permanent automobile and disabled parking spaces, loading and maneuvering areas shall be paved and permanently maintained with asphalt, concrete, or other all-weather surfacing, as approved by the city engineer. Every effort should be made to use pervious surfaces to reduce water run off. All parking areas in excess of the requirements of the Municipal Code shall use pervious pavement and/or increased landscape water retention and absorption areas.

2. Temporary parking facilities shall be provided with surfaces which prevent dust, as approved by the city engineer.

F. Location of Parking.

1. All parking spaces required by this chapter shall be provided on the same site as the use requiring the parking spaces, except as authorized in Section 9.11.070, Adjustments to off-street parking requirements of this chapter.

2. All automobile spaces required for residential uses shall be located a maximum of two hundred fifty (250) feet from the units they are serving. Distances shall be measured from the nearest point of the building to the parking space(s) serving that building.

3. All car pool parking spaces shall be located as close as possible to the entrance(s) of the use they are intended to serve.

G. Landscape and Screening Requirements. Parking lot screening and landscaping shall conform to the requirements of Chapter 9.17 of this title.

H. Access.

1. Parking Access from Streets.

a. Access to parking spaces, other than four or fewer spaces serving a residential use, shall not require backing onto a public or private street or onto a private drive other than a drive designed exclusively to provide access to parking spaces.

b. Commercial developments should orient traffic onto major arterials and not onto local streets or collectors.

c. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points shall be consolidated to take advantage of planned or existing median breaks.

2. Driveway and Aisle Widths and Clearances. For purposes of this section, a driveway shall be defined as an access leading from a public street or right-of-way or a private street to a parking area, or from one parking area to another, but shall not be defined to include any ramp, aisle, or maneuvering area. A ramp is defined as an access driveway from one parking level to another. All driveways and ramps shall comply with the following standards:

a. Driveways and aisles for single-family detached structures shall not be less than sixteen (16) feet in width, and shall be maintained free and clear of all obstructions. Driveways which serve single-family development shall be defined as the paved area leading from a public street or right-of-way or a private street to the designated parking area, and shall not be wider than such designated parking area; and

b. Driveways for single-family attached, multiple-family, and nonresidential uses shall be as shown in Table 9.11.080-13 of this section, except when for health and safety purposes wider dimensions are required for emergency vehicle access.

**Table 9.11.080-13
Driveway and Aisle Dimensions for Single-Family Attached, Multiple-Family, and Nonresidential Uses**

Width, excluding flares or curb radius	
<u>Minimum Required (one-way)*</u>	20 feet
<u>Minimum Required (two-way)*</u>	24 feet
<u>Maximum</u>	36 feet
Right Turn Radius ¹	
Minimum	15 feet
Maximum	50 feet
Minimum Spacing ²	
From side property line	10 feet
From street corner	25 feet
Angle ³	75°

¹ On side of driveway exposed to entry or exit by right-turning vehicle to driveways with curb radius.

² Measured along the street side property line from throat to the side property line, or to a line passing through the intersection.

³ Minimum acute angle measured from the edge of pavement.

* Wider driveway aisles may be approved with the approval of the Community and Economic Development Director.

3. The following criteria and dimensions may be modified by the city engineer:

Table 9.11.080-14

Street Classification	Distance from a Driveway to an Intersection	Spacing Between Adjacent Driveways
Expressway 134' ROW	Restricted* **	1/2 mile
Divided Major/Modified Major	Limited access* **	Limited access
Divided Arterial	Minimum 450 feet	Minimum 450 feet
134' ROW/120' ROW		One driveway per parcel
Divided Arterial	Limited Access* **	Minimum 250 feet
110' ROW	Minimum 350 feet	
Arterial/Minor Arterial/ Industrial Collector		
100'/88'/78' ROW	Limited access* **	Minimum 150 feet
	Minimum 250 feet	
	Full Access 350 feet	
Collector/66' ROW	Minimum 200 feet* ***	Minimum 100 feet or one driveway per parcel
Local Street	Minimum 100 feet* ***	Minimum 100 feet or one driveway per parcel

* Access may be limited to the minimum movements necessary to safely expedite traffic.

** Access may be restricted by medians.

*** For residential development.

4. Ramps.

a. One-way ramps shall have a minimum width of fourteen (14) feet, unless a larger dimension is required for emergency vehicle access.

b. Two-way ramps shall have a minimum width of twenty (20) feet.

5. Gated Entries. Requests for gated entries shall be submitted to the city traffic engineer and shall be subject to review and approval by the city traffic engineer and planning official, based on an analysis of the following issues:

a. Type and operation of gate;

b. Adequacy of vehicle stacking area;

- c. Effect of gated entry on parking usage and distribution on the site;
- d. Effect of gated entry on parking for surrounding or adjacent areas;
- e. Emergency vehicle access. (Ord. 826 § 3.4, 2011; Ord. 808 § 2.5.3, 2010; Ord. 694 § 1.1 (part), 2005; Ord. 643 § 2.6, 2003; Ord. 616 § 2.2.22, 2003; Ord. 604 §§ 2.15—2.18, 2002; Ord. 557 § 2.6, 2000; Ord. 475 § 1.4 (part), 1995; Ord. 406 § 1.4, 1993; Ord. 405 §§ 1.14, 1.15, 1993; Ord. 402 §§ 1.3, 1.4, 1993; Ord. 359 (part), 1992)

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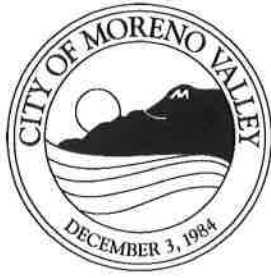
Commercial Setbacks						
#	City	CC Front Setback	CC Side-Front Setback	NC Front Setback	NC Side Street Setback	Notes
1	Moreno Valley	20 ft.	20 ft.	20 ft.	20 ft.	
2	Perris	10 ft.	10 ft.	10 ft.	10 ft.	On Arterial Streets. Structures greater than 25 feet in height shall be setback an additional 5 feet for each 10 feet of additional structure height.
3	Temecula	20 ft.	20 ft.	25 ft.	25 ft.	On Arterial Streets
4	Redlands	0 ft.	10 ft.	40 ft.	40 ft.	CC=C-3
5	Riverside	0 ft.	0 ft.	0 ft.	0 ft.	Front and side yard setback shall be increased by 2 1/2 feet per story over the second story.
6	Ontario	15 ft.	15 ft.	20 ft.	0 ft.	CC=C2
7	San Bernardino	10 ft.	10 ft.	15 ft.	10 ft.	CC=CG-1

* Other Jurisdictions use other names for commercial zones

- CC Community Commercial
- NC Neighborhood Commercial
- C-3 General Commercial
- C2 Central Business
- CG-1 Commercial General

ATTACHMENT 4

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CITY OF MORENO VALLEY
Community & Economic Development Department
Planning Division

M E M O R A N D U M

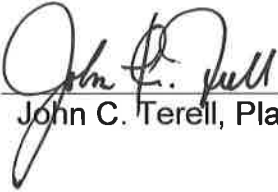
To: Chair Baker and Members of the Planning Commission
From: Grace Espino-Salcedo, Administrative Assistant
Date: March 8, 2012
Subject: 2011 Annual Report of the Planning Commission

An Annual Report is required to be forwarded to the California State Office of Planning and Research in accordance with Government Code Section 65040.5. The purpose of the Annual Report is to highlight the Planning Commission's major accomplishments in the implementation of the City's General Plan.

The attached Report highlights the major development applications and modifications to City documents that were processed in 2011.

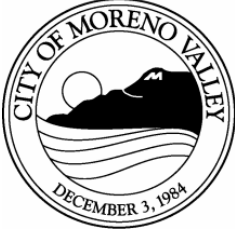
Staff recommends that the Planning Commission:

- 1) **ACCEPT** the 2011 Annual Report of the Planning Commission; and,
- 2) **DIRECT** Staff to forward the 2011 Annual Report of the Planning Commission to the City Council.

Approved by:  _____
John C. Terrell, Planning Official

Attachment: 2011 Annual Report of the Planning Commission

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CITY OF MORENO VALLEY
Community & Economic Development Department
Planning Division

Planning Commission
ANNUAL REPORT
To the City Council

JANUARY – DECEMBER 2011

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ACKNOWLEDGEMENTS

ACKNOWLEDGEMENTS

CITY COUNCIL (Elected)

	DISTRICT	TERM EXPIRES
Richard A. Stewart, Mayor	2	November 2014
Jesse L. Molina, Mayor Pro-Tem	1	November 2012
Robin Hastings	3	November 2012
William H. Batey II	5	November 2012
Marcelo Co	4	November 2014

PLANNING COMMISSION (Appointed)

	TERM EXPIRES
Ray L. Baker, Chairperson	March 31, 2013
George Salas, Jr., Vice-Chairperson	March 31, 2013
Jeffrey Giba	March 31, 2013
Mary E. Van Natta	March 31, 2015
Amber Crothers	March 31, 2015
Carlos Ramirez	March 31, 2015
Thomas Owings	March 31, 2015

CITY MANAGER

Henry Garcia

ASSISTANT CITY MANAGER

Michelle Dawson

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Barry Foster, Director

Planning Division

John Terell, AICP Planning Official
Darisa Vargas, Senior Administrative Assistant
Grace Espino-Salcedo, Administrative Assistant
Chris Ormsby, AICP Senior Planner
Mark D. Gross, AICP Senior Planner
Claudia Manrique, Associate Planner
Gabriel Diaz, Associate Planner
Jeffrey Bradshaw, Associate Planner
Julia Descoteaux, Associate Planner
Leticia Esquivel, Senior Permit Technician
Yahnel Bishop, Permit Technician
Summer Looy, Permit Technician

MAJOR ACCOMPLISHMENTS

MAJOR ACCOMPLISHMENTS

The Moreno Valley Planning Commission is committed to implementing the adopted General Plan, Development Code and Design Guidelines. The Development Code and Design Guidelines, combined with the adopted Landscape Development and Specifications, are the major tools to implement the General Plan.

The purpose of this Annual Report is to highlight significant accomplishments, summarize ongoing projects, and describe special studies that the Moreno Valley Planning Commission has been working on during the 2011 calendar year. A major function of this report is to acknowledge and evaluate the ongoing implementation of the General Plan. This report is prepared in accordance with Section 65040.5 of the California Government Code.

Major Accomplishments in 2011 were:

Major development projects reviewed by the Planning Commission in 2011 were as follows:

- PA10-0038 (Tentative Tract Map No. 36340), PA10-0039 (Conditional Use Permit) and PA10-0029 (Development Agreement) Tentative Tract Map No. 36340 for the development of a 275 lot single-family residential small lot detached subdivision on an approximate 29 acre site. Conditional Use Permit (CUP) for a Planned Unit Development (PUD) to include common open space lots for recreational opportunities within the Residential 15 (R15) land use district and protection of existing rock outcroppings with private open space and an existing drainage basin within the Open Space (OS) land use district. Located at the southeast corner of Fir Avenue and Eucalyptus Avenue.
- PA07-0129 (Tentative Tract Map No. 35606) Tentative Tract Map for a 16 single-family residential lot subdivision on 4.8 acres. Lot sizes to range from 7,377 square feet to 12,724 square feet. Zoned: Residential 5 (R5). Located at Metric Drive, west of Perris Boulevard and east of Hubbard Street, just north of Tranquil Way.
- PA10-0022 (Development Code Amendment) Modifications to Title 9 of the Municipal Code to further refine existing lighting standards to include modification to onsite, athletic field/park and street lighting to minimize light pollution/trespass and include provisions for dark sky. Citywide. **(DENIED)**
- PA11-0017 (2011-2012 Capital Improvement Plan Conformance with General Plan) To make a finding that the Fiscal Year 2011-2012 Capital Improvement Plan is in conformance with the City of Moreno Valley's General Plan.
- PA10-0035 (Municipal Code Amendment) Municipal Code Amendment to update the Municipal Code to implement new design standards to comply with the 2010 National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer (MS4) Permit which is designed to minimize impacts from new development as well as redevelopment projects discharging urban waters entering Waters of the U.S. from municipal separate storm sewer systems which is regulated under the National Pollutant Discharge Elimination Systems (NPDES) permit. Citywide.

- PA08-0097 (Plot Plan), PA08-0098 (Change of Zone), PA09-0022 (Tentative Tract Parcel Map No. 36207), PA10-0017 (Municipal Code Amendment) and P08-133 (Environmental Impact Report) West Ridge Commerce Center project for a 937,260 square foot warehouse distribution building on a 55-acre site. Change of Zone from Business Park (BP) to Light Industrial (LI) and a Municipal Code Amendment to require a buffer in the LI zone between warehouses of 50,000 square feet and larger and adjacent Residential districts. Tentative Parcel Map is required to combine the multiple parcels of the project site into a single parcel. The project also required certification of an Environmental Impact Report. Located on the south side of State Route 60, on the north side of Eucalyptus Avenue, approximately 650 feet west of Redlands Boulevard. **(DENIED)**
- PA09-0031 (Plot Plan), PA09-0032 (Conditional Use Permit) and P09-099 (Variance) Plot Plan for the construction of a commercial center to include an express carwash with vacuum stations, and an approximately 5,150 square feet retail building, including a proposed convenience store, and two additional retail/restaurant suites; Conditional Use Permit for the sale of alcohol (beer and wine for off premises consumption); Variance for the reduced front setback landscaping along Alessandro Boulevard due to the site constraints. Located northeast of Alessandro Boulevard and Graham Street (APN: 296-280-018).
- PA11-0009 (Plot Plan) and P11-016 (Master Plot Plan) Plot Plan for a 74,425 square foot three-story medical office building west of the existing Kaiser Medical Center; Master Plot Plan to incorporate the new building in to the Medical Center complex. Zoned: Office Commercial (OC) and within the Medical Use Overlay District (MUO). Located at 27300 Iris Avenue (APN: 486--310-024).
- PA05-0135 (Tentative Tract Map No. 32556) Tentative Tract Map to subdivide 9.39 gross acres into thirty single-family residential lots ranging in lot size from 7,292 square feet to 12,828 square feet and two lettered lots for the water quality and detention basin in the Residential 5 (R5) zone. Located east of Heacock Street, south of John F. Kennedy (APN: 485-020-005).
- PA10-0036 (Tentative Tract Map No. 36277) and PA10-0037 (Plot Plan) For the conversion of the existing 394 unit apartment complex to condominiums. Located at 13120 Day Street.
- PA11-0031 (Conditional Use Permit) For the installation of a 75 foot tall monopine telecommunications facility, including 12 antennas, one microwave dish, one GPS antenna and the associated ground equipment. The monopine and equipment shelter is located on the southwest side of the existing classroom and the existing telecommunications facility in the Residential 2 (R2) zone. Located at 10271 Heacock Street.
- PA11-0008 (Conditional Use Permit) Conditional Use Permit for a new wireless communications facility located within the public right-of-way; to replace an existing street light pole with a larger diameter pole and mount panel antennas inside a metal radome or sheath at the top of the pole. Ground mounted equipment placed underground in a vault in the right-of-way in proximity to the pole. The facility also requires extension of approximately 780 feet of telecommunication lines and power lines from Manzanita south to the pole and vault location. Located on the west side of Perris Boulevard in the public right-of-way and approximately 400 feet south of Manzanita Avenue.

- PA11-0019 (Conditional Use Permit) Conditional Use Permit for a phased 98,434 square foot 139-unit (155 bed) senior assisted living facility (Phases 1 and 2) on a 7.33 acre parcel of land within the Residential 15 (R15) land use district. Located at the southwest corner of Brodiaea Avenue and Moreno Beach Drive.
- PA11-0037 (Municipal Code Amendment) Municipal Code Amendment to establish regulations for the containment of shopping carts. Citywide.

Other Development Projects reviewed by the Planning Commission in 2011 as follow:

- P10-093 (Variance) The City is in the process of improving Ironwood Avenue from Heacock Street to Perris Boulevard to a four lane arterial. A strip of land 11 feet wide along the project site's Ironwood Avenue frontage is needed to widen this section of Ironwood. The existing 2-car garage facing Ironwood Avenue must be closed due to right-of-way acquisition which will result in the loss of the driveway. The City's Municipal Code requires a two-car garage for all single-family residences. Project site does not have sufficient area to accommodate building a new two-car garage. Variance requested for a one-car garage. New garage to be accessed via a new driveway on Marigold Avenue. Located at the southwest corner of Ironwood Avenue and Marigold Avenue at 12013 Marigold Avenue (APN: 481-031-001).
- P10-104 (Variance) and P10-083 (Amended Plot Plan) Variance for parking lot and landscape improvements. Applicant changed use from retail to office for the purpose of a medical office which requires additional parking. The existing zoning within the Specific Plan 204 Village Commercial Residential (SP 204 VCR). Located at 24226 Sunnymead Boulevard (APN: 481-112-009).
- P10-109 (Amended Conditional Use Permit) Modification to approved Conditional Use Permit for the Residential Treatment Facility clientele from women to homeless male veterans. Located in an existing multi-family structure in the Residential 20 (R20) zone which allows the use with a Conditional Use Permit. Located at 15333 Sheila Street (APN: 486-084-014).
- P10-031 (Amended Conditional Use Permit) Amended Conditional Use Permit to expand an approved concrete batch plant onto an adjoining parcel; to increase the concrete batch plant site from 2.05 acres to 5.1 acres. The expanded site is to be utilized to store materials produced at the plant and concrete delivery trucks. Amended Conditional Use Permit to screen the storage area with solid walls and a tree row along the north, south and east property lines. The three-sided material storage building located along Old Highway 215 would increase in length from 195 feet to 286 feet. Located on the east side of Old 215 Frontage Road and south of Alessandro Boulevard.
- P11-029 (Development Agreement Amendment) Amendment to Aquabella Development Agreement to remove Planning Area 2 (portion of Parcel 486-280-045). Located at the northeast corner of Lasselle Street and Cactus Avenue.

-
- P11-030 (Amended Conditional Use Permit) Amended Conditional Use Permit for a change of product for the remaining 15 lots in the approved Planned Unit Development. Located in the southwest corner of Pigeon Pass Road and Sunnymead Ranch Parkway.
 - P11-0251 (Sign Program Amendment) To modify an existing sign program and replace an existing 35 foot high freeway pylon sign with a new sign at a height of 80 feet within the Towngate Specific Plan No. 200 – Towngate Shopping Center/Plaza. Located on the south side of Highway 60 between Day Street and Frederick Street.
 - P11-055 (Amended Conditional Use Permit) Proposal to revise the Conditions of Approval regarding the materials and design for an approved 50 foot tall monopine telecommunications facility to be located on the west side of Cottonwood Park. The site is the equestrian parks with a zoning of Residential Agriculture 2 (RA2). Located at 25890 Cottonwood Avenue.
 - P11-099 (Development Agreement Amendment) Amendment to the Annexation and Development Agreement for Towngate Mixed-Use Specific Plan, extending the term of the Agreement by five years. Located at the Towngate Specific Plan, southerly of State Highway 60, easterly of Day Street, westerly of Frederick Street and northerly of Cottonwood Avenue.

**GENERAL PLAN IMPLEMENTATION
GENERAL PLAN IMPLEMENTATION**

The General Plan and the Development Code gives the City of Moreno Valley the tools necessary to guide the development of the City into the next century.

The Planning Commission held public hearings on amendments to the General Plan and the Development Code. The amendments were approved by the Planning Commission and forwarded to the City Council for their approval.

The following General Plan Amendments were recommended for approval by the Planning Commission in 2011:

- PA10-0022 (Development Code Amendment) Modifications to Title 9 of the Municipal Code to further refine existing lighting standards to include modification to onsite, athletic field/park and street lighting to minimize light pollution/trespass and include provisions for dark sky. Citywide. **(DENIED)**
- PA11-0017 (2011-2012 Capital Improvement Plan Conformance with General Plan) To make a finding that the Fiscal Year 2011-2012 Capital Improvement Plan is in conformance with the City of Moreno Valley's General Plan.
- PA10-0035 (Municipal Code Amendment) Municipal Code Amendment to update the Municipal Code to implement new design standards to comply with the 2010 National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer (MS4) Permit which is designed to minimize impacts from new development as well as redevelopment projects discharging urban waters entering Waters of the U.S. from municipal separate storm sewer systems which is regulated under the National Pollutant Discharge Elimination Systems (NPDES) permit. Citywide.
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- PA11-0037 (Municipal Code Amendment) Municipal Code Amendment to establish regulations for the containment of shopping carts. Citywide.

PROJECT ACTIVITY

PROJECT ACTIVITY

SUMMARY OF PLANNING COMMISSION PROJECT ACTIVITY FOR THE PERIOD JANUARY 2011 THROUGH DECEMBER 2011

PROJECT TYPE	TOTAL PROJECTS REVIEWED
Amended Design Manual	0
Amended Plot Plan	1
Change of Zone	1
Conditional Use Permit	5
Conditional Use Permit Amendment	4
Development Agreement	1
Development Agreement Amendment	2
Environmental Impact Report	1
Municipal Code Amendment	4
General Plan Amendment	0
Modification to Conditions of Approval	0
Parcel Map	0
Plot Plan	4
Plot Plan Amendment	0
Reversion to Acreage	0
Sign Program Amendment	1
Specific Plan Amendment	0
Specific Plan Adoption	0
Tentative Parcel Map	1
Tentative Parcel Map Amendment	0
Tentative Tract Map	4
Tentative Tract Map Amendment	0
Tentative Tract Map Variance	0
Variance	3
Master Plot Plan and Related	1
10 Year Capital Plan Amendment (CIP)	1
TOTAL PROJECTS	34

* This does not include Administrative Approvals that include such projects as: new construction not within 300' of residential, home occupation permits and signs. There were **598** Administrative Approvals and **432** plan check reviews in 2011.

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